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## **LEBANON**

Lebanon, with a population of approximately four million, is a parliamentary republic with a Maronite Christian president, Sunni Muslim prime minister, and Shia Muslim speaker of the chamber of deputies. In June 2009 the country held parliamentary elections generally deemed free and fair by international observers, and President Michel Sleiman and parliament appointed Saad Hariri prime minister-designate after the elections. In November 2009 Hariri formed a national unity cabinet after lengthy negotiations. The Lebanese Association for Democratic Elections (LADE) rated the municipal and mayoral elections, held in four stages between May 2 and May 30, as "acceptable to good." Government security forces reported to civilian authorities. UN Security Council resolutions 1559 and 1701 call for the government to disband and disarm militia groups in the country, but the government made no tangible progress. Despite the presence of UN security forces, Hizballah retained significant influence over parts of the country. Palestinian refugee camps continued to act as self-governed entities and maintained security and militia forces outside the direction of government officials.

There were limitations on the right of citizens to change their government peacefully. There were killings related to societal and sectarian violence. Unlike in the previous year, there were no reports of disappearances. Security forces arbitrarily arrested and detained individuals, torturing some. Detainees also faced 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. There were limitations on freedom of movement for unregistered refugees. The government suffered from corruption and lack of transparency. Widespread and 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 that the government or its agents committed arbitrary or unlawful killings; however, there were reports of incidents of societal violence and confessional strife.

Unlike in previous years, there were no high-profile killings by unknown actors during the year.

There were no developments in the case of the March 2009 roadside bomb that killed Kamal Medhat, deputy head of the Palestine Liberation Organization in Lebanon, together with Akram Daher, Khaled Daher, and Mohammed Shehadeh.

Investigations continued in the 2008 case of an explosion that killed Internal Security Forces (ISF) intelligence officer Captain Wissam Eid and three others. In November the Canadian Broadcast Company reported that Captain Eid's 2006 report to the UN commission investigating the Hariri assassination placed a ring of Hizballah operatives in the area at the time of the killing. This report came to the attention of the UN commission in late 2007, and Eid met with UN investigators eight days before he was killed.

There were no developments in the following 2008 reports of killings by unknown persons: the explosion that targeted a diplomatic vehicle, killing three persons; the killings of seven civilians and an Amal movement official during a riot in Shiyah; or the killing of Druze opposition figure Saleh Aridi.

Unlike previous years, there were no reports of politically motivated crimes allegedly committed by opposition groups or terrorists. It remained difficult to distinguish such crimes from criminal acts or disputes, as the government did not exercise control over all its territory, and investigations of suspicious killings rarely led to prosecutions.

There were no developments in the report of the 2008 killing of Phalange party supporters Nasri Marouni and Salim Assi by March 8 Alliance proponents Joseph and Tony Zouki; the reports of killings associated with Hizballah and its allies' violent 2008 takeover of Beirut and other parts of the country; or the 2008 bomb attacks targeting members of the Lebanese Armed Forces (LAF). Investigations into the Marouni/Assi case and the LAF bombing cases continued at year's end. Investigation into events surrounding the 2008 Beirut takeover was curtailed by the 2008 Doha Accord, which produced a political compromise on the underlying issues.

In April 2009 the UN-appointed Special Tribunal for Lebanon (STL) ordered the government to release for lack of evidence four generals suspected of collaborating in the 2005 killing of former prime minister Rafik Hariri and 22 other individuals. One of the officers, Major General Jamil as-Sayyed, the former chief of Surete Generale (SG), subsequently filed court cases in Syria, France, and before the STL, seeking the punishment of those he accuses of engineering his detention through false testimony. In October the cabinet instructed the justice minister to follow up with his Syrian counterpart after Syria issued 33 arrest warrants pursuant to Sayyed's suit.

Israeli cluster munitions from the 2006 conflict continued to kill and injure civilians during the year. In April 2009 the UN Interim Force in Lebanon estimated these munitions caused an average of two civilian casualties per month. According to the Lebanon Mine Action Center, 425,000 mines in at least 20 square kilometers (7.7 square miles) remained to be cleared at year's end. Munitions were responsible for the deaths of 47 individuals since the end of the conflict.

There were reports of killings related to societal violence during the year. On April 29, a mob in the Chouf village of Ketermaya took Egyptian citizen Mohammad Musallem from ISF custody and lynched him in the village square. The ISF had arrested Musallem the day before for a quadruple homicide. The National News Agency reported that ISF commander General Ashraf Rifi disciplined ISF personnel over their failure to prevent the lynching. A trial for 12 persons charged with killing Musallem continued at year's end.

