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## 2009 Human Rights Report: Lebanon

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR  
**2009 Country Reports on Human Rights Practices**  
**March 11, 2010**

Lebanon, with a population of approximately four million, is a parliamentary republic in which the president is a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the chamber of deputies a Shia Muslim. On June 7, the country held parliamentary elections international observers deemed generally free and fair. In May 2008 parliament elected President Michel Sleiman, who serves as the head of state. On June 27, the president and parliament appointed Saad Hariri prime minister-designate, and Hariri formed a cabinet November 9 after lengthy negotiations. Civilian authorities generally maintained effective control of government security forces. UN Security Council (UNSC) resolutions 1559 and 1701 call upon the government to take effective control of all Lebanese territory and disarm militia groups. Despite the presence of Lebanese and UN security forces, Hizballah retained significant influence over parts of the country, and the government made no tangible progress toward disbanding and disarming armed militia groups, including Hizballah. Palestinian refugee camps continued to act as self-governed entities and maintained security and militia forces not under the direction of government officials.

There were limitations on the right of citizens to change their government peacefully. Unknown actors committed unlawful killings, and there was one reported disappearance during the year that may have been politically motivated. Security forces arbitrarily arrested and detained individuals. Torture of detainees remained a problem, as did poor prison conditions, lengthy pretrial detention, and long delays in the court system. The government violated citizens' privacy rights, and there were some restrictions on freedoms of speech and press, including intimidation of journalists. The government suffered from corruption and lack of transparency. There were limitations on freedom of movement for unregistered refugees. Widespread, systematic discrimination against Palestinian refugees and minority groups continued. Domestic violence and societal discrimination against women continued, as did violence against children and child labor.

### RESPECT FOR HUMAN RIGHTS

#### Section 1 Respect for the Integrity of the Person, Including Freedom From:

##### a. Arbitrary or Unlawful Deprivation of Life

There were no reports the government or its agents committed arbitrary or unlawful killings. There was at least one high-profile killing by unknown actors. On March 23, a roadside bomb blast close to Mieh Mieh, a Palestinian refugee camp east of Sidon, killed Kamal Medhat, deputy head of the Palestine Liberation Organization (PLO) in the country, along with Akram Daher, Khaled Daher, and Mohammed Shehadeh.

There were few developments in killings by unknown actors from previous years.

At year's end investigations were ongoing in two January 2008 explosions: one targeted a diplomatic vehicle, killing three persons and injuring two security employees; the other killed Internal Security Forces (ISF) Information Technology Intelligence branch head Captain Wissam Eid and three others, and injured 36.

During January 2008 riots protesting power outages in the predominantly Shia Muslim area of Shiyah, an unknown assailant shot and killed an Amal movement official. In response the riots turned violent, with protestors throwing stones and setting cars ablaze; seven civilians died, and more than 19 were injured. In February 2008 the Lebanese Armed Forces (LAF) arrested 17 persons, including 11 soldiers and three officers, for excessive use of force in containing the protests. Authorities later released on bail the three officers, some of the soldiers, and other individuals.

In September 2008 unknown persons planted a car bomb that killed Druze opposition figure Saleh Aridi and injured six others. Aridi reportedly played a major role in the reconciliation efforts of Druze leaders Walid Jumblatt and Talal Arslan following the May 2008 conflict with Hizballah. At year's end the investigation was ongoing.

There were no developments in investigations following several 2007 car bombing deaths, including those of member of parliament (MP) Walid Eido and 10 others in June and MP Antoine Ghanem and eight others in September. There were no developments in the investigation of the 2006 killings of Islamic Jihad member Mahmoud Majzoub and his brother or of the roadside bombs in Rmeileh that injured ISF Lieutenant Colonel Samir Shehade and killed four of his bodyguards.

It remained difficult to distinguish politically motivated crimes allegedly committed by opposition groups or terrorists from simple criminal acts or disputes, as the government did not exercise control over all its territory and investigations of suspicious killings rarely led to prosecutions.

In April 2008 Joseph and Tony Zouki, supporters of pro-March 8 Alliance MP Elie Skaff, allegedly shot and killed two

Phalange party supporters, Nasri Marouni and Salim Assi, during the inauguration of the Phalange headquarters in Zahle. At year's end Joseph and Tony Zouki remained at large.

In May 2008 Hizballah-led opposition fighters occupied parts of downtown Beirut to protest two government decisions against Hizballah. Armed clashes ensued between the predominantly Shia opposition and Sunnis aligned with the majority. The occupiers targeted Sunni-run political party offices and media outlets. There were also armed clashes between Druze and Hizballah in the mountains and between Sunnis and Alawites in the north. The May 2008 conflict reportedly resulted in more than 80 deaths and 250 injuries.

According to Human Rights Watch (HRW), during the May 2008 conflict, members of the opposition groups Hizballah, Amal, and the Syrian Socialist National Party (SSNP) used small arms and rocket-propelled grenades (RPGs) in densely populated areas of Beirut, killing numerous civilians. For example, HRW reported opposition gunmen shot and killed Amal Baydoun and her son, Haytham Tabbarah, with an RPG while the two were trying to flee their Ras al-Nabaa neighborhood. Opposition gunmen shot and injured Tabbarah's two brothers later that day while they were trying to join their family at the hospital.

Also in May 2008, supporters of the progovernment groups Future Movement and the Progressive Socialist Party (PSP) resorted to violence against civilians and offices associated with opposition groups in areas under the groups' control in northern Lebanon, the Bida', and the Shouf. According to Hizballah, PSP fighters detained and then executed two Hizballah followers. After examining photos of the two Hizballah members, HRW reported PSP fighters shot at least one victim in the head at close range. In Halba, a village in the north, armed Sunnis killed members of the SSNP who had surrendered. According to HRW, the judiciary has issued only one indictment related to the May 2008 clashes, against an individual who shot at civilians. Other investigations have stalled with no prosecutions by year's end.

In May 2008 a blast killed soldier Ossama Hassan at an army intelligence post near the northern city of Tripoli. In August and September 2008, two separate bomb attacks targeted buses filled with LAF soldiers on their way to work in Tripoli, killing 20 persons, including 14 soldiers, and injuring more than 90. In October 2008 the public prosecutor issued charges against 34 suspects accused of carrying out terrorist attacks, including the attack on the intelligence post and the Tripoli bus bombings. At year's end, authorities continued to detain 26 suspects; eight others, including Fadi Ghassan Ibrahim, remained at large. Judicial authorities also accused Ibrahim, a suspected member of Fatah al-Islam (FAI), of killing Brigadier General Francois el-Hajj and his bodyguard in 2007.

Four suspected members of FAI charged with leading the 2007 Ain Alaq twin bus bombings remained in detention at year's end, without formal convictions or progress toward a trial.

On April 29, the UN-appointed Special Tribunal for Lebanon ordered the government to release for lack of evidence four generals suspected of collaborating in the 2005 killing of former prime minister Rafiq al-Hariri and 22 other individuals. The officers were Major General Jamil Sayyed, former chief of Surete Generale (SG); Major General Ali Hajj, former ISF head; Brigadier General Raymond Azar, former chief of military intelligence; and Brigadier General Mustafa Hamdan, former commander of the presidential guard.

Israeli cluster munitions from the 2006 conflict continued to kill and injure civilians during the year. In April the UN Interim Force in Lebanon (UNIFIL) estimated these munitions caused an ongoing average of two civilian casualties per month. The UN Mine Action Coordination Center estimated 560,000 to 1.1 million unexploded munitions remained, despite ongoing removal efforts. At year's end munitions had killed 44 persons since the end of the conflict. On May 13, Israel provided strike data to the Lebanese government to assist in explosive ordnance disposal and demining efforts.

#### b. Disappearance

There was one report of an allegedly politically motivated disappearance during the year. On February 12, three masked men seized Middle East Airlines' Director of Information Technology Operational Services, Joseph Sader, as he got off a bus and walked to his office in the Rafiq Hariri Beirut International Airport. According to Sader's brother, the men threw Sader into a van and drove away. A small bus carrying army personnel who also witnessed the accident pursued but reportedly lost the van in heavy traffic. Although the ISF was investigating the disappearance, some expressed concern at government and security officials' refusal to discuss the case, and at least one source claimed the kidnappers transferred Sader to LAF intelligence, purportedly to investigate his relationship with an acquaintance who had connections to Israel. According to press reports, Bishop Elie Haddad, Melkite Roman Catholic Pastor of Sidon and Deir al-Qamar, said in an interview with television channel OTV Sader was still alive, and a local armed group without connections to Hizballah was holding him. Sader remained missing at year's end.

