

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	598
Land:	Libanon
Kilde:	United States Department of State
Titel:	Annual report on human rights in 2018. Lebanon 2018 Human Rights Report
Udgivet:	13. marts 2019
Optaget på baggrundsmaterialet:	7. maj 2019

LEBANON 2018 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Lebanon is a parliamentary republic based on the 1943 National Pact, which apportions governmental authority among a Maronite Christian president, a Shia speaker of the Chamber of Deputies (parliament), and a Sunni prime minister. In 2016 parliament elected Michel Aoun to the presidency, ending more than two years of political deadlock. Following the June 2017 passage of the country's new electoral law, the government held parliamentary elections in May after parliament extended its legal term three times between 2013 and 2017. The elections were peaceful and considered generally fair and free from regional influence. President Michel Aoun directed Prime Minister Designate Saad Hariri to form a government. At year's end, the process for forming a government was still underway.

Civilian authorities maintained control over the armed forces and other security forces, although Palestinian security and militia forces, the designated foreign terrorist organization (FTO) Hizballah, and other extremist elements operated outside the direction or control of government officials.

The Syrian conflict affected the country economically and socially. It generated an influx of more than one million refugees and strained the country's already weak infrastructure and ability to deliver social services.

Human rights issues included arbitrary or unlawful killings by nonstate actors; allegations of torture by security forces; excessive periods of pretrial detention; undue and increasing restrictions on freedoms of speech and press, including laws criminalizing libel and a number of forms of political expression; official corruption; criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) status or conduct; and forced or compulsory child labor.

Although the legal structure provides for prosecution and punishment of officials who committed human rights abuses, enforcement remained a problem, and government officials enjoyed a measure of impunity for human rights abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

Despite public assurances that it would do so, the Lebanese Armed Forces (LAF) has not released a public report on its June 2017 antiterrorism operation in the vicinity of Aarsal. During the operation, the LAF--in search of suspected ISIS and Fatah al-Sham terrorists who had seized the area in 2014--detained more than 350 Syrian men after five terrorists detonated suicide bombs, killing a young girl and wounding seven soldiers. Four of the detainees died in custody. The LAF concluded its investigation in July 2017, and LAF leadership publically conceded the detainees experienced “some mistreatment,” but the LAF maintained they died of natural causes. Family members of three of the men released photographs of their bodies returned by the LAF, which they alleged showed signs of torture.

Closing arguments in the principal case, concerning the 2005 attack that killed former prime minister Rafik Hariri and 22 other individuals, took place in September at the Special Tribunal for Lebanon.

b. Disappearance

There were no confirmed reports of disappearances by or on behalf of government authorities.

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

The penal code prohibits using acts of violence to obtain a confession or information about a crime, but the judiciary rarely investigated or prosecuted allegations of such acts. In September 2017 parliament approved a revised law against torture designed to align the country’s antitorture legislation better with the UN Convention Against Torture. The law prohibits all forms of torture or cruel, inhuman, or degrading punishment. Some nongovernmental organizations (NGOs) alleged that security officials mistreated detainees.

Human rights organizations reported that incidents of abuse occurred in certain police stations. The government denied the systematic use of torture, although authorities acknowledged violent abuse sometimes occurred during preliminary investigations at police stations or military installations where officials interrogated suspects without an attorney present.

In a July 15 report released by the NGO Human Rights Watch (HRW), local actor Ziad Itani alleged that officers from the General Directorate of State Security (GDSS) detained him incommunicado for six days in November 2017 and subjected him to torture until he confessed to collaborating with an Israeli agent. According to the report, Itani claimed that GDSS officers held him in a room designed for torture in an unknown location where they repeatedly beat and kicked him, hung him in a stress position, and used electrical cables to beat him, including on his exposed genitals. GDSS officers also allegedly threatened Itani and his family with rape and physical violence. The report claimed that Itani reported the torture to the Military Court during his first hearing in December 2017, but the judge failed to investigate the allegations as required by law. On May 29, the presiding judge dismissed the case against Itani after concluding the evidence against him appeared to be fabricated. Authorities subsequently charged a high-ranking police official for conspiring to fabricate evidence against Itani. After his release Itani visited Prime Minister Hariri who declared his arrest was based on “wrong information.” There were no reports that officials launched an investigation of the GDSS officers involved.