On August 24, a dispute reportedly over a parking space deteriorated into armed street clashes in Burj Abi Haidar, a predominantly Sunni area of Beirut. The clashes between Shia supporters of Hizballah and members of Al-Ahbash, a pro-Syrian Sunni group, left three dead, including Hizballah official Mohammed Fawaz, his bodyguard, and an Al-Ahbash member. Eleven others were reportedly injured. According to press reports, the LAF charged 23 persons and arrested 13.

#### b. Disappearance

Unlike in previous years, there were no reports of politically motivated disappearances.

There were no developments or updates in the government investigation into the February 2009 disappearance of Middle East Airlines' director of information technology operational services, Joseph Sader. According to a February Amnesty

International (AI) report, Sader was being held by a nongovernmental armed group, under suspicion of spying for Israel.

There were no developments in the 2008 disappearance of Syrian citizen and United National Alliance member Nawar Abboud.

More than 17,000 persons reportedly disappeared in the country during the 1975-90 war. In October 2009 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. However, the report remained unpublished at year's end.

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 the Lebanese Center for Human Rights (CLDH), Alkarama (Dignity), the Lebanese Association for Education and Training ), and Human Rights Watch --torture was common, and security forces abused detainees. Human rights organizations reported torture occurred in certain police stations, the Ministry of Defense, 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, which was 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 that methods of torture and abuse 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 7, according to Alkarama, the LAF G-2 (the military's intelligence branch) arrested Mounir Mizyan, a Palestinian refugee accused of being a member of Fatah al-Islam, and detained him in the Ministry of Defense until January 18. Authorities allegedly subjected Mizyan to abuse, including stripping him naked, blindfolding him, tying a thin ribbon tightly around his penis for several hours, beating him on different parts of his body, hanging him by the wrists, forcing him to remain standing for five days, depriving him of drinking water for two days, intimidating him with a dog, and threatening to arrest his family members.

On June 24, plainclothes ISF Information Branch officers arrested Mohammad Osman Zayatin an Internet cafe. While the cause for his arrest was unknown, there is no evidence that Zayat's Internet usage was being monitored. According to Alkarama, security officials detained Zayat, put him in stress positions, beat him, and used electric shocks to force a confession. On December 9, military investigating judge Fadi Sawwan issued an indictment asking for Zayat to be given the death penalty. As a result Zayat's file was transferred to the military court. He and eight other individuals were charged with being members of Al-Qaida, with an intent to carry out terrorist acts and commit crimes against persons and property, as well as possession and transfer of military weapons and explosives. Of the eight other persons indicted, only four were arrested. At year's end Zayat remained in Roumieh Prison.

In a case reported during the year by Alkarama, in April 2009 military intelligence officers allegedly hung Maher Sukkar, a Palestinian refugee, by his wrists behind his back and beat him with sharp objects to elicit confessions. ISF Information Branch officials arrested Sukkar at his home in Sabra, Beirut, and security forces held him incommunicado for 18 days in several detention centers, as well as in the Ministry of Defense where the torture reportedly occurred. On February 17, a military judge charged Sukkar and 10 others with "forming an armed gang," "undermining the state's authority," "monitoring the military forces," and "falsifying passports and refugee cards." Sukkar and a number of other detainees were brought before a military court on October 15. In the hearing Sukkar withdrew some statements made in his initial confession, claiming that he had been subjected to various forms of torture in his preliminary interrogation. Despite this assertion, on December 3, the military court in Beirut sentenced Sukkar to three years in prison with forced labor. Sukkar awaited trial in a separate case at year's end.

In January 2009 LAF soldiers severely beat two men allegedly engaged in homosexual activity in the lobby of an uninhabited building in Beirut. According

to reports soldiers punched, kicked, and jabbed the men with rifle butts. The LAF detained the men at police barracks for several days. There were no developments in the case at year's end.

In July 2009 LAF officials arrested and beat Mathieu Fever, a French citizen and son of the security head for UN agencies in the country, alleging he had attempted to obstruct a convoy transferring a dangerous criminal. 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.

On March 31, authorities released Fadi Anwar Sabunah, who had been detained since 2008, because the court determined his case should be added to a case in another jurisdiction that was pending indictment at year's end. In 2008 authorities reportedly tortured Sabunah during his detention at the Ministry of Defense to force his confession to involvement in 2008 bomb attacks on LAF soldiers.

The trial of the brothers Amer and Mosbah Hashash, charged with forming a terrorist group, continued at year's end. For four months spanning 2007 and 2008, according to Alkarama, ISF intelligence agents allegedly tortured the brothers to force confessions while they were in incommunicado detention at the ISF Directorate General detention center in Beirut.