In December 2008 plainclothes military intelligence officers took Syrian citizen and United National Alliance member Nawar Abboud and two of his employees from his office in Tripoli to al-Qubbeh military base for interrogation. Authorities reported they released all three over the next two days, but Abboud remained missing at year's end despite his family's reportedly extensive efforts to find him. On November 10, the UN Working Group on Arbitrary Detention (WGAD), the body mandated to investigate complaints of arbitrary deprivation of liberty, declared Abboud's disappearance to have been arbitrary. The WGAD said the government's response to its queries on Abboud's whereabouts had been "brief and imprecise" and urged the government to "show with precision the proof that he was liberated." At year's end Abboud's whereabouts were still unknown.

There were no developments in the 2007 kidnapping and killing case of Ziad Ghandour and Ziad Qabalan, who were affiliated with PSP leader Walid Jambatt. In September 2008 the public prosecutor issued charges against 14 persons, including brothers Mohammed, Shehadeh, Abdallah, Abbas, and Ali Shamas, who remained at large at year's end.

More than 17,000 persons reportedly disappeared in the country during the 1975-1990 war. On October 23, judicial authorities ordered the Council of Ministers to release the official investigations report issued in 2000, of which only a three-page summary had been previously available. At year's end the report had not been published.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law does not specifically prohibit torture or cruel, inhuman, or degrading treatment or punishment, and there were reports government officials employed such practices. According to human rights groups—including Amnesty International (AI), the Lebanese Association for Education and Training (ALEF), and HRW—torture was common, and security forces abused detainees. Human rights organizations reported torture occurred in certain police stations, the Ministry of Defense (MOD), and the ISF's intelligence branch and Drug Repression Bureau detention facilities in Beirut and Zahle. At year's end the government had not submitted its initial report under the Convention Against Torture—a report due in 2001. The government also continued to deny the use of torture, although authorities acknowledged violent abuse sometimes occurred during preliminary investigations at police stations or military installations where suspects were interrogated without an attorney. Such abuse occurred despite national laws preventing judges from accepting confessions extracted under duress.

Former prisoners, detainees, and reputable local human rights groups reported the methods of torture and abuse applied included hanging by the wrists tied behind the back, violent beatings, blows to the soles of the feet, electric shocks, sexual abuse, immersion in cold water, extended periods of sleep deprivation, being forced to stand for extended periods, threats of violence against relatives, deprivation of clothing, withholding of food, being deprived of toilet facilities, and continuous blindfolding.

On January 22, LAF soldiers allegedly discovered two men engaged in homosexual activity in the lobby of an uninhabited building in Beirut. They dragged them to Sassine Sqaure in Beirut and severely beat them. According to reports soldiers punched, kicked, and jabbed the men with their rifle butts. The beating reportedly ended only when bystanders began to intercede, but the LAF detained the men at police barracks on the attorney general's order until their release a few days later.

On July 8, LAF officials arrested and beat Mathieu Fever, a French citizen and son of Jean-Francois Fever, head of security for UN agencies in the country. The LAF alleged Fever had attempted to obstruct a convoy transferring a dangerous criminal and the convoy repeatedly warned Fever to move. Fever had a broken leg when the LAF released him two hours after the arrest. No new developments were reported in this case by year's end.

From October to November 2008, authorities reportedly tortured Fadi Anwar Sabunah, who was in detention at the MOD. According to international nongovernmental organization (NGO) Alkarama (Dignity), officers tortured Sabunah before he reportedly signed a confession to end the torture. At year's end he faced criminal charges before the Beirut military tribunal related to May, August, and September 2008 bomb attacks on LAF soldiers.

From November 2007 to February 2008, according to Alkarama, ISF intelligence agents allegedly tortured Amer and Mosbah Hashash in incommunicado detention at the ISF Directorate General detention center in Beirut. Authorities reportedly tortured the brothers to force them to sign confessions they were not permitted to read. The brothers, who were charged with forming a terrorist group, were awaiting trial at year's end.

In 2007 security forces arrested five men in Tripoli on suspicion of supplying weapons to FAI. Security forces reportedly broke one suspect's jaw while he was in detention and forced another to stand for long periods of time, beating him severely if he tried to rest. Police dropped charges against two suspects; the others remained in custody at year's end.

According to the Lebanese Center for Human Rights (CLDH), on July 31, the military court sentenced Faysal Ghazi Moqalled to life imprisonment for his 2006 interaction with the Mossad, the Israeli intelligence agency. Moqalled originally was illegally detained for five months in a Hizballah prison in 2006, where he was allegedly tortured. Subsequently the MOD detained him for 20 months, and he was allegedly tortured again. His trial on appeal was scheduled for February 2010.

The army intelligence service arrested Mahmoud Qassem Rafeh in 2006 on suspicion of being an Israeli agent and subsequently detained him at the MOD, where he was allegedly tortured and forced to sign a confession. Rafeh was detained for approximately two years before he was permitted access to a lawyer; at year's end he was in prison awaiting trial.

#### Prison and Detention Center Conditions

Prison and detention center conditions were poor and did not meet minimum international standards. Prisons were overcrowded and sanitary conditions, particularly in women's prisons, were very poor. NGOs working with prisoners reported three cases of prisoner-on-prisoner rape in Roumieh prison during the year. According to one NGO, 27 prisoners died during the year primarily due to authorities' negligence and failure to provide appropriate medical care. The government did not consider prison reform a high priority.

At year's end there were 4,800 prisoners and detainees, including pretrial detainees and remand prisoners, in facilities built to hold a maximum of 2,500 inmates. NGOs reported at the end of the year, 138 minors and 336 women were incarcerated. Overcrowding and limited prison facilities meant pretrial detainees were often held together with convicted prisoners, and juveniles may have been held together with adults during the year. Men and women are held separately in similar conditions. The LAF carried out interrogations of security detainees in detention centers at the MOD. Authorities held FAI prisoners in separate cells at Roumieh prison.

The government permitted independent monitoring of prison conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC), and such monitoring took place during the year. According to its 2008 annual report, the ICRC carried out 136 visits to 6,104 detainees in 21 prisons and detention centers.

Nongovernmental entities such as Hizballah and Palestinian militias also operated detention facilities.

The government made modest efforts to rehabilitate some inmates through education and training programs. A 15-month project funded by the European Union and implemented by the Association for Defense of Rights and Freedoms used theater arts to help inmates express themselves and communicate with others.

#### d. Arbitrary Arrest or Detention

The law requires judicial warrants before arrests, except in immediate pursuit situations, but the government arbitrarily arrested and detained persons.

##### Role of the Police and Security Apparatus

The ISF, under the Ministry of Interior (MOI), enforces laws, conducts searches and arrests, and refers cases to the judiciary. The State Security Apparatus, which reports to the prime minister, and the SG, under the MOI, control the borders. The LAF is responsible for external security but may also arrest and detain suspects in the country on national security grounds. Both the State Security Apparatus and the SG collect information on groups deemed possible threats to state security.

Government security officials and agencies and the police force are subject to laws against bribery and extortion. In practice a lack of strong enforcement limited the laws' effectiveness. The government acknowledged the need to reform law enforcement behavior. The ISF maintained three complaint hotlines. Hotline operators in North Lebanon, South Lebanon, Bqqa', and Mount Lebanon each received approximately 50 calls per day; the Beirut operation center received approximately 100 calls per day. If the calls indicated urgency, the ISF dispatched its forces for assistance. During times of particular security instability, these centers received a greater number of calls.

##### Arrest Procedures and Treatment While in Detention

The law generally requires a warrant for arrest and provides the right to a lawyer, a medical examination, and referral to a prosecutor within 48 hours of arrest. If authorities hold a detainee longer than 48 hours without formal charges, the arrest is considered arbitrary and the detainee must be released. In such cases officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom, but charges are rarely filed. A suspect caught in the act of committing a crime must be referred to an examining judge, who decides whether to issue an indictment or to order the release of the suspect. By law bail is available in all cases regardless of the charges, although the amounts demanded may be set prohibitively high.

The law guarantees detainees prompt access to a lawyer and to family members. However, the state does not provide legal assistance, although the Beirut Bar Association provides lawyers for indigent defendants.

Authorities did not observe many provisions of the law, and government security forces--as well as extralegal armed groups such as Hizballah--continued the practice of arbitrary arrest and detention. In addition, the law permits military intelligence personnel to make arrests without warrants in cases involving military personnel and those involving alleged espionage, treason, and weapons possession.

According to the CLDH, there have been clear cases of arbitrary detention and torture among persons detained on spying charges. For example, the CLDH reported four individuals accused of spying complained various security services tortured them to force them to sign confessions.