Although human rights and LGBTI organizations acknowledged some improvements in detainee treatment during the year, these organizations and former detainees continued to report that Internal Security Forces (ISF) officers mistreated drug users, persons involved in prostitution, and LGBTI individuals in custody, particularly through forced HIV testing, threats of prolonged detention, and threats to expose their status to family or friends.

One civilian employee of the UN Interim Force in Lebanon (UNIFIL) was accused of sexual exploitation in March 2017. The incident was alleged to have taken place in 2014 or 2015. According to the United Nations, the accused individual resigned after being placed on administrative leave without pay. An Office of Internal Oversight Services investigation substantiated the allegation in late 2017, and the United Nations placed a note of the outcome in the subject’s Official Status File.

Prison and Detention Center Conditions

Prison and detention center conditions were often overcrowded, and prisoners sometimes lacked access to basic sanitation. As was true for most buildings in the country, prison facilities were inadequately equipped for persons with disabilities.

Physical Conditions: As of October there were approximately 9,000 prisoners and detainees, including pretrial detainees and remanded prisoners, in facilities built to hold 3,500 inmates. Roumieh Prison, with a designed capacity of 1,500, held approximately 3,250 persons. Authorities often held pretrial detainees together with convicted prisoners. ISF statistics indicated that the prisons incarcerated more than 1,000 minors and approximately 300 women. The ISF incarcerated women at four dedicated women's prisons (Baabda, Beirut, Zahle, and Tripoli).

Conditions in overcrowded prisons were poor. According to a government official, most prisons lacked adequate sanitation, ventilation, and lighting, and authorities did not regulate temperatures consistently. Prisoners lacked consistent access to potable water. Roumieh prisoners often slept 10 in a room originally built to accommodate two prisoners. Although better medical equipment and training were available at Roumieh, basic medical care suffered from inadequate staffing, poor working conditions, and extremely overcrowded medical facilities. Some NGOs complained of authorities' negligence and failure to provide appropriate medical care to prisoners, which may have contributed to some deaths. The ISF reported that none died of police abuse, and there were no cases of rape in prisons during the year. During the year 12 prisoners died of natural causes and one prisoner died of a drug overdose.

There were reports that some prison officials engaged in sexual exploitation of female prisoners in which authorities exchanged favorable treatment such as improved handling of cases, improved cell conditions, or small luxuries like cigarettes or additional food to women willing to have sex with officials.

Administration: The ISF's Committee to Monitor Against the Use of Torture and Other Inhuman Practices in Prisons and Detention Centers conducted 110 prison visits as of October. Parliament's Human Rights Committee was responsible for monitoring the Ministry of Defense detention center. The minister of interior assigned a general-rank official as the commander of the inspection unit and a major-rank official as the commander of the human rights unit. The minister instructed the units to investigate every complaint. After completing an investigation, authorities transferred the case to the inspector general for action in the case of a disciplinary act or to a military investigative judge for additional investigation. If investigators found physical abuse, the military investigator assigned a medical team to confirm the abuse and the judge ruled at the conclusion of the review. As of October there were no complaints reported to the ISF committee. According to the ISF Human Rights Unit, in the course of its own

investigations, the ISF took disciplinary action against officers it found responsible for abuse or mistreatment, including dismissals, but it did not publicize this action.

During the year authorities arrested an ISF prison officer on charges of sexual abuse against an inmate. The case was ongoing as of October.

Families of prisoners normally contacted the Ministry of Interior to report complaints, although prison directors could also initiate investigations. According to a government official, prison directors often protected officers under investigation. Prisoners and detainees also have the ability to report abuse directly to the ISF Human Rights Unit.