In July 2009 a military court sentenced Faysal Ghazi Moqalled to life imprisonment for his 2006 interaction with the Mossad, the Israeli intelligence agency. Moqalled alleged he was tortured during his five-month detention in a Hizballah prison in 2006 and a subsequent 20-month detention by the Ministry of Defense. Moqalled continued to serve his sentence at year's end.

On February 18, a military tribunal sentenced alleged Israeli spy Mahmoud Qassem Rafeh to death and issued the same sentence in his absence to Hussein Khattab, a Palestinian from Ain el-Helweh refugee camp, for their role in the 2006 killings of Islamic Jihad member Mahmoud Majzoub and his brother. On March 9, the Court of Cassation approved the retrial of Rafeh, but it was postponed several times and had not been held by year's end. The army intelligence service arrested Rafeh in 2006 on suspicion of being an Israeli agent and held him at the Ministry of Defense, 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.

#### 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. According to a government official, most prisons lacked adequate sanitation, ventilation, and lighting, and temperatures were not consistently regulated. Many of the prisons were very damp, and some, such as the Zahle men's prison, did not provide beds for the inmates. Officials admitted they regularly received complaints regarding the lack of access to basic and emergency medical care, as well as extreme overcrowding. Nongovernmental organizations (NGOs) working with prisoners reported three cases of prisoner-on-prisoner rape in Roumieh prison in 2009. According to one NGO, 27 prisoners died in 2009, primarily due to authorities' negligence and failure to provide appropriate medical care. Updated statistics were not available at year's end.

At year's end there were 5,580 prisoners and detainees, including pretrial detainees and remand prisoners, in facilities built to hold a maximum of 2,500 inmates. According to ISF statistics, 135 minors and 264 women were incarcerated at year's end. 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 its detention center at the Ministry of Defense. Authorities held Fatah al-Islam prisoners in separate cells at Roumieh prison.

The visitation policy allows inmates to receive guests once or twice per week, with the frequency of visits varying depending on the severity of the inmate's crime. Religious observance is allowed, and representatives of different religions visit the prisons on days of worship.

According to one government official, there is no formal channel for prisoners and detainees to submit complaints to judicial authorities. Families of prisoners normally contact the Ministry of Interior to report complaints, although prison directors can also initiate investigations. Investigations tend to be conducted by NGOs, not the ministry, and according to a government official, prison directors often protect officers subjected to investigation. In 2008 the government established a human rights department in the Ministry of Interior to examine and improve prison conditions. However, the department was not properly equipped or staffed, and there were no signs of improvement at year's end. The parliamentary



human rights committee is responsible for monitoring the Ministry of Defense detention center.

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 2009 annual report, the ICRC carried out 162 visits to 5,971 detainees in 24 prisons and detention centers.

In 2005 the government passed a law establishing an ombudsman to serve on behalf of prisoners and detainees, but the Council of Ministers never issued the required implementation decree, and as a result there was no one serving in the capacity.

Nongovernmental entities such as Hizballah and Palestinian militias also operated detention facilities, but there was no information available about these facilities.

#### 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, enforces laws, conducts searches and arrests, and refers cases to the judiciary. The General Directorate for State Security (GDSS), reporting to the prime minister, and the SG, under the Ministry of Interior, are responsible for border control. The LAF is responsible for external security but may also arrest and detain suspects in the country on national security grounds. Both the GDSS and the SG collect information on groups deemed possible threats to state security.

#### 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. The law requires authorities to

inform detainees what charges have been filed against them. 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 provides detainees prompt access to a lawyer and to family members. The state does not provide legal assistance, but 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, including incommunicado detention. In addition the law permits military intelligence personnel to make arrests without warrants in cases involving military personnel or involving civilians suspected of espionage, treason, or weapons possession.

According to the CLDH, there were clear cases of arbitrary detention and torture among persons detained on spying charges. For example, on August 3, according to the CLDH, the ISF arrested retired LAF general Fayezi Karam on charges of spying for Israel and reportedly held him incommunicado for eight days of interrogations before presenting him before the investigating judge or allowing him direct access to his lawyer.

Pretrial detention was a serious problem. According to ISF statistics, 3,960 of the 5,580 persons in prison in December had not gone to trial. The Office of the UN 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.

Bureaucratic inefficiency delayed some cases. According to the CLDH, in September 2009 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 in October 2009. However, due to a delay in transmitting the release order to prison authorities, Zantout was released 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.