Bureaucratic inefficiency delayed some cases. According to the CLDH, on September 25, authorities summoned Haytham Zantout to the Shiyah police station, where they interrogated him concerning a financial case. Zantout spent a night at the police station and four nights at the Baabda Court jail before authorities transferred him to Roumieh prison. After three hearings the investigative magistrate ordered him released on October 19. However, due to a delay in transmitting the release order to prison authorities, Zantout was only released on December 10, seven weeks after his ordered release date.

Palestinian refugees were subject to arbitrary arrest and detention by state security forces and rival Palestinian factions. No statistics on the number of such cases were available at year's end.

For example, on September 5, Hizballah reportedly arrested Salah Ezzedine and conducted an interrogation into his alleged financial fraud scheme before remanding him to the custody of government law enforcement personnel. Both Ezzedine and his business partner Youssef Faour were charged with fraud, embezzlement, distributing worthless checks, and violating the country's fiscal law.

Human rights activists believed as of 2008 there were at least 600 Lebanese and Palestinians from Lebanon in prolonged and often secret detention in Syria. In August 2008 Minister of Justice Ibrahim Najjar stated in a televised interview there were 745 citizens missing in Syria, some of them convicted criminals, and some victims of "enforced disappearances." Najjar was the first government official to classify the detainees publicly. By year's end the Syrian government had released 130 detainees; all of those released had been convicted as criminals. According to NGO Support of Lebanese in Detention and Exile, at year's end the Syrian delegation to the joint Syrian-Lebanese commission had not granted

approval for the country's judges to check on the prisoners remaining in Syrian detention, although it had agreed in principle to do so.

Pretrial detention was a serious problem. According to ISF statistics, of the 5,122 persons in prison in May, more than 3,200 had yet to go to trial. The Office of the United Nations High Commissioner for Refugees (UNHCR) expressed concerns about arbitrary pretrial detention without access to legal representation and refused to support construction of new prisons until the issue of arbitrary pretrial detention was resolved.

#### Amnesty

On July 10, President Sleiman granted amnesty to Palestinian prisoner Youssef Shaaban, jailed since 1994 for allegedly killing a Jordanian diplomat. Shaaban's release came several years after the execution of the confessed killers in Jordan. Shaaban was sentenced on the basis of confessions intelligence services extracted from after torturing him. He had been claiming his innocence for 15 years.

#### e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, in practice the judiciary was subject to political pressure, particularly in the appointment of key prosecutors and investigating magistrates. Influential politicians and intelligence officers intervened at times and used their influence and connections to protect supporters from prosecution. Despite intimidation generated by a series of unresolved political assassinations by unidentified assailants beginning in 2004, the aftermath of the 2005 assassination of Rafiq Hariri led to the gradual reduction of Syrian influence over the judiciary.

The Ministry of Justice (MOJ) appoints most judges, taking into account the sectarian affiliation of the prospective judge. A shortage of qualified judges impeded efforts to adjudicate cases that accumulated during the years of internal conflict. Trial delays were aggravated by the government's inability to conduct investigations in areas outside of its control, specifically in the Hizballah-controlled areas in the south and in the 12 Palestinian-controlled refugee camps in the country.

The judicial system consists of the civilian courts, a military court, the Judicial Council, and the Constitutional Council. There are tribunals for the 18 government-recognized religious affiliations to adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody according to each confession's principles. Shia and Sunni religious communities use religious courts that apply Shari'a principles to resolve family legal matters. There are also religious family courts in the Christian sect and Druze communities. There was no universal or secular personal status civil court system, no full body of civil law, and no appeal mechanism for the confessional courts.

The military court tries cases involving military personnel and civilians in security-related issues, but it also has jurisdiction over civilians in espionage, treason, weapons possession, and draft evasion cases. Civilians may be tried for security issues, and military personnel may be tried for civil issues. The military court has two tribunals: the permanent tribunal and the cassation tribunal. The latter hears appeals from the former. A civilian judge chairs the cassation court. Defendants on trial by military tribunals have the same procedural rights as defendants in ordinary courts.

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security and some high-profile cases. Upon the recommendation of the minister of justice, the cabinet decides whether to try a case before this tribunal. Defendants before the Judicial Council have the same procedural rights as other defendants, but there is no right to appeal, and judges have the discretion to order the sessions, which are generally public, be closed.

#### Trial Procedures

Defendants do not enjoy a presumption of innocence, and there is no trial by jury. Trials were generally public, but judges have the discretion to order a closed court session. Defendants have the right to be present at trial, to consult with an attorney in a timely manner, and to question witnesses against them, but they must do the latter through the court panel, which decides whether to permit the defendant's question. Although there was no state-funded public defender's office, the bar association operated an office for those who could not afford a lawyer, and a lawyer was often provided for indigent defendants, of whom 80 percent were foreigners. A member of the Beirut Bar Association's Legal Aid Committee estimated as many as 20 percent of such defendants believed they did not receive proper representation. Defendants may present witnesses and evidence, and their attorneys have access to government-held evidence relevant to their cases. Defendants have the right of appeal. These rights generally were observed and applied to all defendants, both citizens and foreigners.

Palestinian groups in refugee camps operated an autonomous and arbitrary system of justice outside the control of the state. For example, local popular committees in the camps attempted to resolve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally transferred the perpetrator to state authorities for trial.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

There is an independent judiciary in civil matters. In practice it was seldom used to bring civil lawsuits seeking damages for human rights violations the government allegedly committed. During the year there were no examples of a civil court awarding an individual compensation for human rights violations the government committed against them. Many potential

litigants perceived such litigation was not worth the effort because the process was lengthy and there were few precedents of successful outcomes.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

Although the law prohibits such actions, authorities frequently interfered with the privacy of persons regarded as enemies of the government. The law requires police obtain warrants before entering homes except when in close pursuit of armed attackers, and they generally did so.

The Army Intelligence Service monitored the movements and activities of members of opposition groups. Security services continued to eavesdrop, although the law requires prior authorization. Defense Minister Elias Murr stated that Law 140, which regulates eavesdropping, was implemented as of February 3. The law allows the State Prosecutor's Office to request permission to tap telephone calls made in connection with ordinary crimes. It also allows the ministries of defense and interior to request the interception of calls related to political and terrorist activities. These ministries must first inform the Council of Ministers of their intention to request a particular telephone tap. Subsequently they must submit all specific requests to the relevant authorities. The law also provides for the formation of an independent judicial committee to receive telephone-tapping complaints and permits security services to monitor suspected criminals' telephones. On August 17, the press reported the establishment of a new telephone-tapping center, operated by army officers, with the capacity of recording 72,000 calls per day.

Militias and non-Lebanese forces operating outside the area of central government authority also frequently violated citizens' privacy rights. Various factions used informer networks and telephone monitoring to obtain information regarding their perceived adversaries.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, but political violence and extralegal intimidation in recent years have led to self-censorship among journalists. Individuals are free to criticize the government but are legally prohibited from publicly criticizing the president and foreign leaders.

Dozens of newspapers and hundreds of periodicals were published throughout the country, financed by and reflecting the views of local, sectarian, and foreign interest groups. In cooperation with the UN Educational, Scientific, and Cultural Organization's (UNESCO) regional office in Beirut, the Maharat Foundation released its annual report on the status of freedom of expression and opinion in the country for the year 2008. It noted the law restricts the freedom to issue, publish, and sell newspapers. The law also limits the number of political periodical publications to 25 per day for political publications and 20 a day for provisional political publications; prohibits the release of any publication without a prior license from the minister of information in consultation with the Press Union; and outlaws owning or managing a printing press without informing the Ministry of Information. There was limited state ownership of newspapers and periodicals; of the nine television and 33 radio stations, all but one television and one radio station were privately owned. The majority of media outlets had political affiliations, which sometimes hampered their ability to operate freely in areas dominated by other political groups and affected the objectivity of their reporting.

In November 2008 more than 15 supporters of the SSNP attacked Future News Television reporter Omar Harqous with sticks in Beirut's Hamra Street, injuring him in the head, neck, and chest. Harqous, who was admitted to a hospital for treatment, filed a complaint against the SSNP, its president, and the assailants, claiming the attack was motivated by his political reporting and editorials and that the assailants called him a Jew. The case was under appeal at year's end.

During the year several journalists privately reported receiving threats from political parties, politicians, fellow journalists, and opposition militia figures who generally threatened violence against them and their families if they did not cease writing articles on sensitive political issues. During the May 2008 conflict, there were physical attacks on several journalists and photographers, and armed Hizballah fighters closed four government-affiliated media outlets for several days. According to the Maharat Foundation's 2008 survey, 10 of the 61 journalists interviewed had experienced a shooting or beating in 2008, six had been threatened or intimidated, and four had been illegally detained.