Independent Monitoring: The government permitted independent monitoring of prison and detention conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC), and such monitoring took place. The ICRC regularly visited 23 prisons and detention centers.

Nongovernmental entities, such as the FTO Hizballah and Palestinian nonstate militias, also reportedly operated unofficial detention facilities. On August 19, local media published leaked photos purportedly showing entrances to several secret, Hizballah-run prisons in Beirut's southern suburbs where Hizballah allegedly held, interrogated, and tortured detainees.

Improvements: ISF training and corrections staff continued to institutionalize best practices to protect human rights through developing and implementing standard operating procedures, and modifying hiring practices and training programs to improve professionalization among new officers.

On June 25, the country's State Prosecutor ordered judges to cease prosecution of drug users before providing them the opportunity to participate in a treatment program; NGOs and international organizations cited the prosecution of drug users as a factor contributing to extended pretrial detention and overcrowding in prisons and detention centers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of arrest or detention in court, and the government generally observed these requirements. The law requires judicial warrants before arrests except in cases of active pursuit. Nonetheless, NGOs and

civil society groups alleged some incidents of the government arbitrarily arresting and detaining individuals, particularly refugees and migrant workers. Typically, these detentions were for short periods and related to administrative questions associated with the residency or work status of these populations, often lasting between several hours to one or more days.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the ISF and the Directorate of General Security (DGS), and the government has effective mechanisms to investigate and punish abuse. The ISF, under the Ministry of Interior, is responsible for law enforcement, while the DGS, also under the Ministry of Interior, is responsible for border control. The LAF, under the Ministry of Defense, is responsible for external security but authorized to arrest and detain suspects on national security grounds; it also arrested alleged drug traffickers. The GDSS, reporting to the prime minister through the Higher Defense Council, is responsible for investigating espionage and other national security issues.

Each security apparatus has its own internal mechanisms to investigate cases of abuse and misconduct. The ISF code of conduct defines the obligations of ISF members and the legal and ethical standards by which they must abide in performing their duties. NGOs and human rights advocates alleged that officers in various security forces enjoyed a degree of implicit impunity for violations, particularly because the Military Court typically hears cases against them. NGOs argued this practice contradicts the antitorture law. Some agencies, however, stated they took steps to increase accountability. For example, according to government officials and legal advocacy organizations, the ISF Inspector General investigated officials suspected of official wrongdoing, subjecting them to arrest and disciplinary measures ranging from suspensions and reassignments to criminal prosecution, although it has not made case details public.

The Ministry of Interior has a human rights unit to enhance and raise awareness about human right issues within the ISF, train police officers on human right standards, and monitor and improve prison conditions. The Ministry staffed the department with four officers, including the department's head, and 15 noncommissioned officers. The department and its leadership maintained high standards of professionalism.

The ISF administers a complaint mechanism allowing citizens to track complaints and receive notification of investigation results. Citizens may file formal

complaints against any ISF officer in person at a police station, through a lawyer, by mail, or online through the ISF website. At the time an individual files a complaint, the filer receives a tracking number that may be used to check the status of the complaint throughout the investigation. The complaint mechanism provides the ISF the ability to notify those filing complaints of the results of its investigation.

The ISF human rights unit continued its collaboration with NGOs, civil society, and other stakeholders to improve and advise on human rights procedures and policies and to increase accountability.

The LAF has a human rights unit that engaged in human rights training through various international organizations. The unit worked to assure that the LAF operated in accordance with major international human rights conventions and coordinated human rights training in LAF training academies. The LAF human rights unit also worked with international NGOs to coordinate human rights training and policies, and it requested the creation of legal advisor positions to embed with LAF combat units and advise commanders on human rights and international law during operations. The unit also has responsibility for coordinating the LAF's efforts to combat trafficking in persons.

During the year 60 LAF officers participated in intensive human rights-focused training. The LAF Directorate of Humanitarian Law and Human Rights produced a card with applicable human rights and law of armed conflict guidance, requiring soldiers to carry it to strengthen compliance with LAF human rights policies and procedures.