Human rights activists believed that as of 2009, Syrian authorities were holding at least 575 Lebanese and Palestinians from Lebanon in prolonged and often secret detention in Syria. In 2008 Lebanese Minister of Justice Ibrahim Najjar stated in a televised interview that there were 745 citizens missing in Syria, some of whom were convicted criminals and some victims of "enforced disappearances." Najjar was the first government official to classify the detainees publicly. At year's end the Syrian government had released 130 detainees; all of whom had been convicted as criminals. According to the 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 Lebanese judges to see the prisoners remaining in Syrian detention, although it had agreed in principle to do so.

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

In addition to civilian and military courts, 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. 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. Military courts have jurisdiction over civilians in espionage, treason, weapons possession, and draft evasion cases. The Judicial Council, a permanent tribunal of five senior judges, adjudicates threats to national security and some high-profile cases, as determined by the cabinet.

Trial Procedures

Defendants are presumed innocent until proven guilty. While presumption of innocence is not specified in the constitution, it is incorporated in the code of criminal procedure. There is no trial by jury. Trials are 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. Eighty percent of the indigent defendants 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 the ISF to obtain warrants before entering homes, except when in close pursuit of armed attackers, and it 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. 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 inform the Council of Ministers of their intention to request a particular telephone tap. 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; the committee had not been established at year's end. In August 2009 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. The law restricts the freedom to issue, publish, and sell newspapers. Publishers must apply for and receive a license from the minister of information in consultation with the press union. Article 28 of the Publications Law stipulates that if the minister of information finds the applicant eligible for the

license, he must issue the license within a month of the date the application was submitted. If a month passes without a license being issued, it is considered an implicit rejection. An outright rejection must be issued in a statement explaining the reason for the rejection. There are several requirements that must be met to receive a license, including being a citizen, residing in the country, and working in a company that has only citizens as shareholders with capital of no less than 500,000 Lebanese pounds (\$333). Article 30 lists the conditions for issuance of a license for a political publication. Those seeking to publish a new political publication may also purchase the name and license of a publication from the owner of an existing license. The law prohibits owning or managing a printing press without informing the Ministry of Information and outlines punishments including imprisonment, but prosecution of violators was rare. 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.

During the year there were at least two examples of the Ministry of Defense intimidating journalists and others in response to criticism. Unlike in previous years, there were no instances of violence against journalists.

On August 11, Ministry of Defense officials summoned and interrogated Hassan Oleik, a reporter for the pro-opposition daily newspaper *al-Akhbar*, about an article criticizing Minister of Defense Elias Murr. He was released after a few hours. Reporters Without Borders charged that Oleik's detention and interrogation were conducted in an arbitrary and illegal manner.

On August 18, the LAF G-2 detained urban planner Ismael Sheikh Hassan after a May 12 critique in *Assafir* of public authorities and the army for their mishandling of the reconstruction of the Nahr el-Bared refugee camp. Sheikh Hassan was a founder of the Nahr el-Bared Reconstruction Commission where he has been volunteering for more than two years. The LAF detained Sheikh Hassan incommunicado for 24 hours before transferring him to the military police at the Qubba military base in northern Lebanon. He was released on August 20 without having been charged with any crime, and the status of his case was unclear at year's end.

Future News Television reporter Omar Harqous's case was under appeal at year's end. In 2008 more than 15 supporters of the Syrian Social Nationalist Party



(SSNP) attacked Harqous with sticks in Beirut's Hamra Street, injuring him in the head, neck, and chest. Three members of SSNP were charged in the attack. Harqous claimed the attack was motivated by his political reporting and that the assailants called him a Jew. No new developments were reported in this case during the year.

During the 2008 conflict, several journalists and photographers were physically attacked, 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.

During the year officials used libel laws to suppress criticism (see also Internet Freedom). In January the Press Court convicted Al-Jadeed television station journalists Ghada Eid and Maryam al-Bassam of slander and falsifying news and ordered them to pay seven million pounds (\$4,670) to Lieutenant Colonel Imad Othman. Authorities arrested Eid in September 2009 for allegedly slandering a judge, and in December 2009 the press court sentenced her to three months' imprisonment and a fine of 30 million pounds (\$20,000) in a separate libel case against Judge Afif Shamseddine. In 2008 the government enforced a provisional seizure of property against Al-Jadeed in compliance with a press court decision in a 2007 libel case against the head of the station's editorial department.

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 August 13, the government banned National Broadcasting Network (NBN) and al-Manar television channels, run by parliamentary speaker Nabih Berri and Hizballah, respectively, from broadcasting an Iranian-made biopic on the life of Jesus after the film sparked outrage among Christians. The channels cooperated with a request from the SG to stop the broadcast.