The law permits censorship of pornographic material, political opinion, and religious material considered a threat to national security or an offense to the dignity of the head of state or foreign leaders. The 1991 security agreement between the government and the Syrian government, still in effect, contains a provision prohibiting the publication of any information deemed harmful to the security of either state. The SG reviews and censors all foreign newspapers, magazines, and books before they enter the country.

On October 19, the media reported the government forced a private school to remove pages reportedly describing Hizballah as a terrorist organization from a history book, following a complaint by former labor minister Mohammad Fneish. Any of the recognized religions may unilaterally request the SG ban any book. The government may prosecute offending journalists and publications in the publications court.

Officials also used libel laws to suppress criticism during the year. On July 31, security forces surrounded the headquarters of the Al-Jadeed television station to serve an arrest warrant against Ghada Eid, the host of weekly talk show *Corruption*, for allegedly slandering judge Shaheed Salameh during an episode of her show. The court issued an arrest warrant for Eid when she failed to appear at a hearing on the case; she claimed she had not received the summons. Eid avoided arrest on July 31 but surrendered to authorities on September 14. She was subsequently released on six million pounds (\$4,000) bail. On November 30, in a separate libel case against judge Afif Shamseddine, the press court

sentenced Eid to three months' imprisonment and a fine of 30 million pounds (\$20,000). The court also demanded she read the accusation against her aloud on the first episode of her show following implementation of the sentence.

In September 2008 the Execution Bureau of Beirut enforced a provisional seizure of property against Al-Jadeed in compliance with a decision by the Court of Publications. Former justice minister Charles Rizk had filed a lawsuit in 2007 against the head of the station's editorial department, Maryam al-Bassam, accusing her of libel. Ruling in favor of Rizk, the court judgment forced Al-Jadeed to pay 50 million pounds (\$33,333) to Rizk as compensation and 13 million pounds (\$8,666) to the state in penalty and judgment fees. Al-Jadeed paid the compensation to the state but appealed to the Supreme Court to avoid paying compensation to Rizk, who in turn requested the provisional seizure of Al-Jadeed's property. At year's end, there were no new developments. At year's end, authorities had not pursued most judicial cases launched in previous years against journalists.

#### Internet Freedom

The government reportedly censored some Internet sites, but there were no reports the government monitored e-mail or Internet chat rooms. Individuals and groups could generally engage in the peaceful expression of views via the Internet, including e-mail and Internet discussion groups. According to 2008 International Telecommunications Union statistics, approximately 23 percent of the country's inhabitants used the Internet. The SG and MOJ sometimes contacted Internet service providers to block pornographic and religiously provocative Web sites.

#### Academic Freedom and Cultural Events

There were no government restrictions on academic freedom, apart from libel and slander laws, but the government censored films, plays, and other cultural events; filmmakers, playwrights, festival organizers, and others practiced self-censorship.

The SG reviews all films and plays, and prohibits those deemed offensive to religious or social sensitivities. On February 16, the SG banned director Marc Abi Rached's film *Help*--about a homeless boy who meets a female prostitute living with a gay man--after having previously granted permission to screen the film. *Help* was subsequently presented at the October 7-14 Beirut International Film Festival, during which the SG banned the films *Le Chant des Mariees*, *Confortorio*, and *Gostanza Da Libbiani* for objectionable content. At year's end the SG's ban on the public screening of the Israeli animated film *Waltz with Bashir* remained in force.

#### b. Freedom of Peaceful Assembly and Association Freedom of Assembly

The law provides for freedom of assembly, but the government sometimes restricted this right in practice. The MOI required prior approval for rallies, and it sometimes did not grant permits to groups that opposed government positions.

##### Freedom of Assembly

Unlike previous years there were no reported cases of security forces abusing demonstrators or failing to prevent violence against them.

##### Freedom of Association

The law provides for freedom of association, but the government imposed limits on this right. The law requires every new organization to submit a notification of formation to the MOI, which then issues a receipt. The MOI sometimes imposed additional and inconsistent restrictions and requirements and withheld receipts, turning the notification process into a de facto approval process. In some cases the MOI sent notification of formation papers to the security forces to initiate inquiries on an organization's founding members. Organizations must invite MOI representatives to any general assembly where members vote on by-law amendments or positions on the board of directors. The MOI must then validate the vote or election; failure to do so could result in the dissolution of the organization.

The MOI did not immediately validate the February 2008 elections of the Israeli Communal Council, a legally registered Jewish organization representing the small Jewish community and Jewish property owners who do not reside in the country. As with the previous two such elections, the MOI did not validate them until May 2008, following diplomatic intervention.

The cabinet must license all political parties (see section 3).

#### c. Freedom of Religion

The constitution provides for freedom of religion and the freedom to practice all religious rites, provided the public order is not disturbed. The government generally respected these rights, but there were some restrictions.

The government must formally recognize a religious group for it to obtain official status. A group must submit a statement of its doctrine and moral principles for government review to ensure that such principles do not contradict popular values or the constitution. The group must ensure the number of its adherents is sufficient to maintain continuity. Alternatively, religious groups may apply for recognition through existing religious groups, all of which are variants of Islam or Christianity. Official recognition conveys certain benefits, such as exemption from taxes and the right to apply the recognized religion's codes to personal status matters. Each recognized religious group has its own courts for family law matters such as marriage, divorce, child custody, and inheritance. Although the government did not recognize officially some Baha'i, Buddhist, Hindu, and Protestant Christian groups, the groups were allowed to practice their faith without

government interference, but the law did not recognize their marriages, divorces, and inheritances in the country.

Protestant evangelical churches are required to register with the Evangelical Synod, a nongovernmental advisory group that represents those churches to the government. Representatives of some churches complained the Synod has refused to accept new members since 1975, thereby preventing their clergy from ministering to adherents in accordance with their beliefs.

Although the law stipulates anyone who "blasphemes God publicly" may face imprisonment for as long as one year, no prosecutions or arrests were reported under this law during the year.

The unwritten "National Pact" of 1943 stipulates the president, the prime minister, and the speaker of parliament be a Maronite Christian, a Sunni Muslim, and a Shia Muslim, respectively. The 1989 Ta'if Accord, which ended the country's 15-year civil war, reaffirmed this arrangement but also codified increased Muslim representation in parliament and reduced the power of the Maronite president.

Religious affiliation is encoded on national identity cards and indicated on civil status registry documents but not on passports, and the government complied with requests of citizens to change their civil records to reflect changes in religious status. On February 11, the MOI issued a circular informing citizens they would be allowed to remove their religious affiliations from their civil registry records. The MOI did not make public the number of persons who had taken advantage of this option during the year. Government documents refer to Jewish citizens as "Israelites" even though they are not Israeli citizens.

The law provides that only religious authorities may perform marriages, but the government recognized civil marriage ceremonies performed outside the country.

Although there were no legal barriers to proselytizing, traditional attitudes and edicts of the clerical establishment strongly discouraged such activity.

#### Societal Abuses and Discrimination

Societal harassment and discrimination based on religious affiliation, belief, or practice occurred, often in relation to political events, and the government failed to prevent or punish such actions.

During the year there were examples of Maronite religious leaders attempting to prevent evangelical Christians from proselytizing to other Christians and of Druze religious figures hindering Maronite missionary efforts.

At year's end there were approximately 100 Jews living in the country and 6,000 registered Jewish voters who lived abroad but had the right to vote in parliamentary elections.

During the year Hizballah directed strong rhetoric against Israel and the Jewish population, and it cooperated in publishing and distributing anti-Semitic literature. Al-Manar TV, controlled and operated by Hizballah, continued to broadcast anti-Semitic material that drew no government criticism.

On November 5, the government censored *The Diary of Anne Frank* from a textbook used by the International College. The action followed a campaign by Hizballah claiming the work promoted Zionism. Hizballah's Al-Manar television channel ran a report condemning the book for focusing on the persecution of Jews.

On September 28, Khaled Shebli Khelo allegedly threw a Molotov cocktail at the Maghen Abraham synagogue, the last remaining synagogue in the country. Security authorities arrested Khelo the same day, and investigations into the incident were ongoing at year's end.

During the year representatives from the Israeli Communal Council reported continued acts of vandalism against a Jewish-owned cemetery in downtown Beirut. The government had not arrested or prosecuted suspects for these crimes as of year's end.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at <http://www.state.gov/g/drl/rls/irf>.