UN Security Resolutions 425 and 426 established UNIFIL in 1978 to confirm the Israeli withdrawal from the southern region of the country, restore peace and security, and assist the government in restoring its authority over its territory. UN Security Resolution 1701 stated UNIFIL was to monitor cessation of hostilities between Israel and Hizballah after their 2006 war, accompany the LAF in deploying to the South Litani Sector, assist in providing humanitarian access to civilians, or the safe return of displaced, as well as assist the government in securing its borders.

Despite the presence of Lebanese and UN security forces, Hizballah retained significant influence over parts of the country. Neither the LAF nor the ISF controlled or attempted to control the interiors of 11 of 12 Palestinian camps in the country. The LAF, however, maintained positions around the camps and

monitored movements into and out of them (except Nahr el-Bared camp). Joint committees of armed Palestinian factions provided collectively for their internal security, and there was coordination with the government and the LAF.

Arrest Procedures and Treatment of Detainees

The law generally requires a warrant for arrest and provides the right to a medical examination and referral to a prosecutor within 48 hours of arrest. The law requires that officials promptly inform individuals of the charges against them, and authorities generally adhered to this requirement. If authorities hold a detainee longer than 48 hours without formal charges, the arrest is considered arbitrary, and authorities must release the detainee or request a formal extension. The code of criminal procedures provides that a person may be held in police custody for investigation for 48 hours, unless the investigation requires additional time, in which case the period of custody may be renewed for another 48 hours.

The law requires authorities to inform detainees of the charges 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 order the release of the suspect. By law bail is available in all cases regardless of the charges, although the amounts required may be prohibitively high.

The code of criminal procedures states that from the moment of arrest a suspect or the subject of a complaint has the right to contact a member of his family, his employer, an advocate of his choosing, an acquaintance, or an interpreter, and undergo a medical examination on the approval of the general prosecutor. It does not, however, mention whether a lawyer may attend preliminary questioning with the judicial police. In practical terms the lawyer may not attend the preliminary questioning with judicial police. Under the framework of the law, it is possible to hold a suspect at a police station for hours before allowing the individual to exercise the right to contact an attorney. If the suspect lacks the resources to obtain legal counsel, authorities must provide free legal aid. The law does not require the judicial police to inform an individual who lacks legal counsel that one may be assigned through the Bar Association, whether in Beirut or Tripoli.

The law does not require authorities to inform individuals they have the right to remain silent. Many provisions of the law simply state that if the individuals being questioned refuse to make a statement or remain silent, this should be recorded and that the detainees may not be “coerced to speak or to undergo questioning, on pain of nullity of their statements.”

The law excludes from this protection suspects accused of homicide, drug crimes, endangerment of state security, violent crimes, crimes involving terrorism, and those with a previous criminal conviction.

Authorities may prosecute officials responsible for prolonged arrest on charges of depriving personal freedom, but they have rarely filed charges.

Authorities failed to observe many provisions of the law, and government security forces, as well as extralegal armed groups such as Hizballah, continued the practice of extrajudicial arrest and detention, including incommunicado detention.

Additionally, the law permits military intelligence personnel to make arrests without warrants in cases involving military personnel or involving civilians suspected of espionage, treason, weapons possession, or terrorism.

Arbitrary Arrest: According to local NGOs, cases of arbitrary detention occurred, but most victims chose not to report violations against them to the authorities. NGOs reported that most cases involved vulnerable groups such as refugees, drug users, LGBTI individuals, and migrant workers. Civil society groups reported authorities frequently detained foreign nationals arbitrarily.

Pretrial Detention: The law states the period of detention for a misdemeanor may not exceed two months. Officials may extend this period by a maximum of two additional months. The initial period of custody may not exceed six months for a felony, but the detention may be renewed. Due to judicial backlogs, pretrial detention periods for felonies may last for months or years.