In October 2009 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 to ban any book. The government may prosecute offending journalists and publications in the publications court.

#### Internet Freedom

The government reportedly censored some Internet sites, but there were no reports the government monitored e-mail or attempted to collect personally identifiable information via the Internet. Individuals and groups could not engage in the peaceful expression of views via the Internet. In June and July, the government applied libel and defamation laws to Internet communication for the first time and arrested four men for setting up a Facebook page critical of President Sleiman. According to 2009 International Telecommunications Union statistics, 23.7 percent of the country's inhabitants used the Internet. The SG and Ministry of Justice sometimes contacted Internet service providers to block pornographic and religiously provocative Web sites.

Between June 22 and July 28, security forces detained Naim Hanna, Antoine Ramia, Shibel Kassab, and Ahmad Shuman for various lengths of time for defaming President Sleiman on the social networking site Facebook. Authorities charged them with libel, slander, and defamation. The Facebook page criticized President Sleiman for allegedly interfering in municipal elections in Jbeil region, among other comments. Hanna, Ramia, and Kassab were released on bail on July 2, and Shuman was released on July 28. At year's end all four men awaited trial.

#### Academic Freedom and Cultural Events

There were no government restrictions specific to academic freedom, but libel and slander laws applied. During the year 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 October 9, Beirut International Film Festival founder Colette Naufal told the press that government censors requested her to postpone the showing of a film critical of the Iranian regime. The documentary film, *Green Days*, directed by

Iranian filmmaker Hana Makhmalbaf, addresses opposition protests in Iran and was reportedly scheduled to be shown at the annual festival on October 13, the first day of Iranian president Ahmadinejad's two-day visit to Lebanon.

In February 2009 the SG banned director Marc Abi Rached's film *Help*--telling of 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 2009 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

The law provides for freedoms of assembly and association, but the government sometimes restricted these rights in practice. The Ministry of Interior required prior approval for rallies, and it sometimes did not grant permits to groups that opposed government positions.

Freedom of Assembly

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 Ministry of Interior, which then issues a receipt. The ministry sometimes imposed additional and inconsistent restrictions and requirements and withheld receipts, turning the notification process into an actual approval process. In some cases the ministry sent notification of formation papers to the security forces to initiate inquiries on an organization's founding members. Organizations must invite ministry representatives to any general assembly where members vote on bylaw amendments or positions on the board of directors. The ministry must then validate the vote or election; failure to do so could result in the dissolution of the organization.

The ministry did not immediately validate the 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 ministry did not validate them until a few months later, following diplomatic intervention. The cabinet must license all political parties (see section 3).

c. Freedom of Religion

For a complete description of religious freedom, see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/irf/rpt/](http://www.state.gov/g/drl/irf/rpt/).

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 UNHCR, the UN Relief and Works Agency for Palestinian Refugees (UNRWA), 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 the UNRWA, Palestinian refugees registered with the Ministry of Interior's Directorate of Political and Refugee Affairs may travel from one area of the country to another. However, the directorate must approve transfer of registration for refugees who reside in camps. The UNRWA stated that the directorate 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)

Although the UNHCR discontinued its assistance to IDPs in the country in 2007, international humanitarian organizations maintained that a significant number of persons remained displaced as a consequence of the 1975-90 civil war, the 2006 war, and the 2007 displacement of Palestinian refugees from the Nahr el-Bared camp (see Protection of Refugees). 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 in 2006 the government reported 17,000 persons remained displaced, while others estimated that only 20 to 25 percent of the original number had returned home. Some IDPs displaced during the civil war had 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 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 2008, the last year it maintained such statistics, the UNHCR estimated 40,000 to 70,000 such persons remained IDPs. According to the Internal Displacement Monitoring Center (IDMC), as of November all sources interviewed by IDMC--including UN agencies, national and international NGOs, and independent researchers--reported there were no IDPs remaining from the 2006 war. However, no information was available regarding IDPs who might have sought settlement options other than return or on whether the IDPs had achieved durable solutions.

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 a party to the 1951 Convention relating to the Status of Refugees or its 1967 Protocol, and 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 are liable to arrest. 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.

An agreement between the SG and 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. According to the UNHCR, domestic courts often sentenced refugees to one month's imprisonment and fines instead of deportation. Courts often referred to the UN 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. Authorities also repatriated refugees on a voluntary basis during the year.

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.

In a February 25 letter to the president, prime minister, interior minister, and defense minister, 14 local and international NGOs called for the release of migrants and refugees who had completed their sentences but continued to be detained. The letter stated that there was no legal basis for continuing to detain these prisoners. According to an August 2009 ISF report, 13 percent of detainees in prison were foreign nationals who had completed their sentences. On September 6, the Council of Ministers endorsed the report of an interministerial committee that underscored that the country does not grant asylum and that refugee status should be granted in accordance with existing agreements with the UNHCR.