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights for citizens but placed limitations on the rights of Palestinian refugees. The government cooperated with the UN Relief and Works Agency for Palestinian Refugees (UNRWA), the UNHCR, and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, and other persons of concern.

The government maintained security checkpoints, primarily in military and other restricted areas. On main roads and in populated areas, security services used a few police checkpoints to conduct warrantless searches for smuggled goods, weapons, narcotics, and subversive literature. Government forces were unable to enforce the law in the predominantly Hizballah-controlled Beirut southern suburbs and did not typically enter Palestinian refugee camps.

According to UNRWA, Palestinian refugees registered with the MOI's Directorate of Political and Refugee Affairs (DPRA) may travel from one area of the country to another. However, the DPRA must approve transfer of registration for refugees

who reside in camps. UNRWA stated the DPRA generally approved such transfers. The LAF granted Palestinian refugees residing in the area adjacent to the Nahr el-Barid camp permanent permits, which they must produce at the LAF checkpoint to enter the area.

The law prohibits direct travel to Israel.

The law prohibits forced exile, and it was not used.

#### Internally Displaced Persons (IDPs)

According to international humanitarian organizations, a significant number of persons remained displaced as a consequence of the 1975-1990 civil war, the 2006 war, and the 2007 displacement of Palestinian refugees from the Nahr el-Barid camp. Many IDPs endured dangerous conditions, including lack of food, electricity, and potable water, during their displacement and after their return home. The Ministry of the Displaced paid compensation to IDPs to leave illegally occupied properties, removed debris from conflict-affected areas, provided rebuilding assistance, and initiated infrastructure projects. The High Relief Commission coordinated national international humanitarian assistance.

The World Bank and the Ministry of the Displaced estimated the civil war displaced 500,000 to 800,000 persons. The government set a 2002 target date to complete returns, but as of 2002 an estimated 300,000 remained displaced. In 2006 the government reported 17,000 persons remained displaced, but others estimated only 20 to 25 percent of the original number had returned home. Some IDPs displaced during the civil war have neither returned home nor attempted to reclaim and rebuild their property due to the hazardous social and economic situation in some areas.

According to the Internal Displacement Monitoring Center, at the height of the 2006 war between Israel and Hizballah, as many as one million persons fled their homes; approximately 735,000 were internally displaced, and approximately 230,000 fled to neighboring countries. According to government estimates, 90 percent of the IDPs returned home within four days of the ceasefire, but many homes had been destroyed, compensation was rarely sufficient for rebuilding, and unexploded ordnance restricted freedom of movement. In December 2008 the UNHCR estimated 40,000 to 70,000 such persons remained IDPs. UNRWA reported more than 20,000 Nahr el-Barid residents remained displaced at year's end.

During the year there were no substantiated reports the government deliberately attacked or forcibly resettled IDPs or made efforts to obstruct access by domestic or international humanitarian organizations.

#### Protection of Refugees

The country is not party to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol. Its laws do not provide for the granting of asylum or refugee status. As a result more than 70 percent of refugees registered with the UNHCR do not have any legal status and thus are liable to arrest for their illegal status. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

Authorities repatriated refugees on a voluntary basis during the year. According to the UNHCR, domestic courts often sentenced refugees to one month's imprisonment and fines instead of deportation. Courts often referred to the Convention against Torture, to which the country is a party, which states no state party shall expel, return, or extradite a person to another state where there are substantial grounds for believing he or she would be in danger of being subjected to torture. After serving their sentences, most refugees remained in detention unless they found employment sponsors and the SG agreed to release them in coordination with the UNHCR.

A 2003 agreement between the SG and the UNHCR recognizes and grants protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status must do so within two months of arriving in the country. The SG issues residence permits, valid for three months, during which time the UNHCR must make a refugee status determination. The SG extended residency permits for as long as 12 months for those to whom the UNHCR accorded refugee status. The government granted admission and temporary (six-month) refuge to asylum seekers, but not permanent asylum. The SG sometimes arbitrarily detained asylum seekers at its detention facility for more than a year and then deported them.

The second largest group of refugees in the country were Iraqis. At year's end 10,288 Iraqis were registered with the UNHCR. The UNHCR estimated 30,000 to 50,000 Iraqis were living in the country; many entered the country illegally in search of jobs, education, and security. Local NGOs and community workers estimated approximately 20,000 Iraqis were vulnerable and in need of assistance. During the year the government provided limited services for Iraqi refugees but had no process for regularizing their status. The government did not take action to provide a temporary protection regime for Iraqi asylum seekers, as advocated by the UNHCR, and the government regularly deported Iraqis who may have had valid persecution claims. According to the SG there were 16 detained Iraqis in the country at year's end. During the year the SG deported 183 illegal Iraqi immigrants to Iraq. From February 18 until June 18, the SG granted a grace period for illegal immigrants, during which period Iraqis could regularize their status. The SG allowed Iraqi detainees an additional three months to arrange for new sponsors in the country if they did not wish to return to Iraq.

By law Palestinian refugees are considered foreigners, although in several instances they are accorded poorer treatment than other foreigners due to the country's insistence on the principle of reciprocity, which is prejudicial to stateless Palestinians. UNRWA has the sole mandate to provide health, education, social services, and emergency assistance to Palestinian refugees residing in the country as well as in the West Bank, Gaza, Syria, and Jordan. As of June 30, 421,993 UNRWA-registered Palestinian refugees were living in or near 12 camps throughout the country. The majority of Palestinian refugees were those displaced during the Arab-Israeli war of 1948 and their descendants. Additional

Palestinians arrived in 1967 after the Six-Day War and in the 1970s after many were expelled from Jordan.

The amount of land allocated to official refugee camps in the country has only marginally changed since 1948, despite a four-fold increase in the registered refugee population. Consequently, most Palestinian refugees lived in overpopulated camps subject to repeated heavy damage during multiple conflicts. Poverty, drug addiction, prostitution, and crime reportedly prevailed in the camps, although reliable statistics were not available. In accordance with a 1969 agreement with the PLO, PLO security committees, not the government, provide security for refugees in the camps.

During and after the 2007 fighting in Nahr el-Barid, which resulted in the displacement of an estimated 35,000 Palestinian refugees, LAF and ISF forces arbitrarily detained and physically abused some Palestinian refugees and citizens of other countries suspected of being militants. The LAF interrogated many men as they left the camp and detained those suspected of supporting or having information about FAI (see section 1.c.). FAI attacked members of international humanitarian organizations who attempted to enter the Nahr el-Barid camp to provide assistance. An FAI attack on a UN aid convoy claimed the lives of two Palestinian refugees. The Nahr el-Barid conflict caused multiple humanitarian concerns. Palestinian refugees and Lebanese displaced by the violence had no access to running water, sewage, or electricity for weeks. Refugees who left the camp were treated for dehydration, diarrhea, and stomach illnesses, and, due to security problems, UNRWA clinics in the camp were not fully functioning. The government provided emergency relief with assistance from UNRWA, the international donor community, and humanitarian NGOs.

During the year there were reports members of various Palestinian factions and foreign militias detained their rivals during clashes over territorial control of the camps, particularly in the north and south.

At year's end 15,000 refugees had returned to areas adjacent to the camp. Displaced communities raised concerns about their security and freedom of movement, as security measures tightened in response to sporadic clashes in the northern part of the country. In June 2008 UNRWA, the government, and the World Bank launched a comprehensive, three-year plan to rebuild Nahr el-Barid camp and surrounding communities. Reconstruction in the official camp began in November following bureaucratic and political delays.

According to human rights observers, Palestinian refugees faced severe restrictions in access to work opportunities. Few Palestinians received work permits, and those who found work usually were directed into unskilled occupations. In 2005 the minister of labor issued a memorandum authorizing Palestinian nationals born in the country and registered with the MOI to work in 50 (out of 72) professions otherwise banned to foreigners. There were no indications this memorandum was implemented consistently. Some Palestinian refugees worked in the informal sector, particularly in agriculture and construction. Palestinian incomes continued to decline in real terms. Iraqi refugees also faced significant restrictions on their ability to work, with many working in the informal labor sector. Seventy percent of registered Iraqi refugees were men, who were particularly at risk for labor exploitation and deportation.

Palestinian refugees residing in the country were not able to obtain citizenship and were not citizens of any other country. Palestinian refugee women married to citizens were able to obtain citizenship and transmit citizenship to their children. Palestinian refugees, including children, had limited social and civil rights and no access to public health, education, or other social services. The majority relied entirely on UNRWA for education, health, relief, and social services. Children of Palestinian refugees faced discrimination in birth registration, and many reportedly had to leave school at an early age to earn income.