Pretrial detention periods were often lengthy due to delays in due process. The ISF did not report the number of prisoners in pretrial detention. As of October there were approximately 9,000 detainees, between sentenced offenders and those awaiting trial. In August 2017 the ISF reported more than 4,000 pretrial detainees. The Office of the UN High Commissioner for Human Rights expressed concern about arbitrary pretrial detention without access to legal representation. Some pretrial detention periods equaled or exceeded the maximum sentence for the alleged crime. According to a study by the Lebanese Center for Human Rights, detainees spent one year on average in pretrial detention prior to sentencing. Individuals accused of murder spent on average 3.5 years in pretrial detention. Some Lebanese Sunni militants, detained after returning from fighting in Syria, have remained in pretrial detention for more than five years.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, authorities subjected the judiciary to political pressure, particularly in the appointment of key prosecutors and investigating magistrates. Persons involved in routine civil and criminal proceedings sometimes solicited the assistance of prominent individuals to influence the outcome of their cases.

Trial Procedures

The constitution and the law provide for the right to a fair and public trial, and an independent judiciary generally sought to enforce this right.

Defendants are presumed innocent until proven guilty and have the right to be promptly informed of the charges against them. 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. Defendants may present witnesses and evidence. Defendants have the right to free interpretation; however, interpreters were rarely available. Defendants have the right not to be compelled to testify or confess guilt; they have the right of appeal.

The Military Court has a permanent tribunal and a cassation tribunal. The latter, composed of civilian judges, hears appeals from the former. The Military Court has jurisdiction over cases involving the military and police, as well as those involving civilians accused of espionage, treason, weapons possession, and draft evasion. It also may try civilians on security charges or for violations of the military code of justice, which also applies to civilians. Defendants on trial under the military tribunal have the same procedural rights as defendants in ordinary courts. While civilian courts may try military personnel, the Military Court often hears these cases, including for charges unrelated to official military duty. Human rights activists raised concerns that such proceedings created the potential for impunity. Although the military and civilian courts follow the same appellate procedures, human rights groups expressed concerns that Military Court proceedings were opaque, lacked sufficient due process assurances, and afforded inadequate review of court decisions.

Governance and justice in the Palestinian camps varied greatly, with most camps under the control of joint Palestinian security forces representing multiple factions, while local militia strongmen heavily influenced others. Essentially, Palestinian

groups in refugee camps operated an autonomous system of justice mostly invisible to outsiders and beyond the control of the state. For example, local popular committees in the camps attempted to resolve disputes through informal mediation methods but occasionally transferred those accused of more serious offenses (for example, murder and terrorism) 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, but plaintiffs seldom submitted civil lawsuits seeking damages for government human rights violations to it. During the year there were no examples of a civil court awarding a person compensation for such violations. There is no regional mechanism to appeal adverse domestic human rights decisions. The country has reservations on individual complaints under any human rights treaty, body, or special procedure. Appeals to international human rights bodies are accessible only after exhausting all domestic remedies.

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

The law prohibits such actions, but authorities interfered with the privacy of persons regarded as enemies of the government. There were reports that security services monitored private email and other digital correspondence. On January 8, the Electronic Frontier Foundation and mobile security firm Lookout reported a spyware campaign operating from servers they identified as belonging to DGS. According to the report, since 2012 the campaign targeted the communications and activities of users in several countries, including Lebanese journalists and activists, by installing malware from fake versions of secure Android apps such as WhatsApp.

The law provides for the interception of telephone calls with prior authorization from the prime minister at the request of the minister of interior or minister of defense.

Militias and non-Lebanese forces operating outside the area of central government authority also frequently violated citizens' privacy rights. Various nonstate actors,

such as Hizballah, used informer networks, telephone, and electronic monitoring to obtain information regarding their perceived adversaries.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press, and stipulates that restrictions may be imposed only under exceptional circumstances. The government generally respected this right, but there were some restrictions, particularly regarding political and social issues.