After Palestinians, the second largest group of refugees in the country was from Iraq. At year's end 8,285 Iraqis were registered with the UNHCR. The Danish Refugee Council estimated 15,000 to 20,000 Iraqis were living in the country; many entered the country illegally in search of jobs, education, and security. 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 19 Iraqis in detention at year's end, and during the year the SG deported 95 irregular Iraqi immigrants to Iraq.

By law Palestinian refugees are considered foreigners, and in several instances they were accorded poorer treatment than other foreign nationals. The 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 August 31, 427,732 UNRWA-registered Palestinian refugees were living in or near 12 camps throughout the country. 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 subjected 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 Palestine Liberation Organization (PLO), PLO security committees, not the government, provide security for refugees in the camps. During the year there were reports that members of various Palestinian factions and foreign militias detained their rivals during clashes over territorial control of the camps, particularly in the northern and southern parts of the country.

At year's end the UNRWA reported that 15,190 refugees had returned to areas adjacent to the Nahr el-Bared refugee camp, which was destroyed in a 2007 fight between the LAF and terrorists from Fatah al-Islam, and 21,654 Nahr el-Bared residents remained displaced. Displaced communities raised concerns about their security and freedom of movement in response to the LAF's security measures around the camp. In 2008 the UNRWA, the government, and the World Bank launched a comprehensive, three-year plan to rebuild the Nahr el-Bared camp and surrounding communities in eight stages. As of October reconstruction of the first stage was underway. However, according to the UNRWA, remaining

reconstruction was not fully funded, and only 36 percent of the required donations had been secured by year's end.

On August 17, the parliament adopted a draft proposal granting certain employment rights to Palestinian refugees registered with the government, including no-cost work permits and the principle of reciprocity in professions open to Palestinian workers. The parliament also adopted a draft proposal for setting up a special account within the National Social Security Fund to provide end-of-service indemnities or severance pay for workers who retire or resign. Under the proposal the UNWRA continued to bear the cost of any medical, maternity, or family health care expenses.

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 the 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.

At year's end the Ministry of Interior 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 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

Between May 2 and 30, the country held municipal and mayoral elections, which take place every six years. Interior minister Ziad Baroud announced that voter turnout reached 47 percent and that 5.6 percent of the seats were won by women. The LADE rated the elections "acceptable to good," with some irregularities including no cap on electoral expenditures, reports some candidates were pressured to withdraw, and instances of vote-buying or coercing voters.

In June 2009 parliamentary elections were held in the 26 electoral districts. Observers concluded the elections were generally free and fair, with minor irregularities, such as some instances of vote-buying. The Lebanese Transparency Association (LTA) reported that LTA monitors witnessed vote buying through cash donations on election day in many electoral districts, and that the value of a vote reached 150,000 pounds (\$100) in Saida, 1.3 million pounds (\$800) in Zahle, and up to 4.5 million pounds (\$3,000) in Zgharta.

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 political parties and numerous smaller ones. The larger, sectarian-based parties maintained the greatest influence in the country's political system, although a number of smaller parties existed.

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 2008, and two women were appointed to the cabinet formed in November 2009.

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 Syriac Orthodox and two Alawites) were elected in the 2009 elections. These groups also held high positions in government 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 law provides criminal penalties for official corruption, but the penalties were seldom enforced, and government corruption was a serious problem. A September 2009 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 obtain a residential building permit.

Government security officials, agencies, and the police force are subject to laws against bribery and extortion. In practice the 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, the Bekaa, 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.

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 government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to these groups' views.

The parliamentary Committee on Human Rights made little progress. 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. According to the local NGO KAFA (Enough) Violence and Exploitation, nonspousal rape was relatively common. Spousal rape was not criminalized. KAFA reported 80 percent of domestic violence victims suffered spousal rape as well.

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. The Lebanese Council to Resist Violence against Women and KAFA worked to reduce violence against women by offering counseling and legal aid and raising awareness about the problem. During the year KAFA assisted 265 victims of domestic violence.

The legal system was discriminatory in handling 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.

On March 12, according to Agence France-Presse, authorities arrested a man for killing his sister in the Haker al-Daheri village in the northern Akkar region. A security official told the press that the 24-year-old victim was single and had a boyfriend, and her brother admitted to shooting her twice in the head to cleanse the family's honor.