Iraqi refugees had access to both the public and private education systems. The UNHCR reported approximately 1,000 Iraqi children were registered in schools, and it provided grants to the children to help defray the costs associated with attending school. Iraqi refugees also had access to the primary health care system. The UNHCR, through NGOs, provided secondary health care.

Property laws do not explicitly target Palestinian refugees, but they bar persons who do not bear the nationality of a recognized state from owning land and property, which directly and effectively excludes Palestinians. Under this law Palestinians may not purchase property, and those who owned property before this law was issued in 2001 are prohibited from passing the property to their children. The parliament justified these restrictions on the grounds it was protecting the right of Palestinian refugees to return to the homes they fled after the creation of the state of Israel in 1948. Other foreigners may own limited-size plots of land.

#### Stateless Persons

Citizenship is derived exclusively from the father, which may result in statelessness for children of a citizen mother and a noncitizen father when registration under the father's nationality is not possible.

Approximately 3,000 Palestinian refugees were registered neither with the UNRWA nor with the government. Also known as undocumented, or non-ID, Palestinians, most moved to the country after the expulsion of the PLO from Jordan in 1971. Non-ID Palestinians were not eligible for assistance from UNRWA, faced restrictions on movement, and lacked access to fundamental rights under the law. The majority of non-ID Palestinians were men, many of them married to UNRWA refugees or citizen women, who could not transmit refugee status or citizenship to their husbands or children.

In January 2008 the government agreed to grant a new legal status to non-ID Palestinians. By the end of 2008, the LPDC and UNRWA had facilitated the issuance of identification cards to 1,200 non-ID Palestinians. However, the process was suspended during the year, and all the cards issued have expired.

At year's end the MOI had not rendered a decision on the legal status of approximately 4,000 persons who stood to lose citizenship due to the State Consultative Council's 2003 decision to invalidate the 1994 naturalization decree, which

naturalized several thousand Palestinians.

Approximately 1,000 to 1,500 of the 75,000 Kurds living in the country were without citizenship despite decades of family presence in the country. Most were descendants of migrants and refugees who left Turkey and Syria during World War I but had been denied the right to citizenship to preserve the country's sectarian balance. The government issued a naturalization decree in June 1994, but high costs and other obstacles prevented many from acquiring official status. Some held an "ID under consideration" that states no date and place of birth.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully in periodic, free, and fair elections based on universal suffrage; however, lack of government control over parts of the country, defects in the electoral process, and corruption in public office significantly restricted this right in practice. Elections for parliament must be held every four years, and parliament elects the president every six years to a single term. The president and parliament nominate the prime minister, who, with the president, chooses the cabinet.

#### Elections and Political Participation

On June 7, parliamentary elections were held in the 26 electoral districts. Observers concluded the elections were generally free and fair, with minor irregularities. In its final report, a EU observer team stated there were no major irregularities; that the elections benefited from legal improvements introduced in September 2008, such as an independent election commission, abolition of the voter card and multiday elections, and regulation of campaign finance and media; and voter turnout was higher than in previous elections, at almost 52 percent compared to 43 to 45 percent in 2005. The September 2008 electoral law also established out-of-country voting provisions for the 2013 parliamentary elections.

The cabinet must license all political parties. The government scrutinized requests to establish political movements or parties and monitored their activities to some extent.

The political system is based on confessional affiliation, and parliamentary seats are allotted on a sectarian basis. There were four major, and numerous smaller, political parties. The larger, sectarian-based parties maintained the greatest influence in the country's political system, although a number of smaller parties existed or were in the process of forming.

There were significant cultural barriers to women's participation in politics. Prior to 2005 no woman held a cabinet position. One woman served as a member of the national unity cabinet formed in July 2008, and two women were appointed to the cabinet formed late in the year.

Minorities were able to participate in politics to some extent. Regardless of the number of its adherents, every government-recognized religion was given at least one seat in parliament. Three parliamentarians representing minorities (one Syrian Orthodox and two Alawites) were elected in the June elections. These groups also held high positions in the Ministry of Foreign Affairs and the LAF. As Palestinian refugees are not citizens, they have no political rights. An estimated 17 Palestinian factions operated in the country, generally organized around prominent individuals. Most Palestinians lived in refugee camps that one or more factions controlled. Refugee leaders were not elected, but there were popular committees that met regularly with the UNRWA and visitors.

### Section 4 Official Corruption and Government Transparency

The government provides criminal penalties for official corruption, but the penalties were seldom enforced, and government corruption was a serious problem. A September Transparency Lebanon report enumerated types of corruption in the country, such as systemic clientelism; judicial failures, especially in investigations of politically motivated killings; electoral fraud from the absence of preprinted ballots; and bribery. According to the report, all bureaucratic transactions are facilitated through the payment of bribes; in addition to regular fees, customers pay bribes of at least 60,000 pounds (\$40) for a new driver's license, 40,000 pounds (\$27) for car registration, and 4.5 million to 45 million pounds (\$3,000 to \$30,000) to get a residential building permit.

In its annual National Integrity System Study, the Lebanese Transparency Association (LTA) reported during the parliamentary elections LTA monitors witnessed vote buying through cash donations on election day in many electoral districts. LTA issued a press statement the day after the elections stating acts of vote-buying occurred in Metn, Zahle, Batroun, Zghorta, West Bekaa, and Saida. The report indicated the value of a vote reached from 90,000 pounds (\$60) to 150,000 pounds (\$100) in Saida, 1,300,000 pounds (\$800) in Zahle, and up to 4,500,000 pounds (\$3,000) in Zgharta.

On June 9, OTV broadcast a recording of a conversation between MP Michel Murr and Father Elias Akkary in which Murr asked Akkary to retrieve the preprinted ballots he had distributed on behalf of Murr's opponent or else face the secret services. Akkary had reportedly agreed to campaign for Murr but instead campaigned for Murr's opponent, MP Ibrahim Kenaan.

The law requires public officials to disclose their financial assets to the Constitutional Council, but the information was not available to the public. The Court of Accounts, the Central Inspection Department, the Office of the Minister of State for Administrative Reform, the Central Bank's Special Investigation Committee, and the Disciplinary Board were tasked with fighting corruption.

There are no laws regarding public access to government documents, and the government did not respond to requests for documents.

## Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without overt government restriction and investigated and published their findings on human rights cases. Domestic human rights groups included the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, the Beirut Bar Association's Institute for Human Rights, and the National Association for the Rights of the Disabled. Government officials generally cooperated with NGOs, but following the 2007 Nahr el-Barid conflict, the government obstructed a monitoring visit to the camp conducted jointly by several international and domestic NGOs, including HRW, ALEF, the Palestinian Human Rights Organization, and the Palestinian Foundation for Human Rights.

The government cooperated with international governmental organizations and permitted visits by UN representatives and other international bodies such as the ICRC. On May 27, the ICRC released its 2008 annual report on its activities in the country. On April 22, the UN Special Coordinator for Lebanon wrote a letter to the parliamentary human rights committee reviewing his discussion with members about civil, political, economic, and social rights, including those of refugees, and reporting on treaty obligations.

Parliament's Committee on Human Rights made little progress due to the absence of a government for most of the year. At year's end there was no evidence that the committee had begun implementing the existing national action plan calling for legal changes to guide ministries on protecting specific human rights and the implementation of certain measures, such as improving prison conditions.

## Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and it provides for equality among all citizens. In practice some aspects of the law and traditional beliefs discriminated against women. Although the law reserves a percentage of private sector and government jobs for persons with disabilities, there were few accommodations for them. Discrimination based on race, language, or social status is illegal, but foreign domestic employees often were mistreated, sometimes suffered physical abuse, had pay withheld or unfairly reduced, or were forced to remain locked within their employer's home for the duration of their contracts.

### Women

The law prohibits rape, and the government effectively enforced the law. The minimum prison sentence for a person convicted of rape is five years, or seven years for raping a minor. Although the law does not provide for it, victims' families may offer rapists marriage as an alternative to preserve family honor. Spousal rape was not criminalized. According to the local NGO KAFA (Enough) Violence and Exploitation, nonspousal rape was relatively common. KAFA reported 80 percent of domestic violence victims suffered spousal rape as well. Although there were no official statistics on the number of abusers who were prosecuted, prosecution was rare, according to KAFA.

The law does not specifically prohibit domestic violence, and domestic violence, including spousal abuse, was a problem. There were no authoritative statistics on its extent. Despite a law that sets a maximum sentence of three years in prison for battery, some religious courts may legally require a battered wife to return to her home despite physical abuse. Women were sometimes compelled to remain in abusive marriages because of economic, social, and family pressures. Foreign domestic servants, usually women, were often mistreated, abused, and in some cases raped or placed in slavery-like conditions (see section 7.c.).

