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Lebanon 2020

The authorities continued to repress the protest movement that began in October 2019 through repeated summonses of activists to security and military institutions on charges of criminal defamation, as well as the use of excessive force against largely peaceful protesters, including with live ammunition, tear gas and rubber bullets. State officials rejected calls for an international investigation into a devastating explosion at the Port of Beirut. Torture complaints remained without effective investigation. Due to the economic crisis and COVID-19, dozens of migrant domestic workers were fired and found themselves trapped without passports or pay; the Ministry of Labour adopted a revised, standard unified contract for migrant workers that included new protections for migrant domestic workers, including vital safeguards against forced labour, but a judicial review body suspended its implementation.

Background

Hassan Diab's government won a parliamentary vote of confidence on 11 February after his predecessor's government had resigned in response to the October 2019 protest movement calling for an end to corruption and for radical change among the political elite. The economic crisis deteriorated, with unemployment rising exponentially and the UN stating that more than 55% of the population lived in poverty, almost double the previous year's rate. On 7 March, the government defaulted, for the first time in its history, on Lebanon's nearly US\$90 billion debt. By the end of the year, the Lebanese lira had lost more than 80% of its value, depositors were unable to access their US dollar savings but only to withdraw in lira at less than 50% of the black market rate, and inflation had risen to 133.5%.

On 4 August, a massive explosion in the port area of Beirut killed at least 204 people (nine people remained missing), injured more than 6,500 others and left some 300,000 displaced or homeless. Material damage was found up to 20km from the blast and the World Bank estimated the repair cost to be between US\$3.8 and US\$4.6 billion. According to President Aoun, the blast was caused by 2,750 tons of ammonium nitrate stored for years at the port, while officials exchanged blame.

On 10 August, the government of Hassan Diab resigned amidst public uproar following the explosion. On 22 October, parliament named Saad Hariri as Prime Minister. He was not able to form a government before the end of the year.

In November, the country entered a second full lockdown after an earlier one in March, due to a spike in COVID-19 rates and increasing scarcity of ICU beds.

In December, parliament passed a law criminalizing sexual harassment specifically in the workplace. It is the first law in Lebanon to punish sexual harassment, but it did not set a mechanism for complaints outside the criminal justice system. Parliament also passed amendments addressing some of the shortcomings of the 2014 law on domestic violence against women and strengthening the punishment for sex work.

Impunity

Following the explosion in Beirut, state officials exchanged accusations of blame, with leaked official documents indicating that customs, military and security authorities, as well as the judiciary, had warned successive governments of the dangerous stockpile of chemicals at least 10 times in the past six years. Lack of trust in state procedures led victims, their relatives and human rights organizations to call for an international fact-finding mechanism. Instead, the authorities referred the investigation to the Judicial Council, a court of exception whose proceedings inherently lack independence, impartiality and jurisdiction to prosecute sitting officials despite serious allegations against state bodies.¹

On 18 August, the Trial Chamber of the Hague-based Special Tribunal for Lebanon, set up in 2009 to try those responsible for the 2005 assassination of former Prime Minister Rafik Hariri, found one person guilty and acquitted three others. All were tried in their absence.

Impunity for torture remained in place three years after the 2017 Anti-Torture Law was passed. Complaints rarely reached court and most were closed without an effective investigation, often because they were referred for investigation to the same agencies accused of torture or to the military justice system.²

There was no further action on the torture complaint actor Ziad Itani had filed since the single hearing session an investigative judge had held in April 2019. In August, one of the officers who Ziad Itani had accused of torturing him was promoted. In September, the same officer and his superior filed a criminal defamation case against Ziad Itani accusing him of “spreading false accusations and damaging the prestige of the State” in relation to his social media posts about his ordeal.

In February, military prosecutors closed an investigation of 15 complaints filed by the Lawyers’ Committee to Protect Protesters on behalf of 17 protesters in December 2019. The complaints listed acts of torture and other ill-treatment that occurred during protests, arrests and transportation to and inside detention centres.

Arbitrary arrests and detentions

Between 17 October 2019 and 15 March 2020, Military Intelligence, Internal Security Forces and other security agencies arbitrarily arrested 967 peaceful protesters, often without a warrant, and subjected them to severe beatings and blindfolding, in addition to torture and other ill-treatment in custody, to extract “confessions”: the authorities failed to investigate. In three days on 14, 15 and 19 January, 167 protesters were arbitrarily arrested in Beirut.³

On 30 September, parliament amended Article 47 of the Code of Criminal Procedures, introducing the right of suspects to have a lawyer present during pre-trial interrogations and requiring that there be audiovisual recordings of interrogation sessions. However, it added a provision allowing for an open-ended extension of the pre-trial detention period, previously set at a maximum of four days, if the detainee is transferred from one detention centre to another.