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 2005 maternal mortality rate was 150 per 100,000 live births, as estimated by international organizations; however, a government-sponsored study arrived at a mean maternal mortality rate of 23 per 100,000 live births. Women had equal access to diagnosis and treatment

for sexually transmitted infections, including HIV, and the government provided free hospital treatment and free antiretroviral drugs for all persons 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, although 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 Ministry of Interior, 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 discrimination against them, although some could attend school. According to a 2008 report by the Integrated Regional Information Networks, 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. 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.

In a joint KAFA-Save the Children Sweden study released in 2008, 16 to 20 percent of children between the ages of eight and 17 years old admitted experiencing at least one form of sexual abuse at an average age of 10 years old. 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.

On November 11, Save the Children Sweden, KAFA, and the Ministry of Social Affairs launched a specially designed child sexual abuse awareness toolkit called "Ila el Aman Sir" (Walking Towards Safety) and a documentary film.

Reports of commercial sexual exploitation of children are not widespread in the country. Nevertheless, the Directorate of Juveniles at the Ministry of Justice maintains general data on investigations and prosecutions related to forced labor and child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. The law and the penal code crimes against children; however, according to the Higher Council for Childhood, which is housed under the Ministry of Social Affairs, the laws are vague and do not clearly define the crimes.

The penal code prohibits and punishes commercial sexual exploitation and forced prostitution. Prescribed punishment for commercial sexual exploitation of a person under 21 years old is imprisonment of one month to one year and fines ranging between 50,000 (\$33) and 500,000 (\$333) Lebanese pounds. The maximum sentence for commercial sexual exploitation is two years' imprisonment.

The minimum age of consensual sex is 18 years old, and statutory rape penalties include hard labor for a minimum of five years and imprisonment for a minimum of seven years if the victim is younger than 15 years old. Imprisonment ranges from two months to two years if the victim is between 15 and 18 years old.

For information on international parental child abduction, please see the Department of State's annual report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html).

Anti-Semitism

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 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.

In August an anti-Semitic organization alleged that the Iranian-produced television series "Jesus," which the Amal-affiliated NBN television station and Hizballah's Al-Manar television station broadcast, contained anti-Christian and anti-Semitic portrayals. The broadcast was cancelled after the first few episodes following protests by Christian leaders and organizations.

In November 2009 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 broadcast a report condemning the book for focusing on the persecution of Jews.

In September 2009 Khaled Shebli Khelo was arrested when he allegedly threw a Molotov cocktail at the Maghen Abraham synagogue, the last synagogue in the country. Khelo was reportedly released in December 2009, but it was unknown whether the charges against him were still outstanding.

The Ministry of Interior delayed validation of the 2008 elections of the Israeli Communal Council (see section 2.b.).

#### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* 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 law defines a "disability" as a physical, sight, hearing, or mental impairment. 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 1990 study by the UN Development Program estimated that one in 10 citizens--as many as 300,000 individuals--had disabilities, but the Ministry of Social Affairs had registered only 70,423 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.

In May 2009 the Ministry of Interior issued a decree to provide accessibility to polling stations for persons with special needs during the parliamentary elections; however, a Lebanese Physically Handicapped Union study showed that only six polling stations out of 1,741 satisfied all six criteria for accessibility.

#### National/Racial/Ethnic Minorities

There were no reports that Syrian workers, who are usually employed in the manual labor and construction sectors, continued to suffer discrimination, as they did following the 2005 withdrawal of Syrian forces from the country.

#### 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 Transgender (LGBT) Persons) reported that police used the law to blackmail women. In December 2009 Helem reported that a judge in the Batroun District rendered the

first decision determining that "unnatural sexual intercourse" does not apply to homosexual activity, which he ruled a part of nature. At year's end no updates were available for this case.

Meem, the first NGO in the country exclusively for nonheterosexual women, and Helem hosted regular meetings in a safe house, provided counseling services, and carried out advocacy projects for the LGBT community. On August 21, the health outreach unit of Helem organized a fundraising party to raise awareness on sexual and reproductive health for the LGBT community.

In February 2009 Helem organized a demonstration in Beirut to protest an attack by security forces against two gays (see section 1.c.) and against homophobic provisions of the law. In May 2009 Helem, Meem, and the 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 2009 that at least five HIV-positive individuals reported discrimination by dentists or hospital staff. Updated statistics were not available at year's end.

### Section 7 Worker Rights

#### a. The Right of Association

The law allows all workers except government employees to establish and join government-approved unions, and workers exercised this right in practice. However, domestic workers, day workers, and temporary workers in the public services, and some categories of agricultural workers are not covered by the country's labor code because they did not have residency under the law. Foreigners with legal resident status could form and join unions. The Ministry of Labor must approve the formation of unions, and it 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 Confederation of Lebanese Workers (CGTL), 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 an estimated 450 to 500 labor unions and associations, half of which were believed to be inactive and rarely met or conducted activities.