The government provided legal assistance to domestic violence victims who could not afford it, but in most cases police ignored complaints submitted by battered or abused women. A local NGO, the Lebanese Council to Resist Violence against Women, worked to reduce violence against women by offering counseling and legal aid and raising awareness about the problem. From January to September, KAFA assisted 98 victims of domestic violence.

The legal system was discriminatory in its handling of honor crimes. According to the penal code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. For example, although the penal code stipulates murder is punishable by either a life sentence or death, a defendant who can prove the killing was an honor crime receives a commuted sentence of a maximum of seven years' imprisonment. According to a March 2008 *Agence France Presse* article, although honor crimes were not widespread in the country, every year men killed a number of female relatives under the pretext of defending family honor.

The law on prostitution requires brothels be licensed, including regular testing for disease. Government policy was to reject all new license requests for brothels in an attempt to eliminate prostitution; consequently most prostitution in the country was unlicensed and unregulated. The SG closely monitored women working in adult clubs. Foreign women's residency permits did not exceed six months, and they were deported if they were caught overstaying their permits.

The law prohibits sexual harassment, but it was a widespread problem, and the law was not effectively enforced. Social pressure against women pursuing careers was strong in some parts of society. Men sometimes exercised considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives.

Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. There are no legal prohibitions or governmental encumbrances to equal access under the law for reproductive health care products or services, although the most advanced clinics and practices were in the larger metropolitan areas. The government

provided free hospital treatment and free antiretroviral drugs for all persons living with HIV/AIDS.

Women suffered discrimination under the law and in practice.

Many family and personal status laws, which varied widely across the various confessional court systems, discriminated against women. For example, Sunni civil courts apply an Islamic inheritance law that provides a son twice the inheritance of a daughter. Immigration law also discriminates against women, who may not confer citizenship on their spouses and children, except widows may confer citizenship on their minor children. By law women may own property, but they often ceded control of it to male relatives due to cultural reasons and family pressure. The law provides for equal pay for equal work for men and women, but in the private sector there was discrimination regarding the provision of benefits.

#### Children

Citizenship is derived exclusively from the father, which may result in statelessness for some children of a citizen mother and noncitizen father (see section 2.d.).

The government did not register the births of children born in the country to Palestinian refugees or non-ID Palestinian parents, resulting in the denial of citizenship and restricted access to public services, including school and health care. Children of citizen mothers and Palestinian fathers were not granted citizenship. According to the government Higher Council for Childhood, although Palestinian refugee births were not officially registered, the General Directorate for Palestinian Refugees in Lebanon, which falls under the MOI, maintained birth figures.

Iraqi, Sudanese, and Somali refugee children and children of foreign domestic workers also faced obstacles to equal treatment under the law, and NGOs reported ongoing discrimination against them, although some could attend school. According to an October 2008 report by the Integrated Regional Information Networks (IRIN), children born in the country of migrant domestic workers had no official identity.

For Sri Lankans, Filipinos, and West Africans, the law allows a child who is already registered in a school to have residency. Many children of domestic workers faced marginalization and racism because of their parents' social status. No accurate statistics on the number of such children born in the country existed at year's end, although Caritas estimated there were approximately 75 children.

In a joint KAFA-Save the Children Sweden study released in October 2008, 16 to 20 percent of children eight to 17 years old admitted experiencing at least one form of sexual abuse at an average age of 10 years. The survey also showed most sexual abuse occurred at home, and 54 percent of the sexually abused children said they told someone about the abuse, most commonly their mother. Focus group discussions revealed a lack of knowledge about the prevalence of, or factors leading to, child sexual abuse; and also indicated gender bias in addressing such cases, as girls' experiences were treated with greater secrecy.

#### Trafficking in Persons

The law does not specifically prohibit trafficking in persons. However, the country was a destination and transit point for trafficked persons, and there were reports persons were trafficked to and through the country. The government may prosecute traffickers under criminal law on abductions. Trafficking in persons remained a problem during the year.

The country was a destination for Eastern European, Russian, and Syrian women who were contracted as dancers in adult clubs and sexually exploited. Most of these women engaged in voluntary illegal prostitution, but some reported intimidation or coercion and restrictions on freedom of movement.

The country was also a destination for women from Africa and Asia, usually contracted as domestic workers. Some of these workers found themselves in situations of involuntary servitude including restrictions on movement, withholding of passports, nonpayment of wages, threats, and physical or sexual assault, with little practical legal recourse.

Children were trafficked within the country for forced labor (mostly street vending) and sexual exploitation.

A high percentage of traffickers were employers and employment agencies.

Some foreign women became illegal workers due to their employer's failure to renew their work and residency permits or because they fled from their employer. The women were subject to detention, rendering them vulnerable to trafficking when abusive sponsors used the women's illegal immigration status to intimidate them and coerce them into labor. Unscrupulous employers sometimes falsely accused an employee of theft as a pretext to relinquish their contractual responsibilities to their employees and their obligation to pay taxes and provide a return airline ticket.

At year's end 100 Ethiopian women were in detention awaiting trial for not having passports. The women claimed their passports had been taken from them when they started as domestic workers or that they never had passports. Authorities arrested most of the women on the street after they fled from their employers. Breaking their contracts deprived them of a guaranteed flight home on completion of their work.

The penal code stipulates that abduction be punished by hard labor and that abductors who engage in sexual exploitation be sentenced to at least one year in prison. According to the MOJ, there were no prosecutions or convictions under this law during the year. NGOs and foreign embassies reported many victims of exploitation and abuse preferred quick administrative proceedings, which resulted in monetary settlements and repatriations, rather than legal proceedings that were often lengthy and difficult. Victims frequently dropped cases before prosecution was completed in exchange for

compensation. A small number of exploited foreign workers won cases against their employers, but nonjudicial action resolved the majority of cases. As a result workers frequently were repatriated without further judicial action. A few cases were referred to the judiciary for further action, although the government took minimal steps to prosecute traffickers.

The SG, MOJ, and Ministry of Labor (MOL) have responsibilities for combating trafficking. The MOL regulates local employment agencies that place migrant workers with sponsors. In 2008 the MOL closed two employment agencies for violations of workers' rights, including physical abuse, and warned a number of others it found in noncompliance with MOL regulations. The government did not provide trafficking victims with shelter, legal, medical, or psychological services, or relief from deportation. The SG allowed Caritas social workers unrestricted access to its retention center for foreign persons to provide detainees with counseling, assistance, and legal protection. The SG also continued to refer potential victims to Caritas. Once victims were identified, the government transferred them to a "safe house," and Caritas could assist them. The SG sometimes granted victims permission to remain in the country as long as two months to assist in investigation of their cases and prosecution of their abusers.

The SG allows migrant workers who do not wish to be repatriated to their home countries to change their sponsors legally by means of a "release paper" from the original employer. A court may order an abusive employer to provide such a release paper as part of a decision, or this action may be part of a negotiated out-of-court settlement.

The Department of State's annual *Trafficking in Persons Report* can be found at: [www.state.gov/g/tip](http://www.state.gov/g/tip).

#### Persons with Disabilities

Although prohibited by law, discrimination against persons with disabilities continued. The Civil Service Board, which is in charge of recruiting government employees, continued to refuse applications from persons with disabilities. The law stipulates at least 3 percent of all government and private sector positions be filled by persons with disabilities, provided such persons fulfill the qualifications for the position; however, there was no evidence the law was enforced in practice. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. Many persons with mental disabilities were cared for in private institutions, several of which the government subsidized.

A study by the UN Development Programme in 1990, just after the end of the civil war, estimated one in 10 citizens--as many as 300,000 individuals--had disabilities, but the Ministry of Social Affairs had registered only 70,000 persons for official disability cards at year's end.

The Ministry of Social Affairs and the National Council of Disabled are responsible for protecting the rights of persons with disabilities. According to the president of the Arab Organization of Disabled People, little progress has been made since the law on disabilities was passed in 2000. Approximately 100 relatively active but poorly funded private organizations made most of the efforts to assist persons with disabilities.

On May 13, the MOI issued a decree to ensure accessibility to polling stations for persons with special needs during the June parliamentary voting. Following the decree the Lebanese Physically Handicapped Union, sponsored by the International Foundation for Election Systems, conducted a study mapping 1,741 polling stations throughout the country and assessed them according to the ministry's six accessibility criteria. The study showed that only six polling stations out of 1,741 satisfied all six criteria.