Right to health

Thousands of prisoners were at heightened risk of exposure to COVID-19 due to persistent overcrowding and inadequate living conditions, often without access to adequate preventive measures. From March onwards, a number of riots took place inside prisons, and family members held sit-ins outside prisons and police stations, calling for the release of prisoners. On 6 April, the Ministry of Interior announced the release of more than 600 prisoners who had been in pre-trial detention, as part of the government’s measures to contain the spread of COVID-19.⁴

Freedom of expression

Between January and July, judicial and security officials summoned at least 60 activists and journalists for interrogation in relation to charges of criminal defamation mostly related to social media posts in support of the protest movement or that criticized the authorities.⁵ Security and military agencies interrogated them, some repeatedly and some during the COVID-19 lockdown, even though none of these agencies is mandated to look into issues of free speech.

In June, the State Prosecutor ordered the Central Criminal Investigation Bureau to investigate and identify people who posted on social media statements or photoshopped photos considered offensive to the President, and to prosecute them for defamation, slander, libel, insult and for making those posts public.

Freedom of assembly

Protests continued in the first quarter of the year with protesters feeling their demand for genuine political change had not been met. The protests continued until the March COVID-19 lockdown.

In response to protests in January, February and August, the military, the Internal Security Forces and Parliament Police used excessive force, including live ammunition, rubber pellets and tear gas, against largely peaceful protesters and failed to protect them from armed supporters of political parties. On 19 January, the Internal Security Forces unlawfully used rubber bullets at close range, in addition to water cannons, tear gas and baton beatings, while seeking to disperse protesters in Beirut, leaving hundreds of protesters injured. At least two women who were arrested said that policemen had threatened them with rape. The Lebanese Red Cross announced that at least 409 protesters were injured over two nights.

On 8 August, thousands of protesters gathered in Beirut’s Martyrs’ Square to call for justice for the victims of the Beirut explosion. The army and security forces responded with unlawful force against unarmed protesters, recklessly firing tear gas, rubber bullets and pellets and injuring more than 230 people.⁶

Migrant workers’ rights

Women migrant workers continued to suffer discriminatory practices under the *kafala* (sponsorship) system. Due to the economic crisis coupled with the spread of COVID-19, dozens of migrant domestic workers were dismissed and unable to return to their countries of origin. From May onwards, employers abandoned scores of migrant domestic

workers outside their consulates or embassies, often without their belongings or even their passports. Many of them said that their employers had stopped paying them and refused to provide them with tickets to return home, as per their contractual requirements.²

The Ministry of Labour consulted the ILO-facilitated working group on the *kafala* on draft versions of a revised unified standard contract, and in September, the Minister of Labour passed Ministerial Decision 1/90 adopting a revised unified standard contract for migrant workers. It includes the right to resign without losing immigration status, change employer without the consent of the current employer and be paid at least the national minimum wage with a permissible deduction that covers in-kind contributions by the employer such as food and housing. It also prohibited employers from confiscating a worker’s passport and identity documents and entitled workers to freedom of movement during daily and weekly rest periods. However, on 14 October, the Shura Council, the country’s top administrative court, suspended the implementation of the decision introducing the new contract, following an appeal made by the Syndicate of the Owners of Recruitment Agencies, on the grounds that the new contract comprised “severe damage” to the agencies’ interests. The Council made no reference to the rights of migrant domestic workers.³

Refugees and asylum-seekers

Lebanon continued to host approximately 1.5 million Syrian refugees, including 879,598 people registered with UNHCR, the UN refugee agency, and, according to the government, around 550,000 who were unregistered, after a 2015 government decision to bar the agency from registering new Syrians arriving.

The organized returns of Syrians to Syria continued until March, without their being given the right to challenge their deportation due to protection concerns. On 14 July, the government adopted another general policy paper that would enable the continuation of its policy to push for the return of refugees to Syria, putting many refugees at risk of *refoulement*. However, the Ministry of Social Affairs suspended implementation of the plan following the explosion in Beirut.

In November, UNHCR announced that between August and September, nine resettlement countries had prioritized departures from Lebanon once lockdown measures were lifted, accepting 1,027 refugees.

Over 470,000 Palestinian refugees were registered with the UN Relief and Works Agency, the UN agency for Palestinian refugees, including 29,000 Palestinian refugees from Syria. The 180,000 of them estimated to be still living in the country remained subject to discriminatory laws, excluding them from owning or inheriting property, accessing public education and health services and from working in at least 36 professions.

Death penalty

Courts continued to hand down death sentences; no executions were carried out.

1. [Lebanon: Only an international investigation can ensure Beirut explosion victims’ rights to truth, justice and remedy \(MDE 18/2997/2020\)](#)
2. [Lebanon: Authorities’ failure to implement anti-torture law is a disgrace \(Press release, 25 November\)](#)
3. [Lebanon protests explained \(Press release, 22 September\)](#)
4. [Lebanon: Government must urgently release more prisoners to prevent spread of COVID-19 \(Press release, 21 April\)](#)
5. [Lebanon: Punishing the October protest movement \(MDE 18/2628/2020\)](#)
6. [Lebanon: Military and security forces attack unarmed protesters following explosion – new testimony \(Press release, 11 August\)](#)
7. [Lebanon: Abandoned migrant domestic workers must be protected \(Press release, 3 June\)](#)
8. [Lebanon: Blow to migrant domestic worker rights \(Press release, 30 October\)](#)

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