The law provides that unions conduct activities free from interference, but the Ministry of Labor interfered in union elections and registered unions not considered representative by the CGTL. Unions have the right to demonstrate with advance notice to and approval by the Ministry of Interior. All workers, except public sector employees, have the right to strike and cannot be fired for doing so.

Most unions belonged to federations. There were 52 federations that were voting members of the CGTL, six of which the judiciary declared illegal in 2007 because they had failed to obtain the required CGTL 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 CGTL remained the only organization the government recognized as an interlocutor for workers, while approximately 13 federations that composed the "Salvation Committee of the CGTL" no longer participated in CGTL meetings but had not declared an official breakaway at year's end.

Generally, refugees may organize their own unions. Because of restrictions on their right to work, few refugees participated actively in trade unions. While some syndicates required citizenship, others were open to foreign nationals with reciprocity agreements. Because they are stateless, Palestinian refugees are legally barred from entering certain unionized professions such as engineering, law, and medicine that require membership in a syndicate requiring reciprocity agreements.

b. The Right to Organize and Bargain Collectively

The law protects the right of workers to organize and to bargain collectively; however, a minimum of 60 percent of workers must agree on the goal of the bargaining before a union can engage in collective bargaining. Collective bargaining agreements must be ratified by two-thirds of union members at a general assembly. Collective bargaining did not occur often.

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 worked under forced labor conditions. Women from Asia, Africa, Eastern Europe, and Russia were trafficked and forced to provide sexual or domestic services.

Government regulations prohibited employment agencies from withholding foreign workers' passports for any reason; however, this regulation was not enforced effectively and the practice was commonplace, especially in the case of domestic workers.

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 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.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

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. Current figures on child labor in the country were unavailable. The International Labor Organization (ILO) noted that its longstanding estimate of 100,000 child laborers--commonly cited in literature and by the government--was no longer accurate. Anecdotal evidence suggested the number of child workers has risen and that more children were working in the "hidden services" sector, such as prostitution. Children from Lebanon, Iraq, and Syria were most subject to forced labor. Other children worked in construction, agriculture (including tobacco), 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.

The minimum age for employment is 14 years of age, and the law lists the legal occupations for juveniles. The penal code calls for penalties ranging from a fine of 250,000 pounds (\$166), one to three months' imprisonment, or forced closing of the establishment. The law requires juveniles, defined as children between 14 and 18 years of age, to undergo a medical exam by a doctor certified by the Ministry of Public Health to assure they are physically fit for the type of work they are asked to perform. 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 lasts more than four hours. Juveniles younger than 17 years old are prohibited from working in jobs that jeopardize their health, safety, or morals; they also are prohibited from working between 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 Ministry of Labor enforced these requirements through its Child Labor Unit, established in 2001 in cooperation with the ILO. The ILO and the Arab Labor Organization train labor inspectors, who are in charge of labor enforcement, along with ISF officers. The ministry admitted to employing insufficient number of inspectors, but enforcement improved during the year as the unit worked to train its inspectors and recruit new inspectors. At year's end the ministry employed approximately 130 labor inspectors and assistant inspectors who helped enforce child labor laws. The Higher Council of Childhood provided education to families and children to help prevent child abuse.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

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 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 that 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 Ministry of Labor 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 GLTC, Ministry of Labor, 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. 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 Lebanese pounds (\$100 to \$300) per month, depending on the nationality of the worker. Domestic migrant workers are granted increased labor protections through a unified contract, which they sign in both Arabic and a language the worker understands. Victims may file civil suits or seek legal action, often with the assistance of Caritas, 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 June 24, the first instance penal judge of Jbeil sentenced an employer who physically abused her Sri Lankan domestic worker to one month's imprisonment and a fine of 10 million pounds (\$6,666). The woman was also barred from sponsoring or employing a domestic worker for five years from the date the decision was rendered.

In December 2009 a criminal court judge in Batroun sentenced a woman who beat her Filipino domestic worker to 15 days in prison, 50,000 pounds (\$33) fine, and

10.8 million pounds (\$7,200) in compensation. The victim was in the Philippines when the verdict was announced, and the judge refused the request of the employer to bring the victim before the court.

In 2008 the MOL closed two employment agencies for violations of workers' rights, including physical abuse. Agencies continued to lack monitoring by the government. 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, as they preferred not to stay in the country for a lengthy judicial process.