#### National/Racial/Ethnic Minorities

There were reports Syrian workers, usually employed in manual labor, continued to suffer discrimination following the 2005 withdrawal of Syrian forces, although to a lesser extent than in previous years. According to an IRIN report, many Syrians in the country have been attacked, robbed, beaten, and sometimes killed over the past four years.

#### Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Discrimination against homosexual activity persisted during the year. The law prohibits "unnatural sexual intercourse," an offense punishable by up to one year in prison. The law was sometimes applied to men engaging in homosexual activity; it was rarely applied to women, although the domestic NGO Helem (from the Arabic acronym for Lebanese Protection for Lesbians, Gays, Bisexuals, and Transgenders) reported police used the law to blackmail women.

At year's end Helem reported on December 3, a judge in the Batroun District rendered the first decision determining "unnatural sexual intercourse" does not apply to homosexual activity, which he ruled a part of nature.

Meem, the first NGO in the country exclusively for nonheterosexual women, hosted regular meetings in a safe house, provided counseling services, and carried out advocacy projects for nonheterosexual women.

On February 25, Helem organized a demonstration in Beirut to protest an attack by security forces against two gay men (see section 1.c.) and against the homophobic provisions of the law. On May 10 and on May 17, the International Day Against Homophobia, Helem in coordination with Meem and Gay-Straight Alliance organized gay rights demonstrations. The government permitted these demonstrations, and there was no violence from any source reported against the demonstrators.

#### Other Societal Violence or Discrimination

Although there are no discriminatory laws, Helem reported during the year at least five HIV-positive individuals reported discrimination by dentists or hospital staff.

## Section 7 Worker Rights

### a. The Right of Association

The law allows all workers except government employees to establish and join unions with government approval, and workers exercised this right in practice. The MOL must approve the formation of any union. The MOL controlled the conduct of all trade union elections, including election dates, procedures, and ratification of results. The law permitted the administrative dissolution of trade unions and forbade them to engage in political activity.

The General Labor Confederation (GLC), the umbrella organization for trade unions, estimated there were approximately 900,000 workers in the active labor force. Approximately 5 to 7 percent of workers were members of some 450 to 500 labor unions and associations, half of which were believed to be inactive.

The law provides that unions conduct activities free from interference, but the MOL at times interfered in union elections and registered unions not considered representative by the GLC. Unions have the right to demonstrate, with advance notice and approval by the MOL.

Most unions belonged to federations. There were 52 federations that were voting members of the GLC, six of which the judiciary declared illegal in 2007 because they had failed to obtain the required GLC general directorate majority vote, although at year's end they remained members. Many others were reportedly unrepresentative and created by political interest groups to offset the votes of the 13 established labor federations that represent workers. The GLC remained the only organization the government recognized as an interlocutor for workers, while approximately 13 federations that composed the "Salvation Committee of the GLC" no longer participated in GLC meetings but had not declared an official breakaway at year's end.

Palestinian refugees may organize their own unions. Because of restrictions on their right to work, few Palestinians participated actively in trade unions. Palestinian refugees are legally barred from entering certain unionized professions such as engineering, law, and medicine.

### b. The Right to Organize and Bargain Collectively

The law protects the right of workers to organize and to bargain collectively, and the government supported this right in practice. Most worker groups engaged in some form of collective bargaining with their employers. There is no government mechanism to promote voluntary labor-management negotiations. The law protected workers against antiunion discrimination, although the law was weakly enforced.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

The law does not specifically prohibit forced or compulsory labor, but articles within the law prohibit behavior that constitutes forced or compulsory labor. Nevertheless, children, foreign domestic workers, and other foreign workers sometimes were forced to remain in situations amounting to coerced or bonded labor. Women from Asia, Africa, Eastern Europe, and Russia were trafficked and forced to provide sexual or domestic services. Children from Lebanon, Iraq, and Syria were most subject to forced labor.

Government regulations also prohibited employment agencies from withholding foreign workers' passports for any reason. In practice employment agencies and household employers often withheld domestic workers' passports. Recruitment agencies and employers were required to sign employment contracts with foreign workers. On February 5, the MOL published a standardized contract to be used by all employment agencies locally and overseas for all domestic workers. It regulates working hours and stipulates workers be given days off for vacations and holidays. According to NGOs assisting migrant workers, some employers did not pay their workers regularly and some withheld their salaries for the duration of the contract, which was usually two years. Asian and African female workers especially had no practical legal recourse because of their low status and isolation and because labor laws did not protect them. Due to the prevalence of such abuse, the government prohibited foreign women from working if they were from countries without diplomatic representation in the country.

### d. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace, but the government sometimes did not effectively enforce these laws. According to 2005 UNICEF statistics, 7 percent of children between five and 14 years old were involved in child labor. The International Labor Organization (ILO) estimated there were 100,000 child workers, of whom 25,000 were thought to be in the tobacco industry, and a large percentage worked in informal sectors of the economy, including construction, agriculture, mechanics, and fisheries. Street children worked selling goods, polishing shoes, and washing car windows. Traffickers used children for commercial sexual exploitation and work under hazardous conditions in sectors, such as metalwork, construction, automobile repair, welding, and seasonal agriculture.

The minimum age for employment is 14 years old. The law requires juveniles, defined as children between 14 and 18 years of age, undergo a medical exam to ensure their fitness for a particular position before beginning work. The labor code prohibits employment of juveniles younger than 18 years old for more than six hours per day and requires one hour of rest if work is more than four hours. Juveniles younger than 17 years old are prohibited from working in jobs that jeopardize their health, safety, or morals, or working between the hours of 7 p.m. and 7 a.m. The law prohibits the employment of juveniles younger than 16 years old in industrial jobs or jobs physically demanding or harmful to their

health.

The MOL enforced these requirements through its Child Labor Unit, established in 2001 in cooperation with the ILO. Enforcement improved during the year, as the unit worked to train its inspectors and recruit new ones. At year's end the MOL employed approximately 130 labor inspectors and assistant inspectors who helped to enforce child labor laws. The Higher Council of Childhood provided education to families and children to help prevent child abuse.

#### e. Acceptable Conditions of Work

The legal minimum wage was 500,000 pounds (\$333) per month, which did not adequately provide a decent standard of living for a worker and family. The minimum wage for the private sector is set by the council of ministers; the minimum wage for the public sector is also set by the council of ministers, but requires additional approval from parliament.

The law prescribes a standard 48-hour workweek with a 24-hour rest period per week. In practice workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 30 hours per week. The law stipulates 48 hours is the maximum duration of work per week in most corporations except agricultural entities. A 12-hour day is permitted under certain conditions, including a stipulation the overtime provided is 50 percent higher than the pay for other hours.

The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The MOL was responsible for enforcing these regulations but did so unevenly. Labor organizers reported workers did not have the right to remove themselves from hazardous conditions without jeopardizing their employment.

Some private sector firms failed to provide employees with family and transport allowances as stipulated under the law, and did not register them with the National Social Security Fund (NSSF). Employers sometimes registered their employees with lower salaries, to decrease their contributions to the NSSF and their end-of-service pay to the employee. Some companies did not respect legal provisions governing occupational health and safety. Workers may report violations directly to the GLC, MOL, or NSSF. In most cases they preferred to remain silent for fear of arbitrary dismissal.

The law does not protect foreign domestic workers. Some employers mistreated, abused, and raped foreign domestic workers, who were mostly of Asian and African origin, or placed them in situations of coerced labor or slavery-like conditions. Domestic workers often worked 18 hours per day and in many cases did not receive vacations or holidays. There was no minimum wage for domestic workers. Official contracts stipulate a wage ranging from 150,000 to 450,000 pounds (\$100 to \$300) per month, depending on the nationality of the worker. Victims of trafficking or abusive labor may file civil suits or seek legal action, but most victims, counseled by their embassies or consulates, settled for an administrative solution that usually included monetary compensation and repatriation. The government did not release information on legal actions filed, but NGOs indicated fewer than 10 legal actions were undertaken during the year. On December 9, a criminal court judge in Batroun sentenced a woman who beat her Filipino domestic worker to 15 days in prison, a fine of 50,000 pounds (\$33), and 10,800,000 pounds (\$7,200) in compensation. The victim was in the Philippines when the verdict was announced, and the judge refused the request of the citizen woman to bring the victim before the court.

In 2008 the MOL closed two employment agencies for violations of workers' rights, including physical abuse. Perpetrators of the abuses were not further prosecuted for a number of reasons, including the victims' refusal to press charges and lack of evidence. An unknown number of other cases of nonpayment of wages were settled through negotiation. According to source country embassies and consulates, many workers did not report violations of their labor contracts until after they returned to their home countries.

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