Freedom of Expression: Individuals were generally free to criticize the government and discuss matters of public interest; however, several legal restrictions limited this right. The law prohibits discussing the dignity of the president or insulting him or the president of a foreign country. The military code of justice prohibits insulting the armed forces, and the Military Court prosecuted civilians under this statute. For example, in January the Military Court sentenced journalist and researcher Hanin Ghaddar in her absence to four months in prison for allegedly insulting the armed forces in remarks she gave at a 2014 conference in Washington, D. C. The court dismissed the charges on appeal in April. Authorities heard these cases in both civil and military courts; they generally carried sentences of between one and three years in prison, although typically they resulted in fines.

Press and Media Freedom: The 1962 Publications Law regulated print media. The law holds journalists responsible for erroneous or false news; threats or blackmail; insult, defamation, and contempt; causing prejudice to the president's dignity; insulting the president or the president of a foreign country; instigation to commit a crime through a publication; and sectarian provocation. The Publications Law contains detailed rules governing the activities of printing houses, press media, libraries, publishing houses, and distribution companies. It also establishes media institutions such as the Press Syndicate. The law provides rules and conditions for becoming a journalist and for obtaining licenses for new publications. It also prohibits the press from publishing blasphemous content of the country's officially recognized religions or content that may provoke sectarian feuds.

There was uncertainty regarding which legal framework is applicable to online news sites in the country. There are no specific laws regulating online speech. The penal code, however, contains a number of speech offenses. Several articles

in the penal code criminalize defamation of public officials, public entities, and individuals. Moreover, the military justice code prohibits defamation of the army. Accordingly, authorities may prosecute individuals, journalists, and bloggers for what they express online.

The law governing audiovisual media bans live broadcasts of unauthorized political gatherings and certain religious events and prohibits the broadcast of “any matter of commentary seeking to affect directly or indirectly the well-being of the nation’s economy and finances, material that is propagandistic and promotional, or promotes a relationship with Israel.” Media outlets must receive a license from the Council of Ministers, based on a recommendation by the minister of information, to broadcast direct and indirect political news and programs. The law prohibits broadcasting programs that seek to affect the general system, harm the state or its relations with Arab and other foreign countries, or have an effect on the well-being of such states. The law also prohibits the broadcast of programs that seek to harm public morals, ignite sectarian strife, or insult religious beliefs.

Violence and Harassment: Broadcast journalists continued to suffer from intimidation and harassment. Political friction and tension led some outlets to fear entering certain “politically classified” areas to report without removing brandings and logos that referenced the outlets. During the parliamentary elections, journalists could travel freely. Outlets that sought to report in areas under control of Hizballah must obtain special permission from Hizballah’s media arm.

Authorities increased prosecutions of online, print, and television journalists for violations of the country’s publications law; NGOs and media watchdogs claimed it was an effort to intimidate critics. Prosecutors referred these cases to criminal courts based on both private complaints and their own discretion. On January 25, the Public Prosecutor filed charges against the host of a popular satire program for featuring a joke about the Saudi Crown Prince. The case was pending in the Publications Court as of October. Cases typically remain open for long periods in the Publications Court, often for a year or more.

On July 16-17, a journalist received death threats for commentary in defense of activist Charbel Khoury, who police interrogated over a Facebook post allegedly insulting a popular Maronite Christian saint, following a complaint from lawyers affiliated with the Lebanese Forces party (Maronite). There was no evidence that authorities investigated these threats.

Censorship or Content Restrictions: The law permits, and authorities selectively used, prior censorship of pornographic material, political opinion, and religious material considered a threat to national security or offensive to the dignity of the head of state or foreign leaders. The DGS may review and censor all foreign newspapers, magazines, and books to determine admissibility into the country, but these reviews are mostly for explicit, pornographic content. Some journalists reported that political violence and extralegal intimidation led to self-censorship among journalists.

The law includes guidelines regarding materials deemed unsuitable for publication in a book, newspaper, or magazine. Any violation of the guidelines could result in the author's imprisonment or a fine.

Authors could publish books without prior permission from the DGS, but if the book contained material that violated the law, the DGS could legally confiscate the book and put the author on trial. In some cases authorities might deem the offending material a threat to national security. Authorities did not take such offenses to trial based on the publication law, but rather based on criminal law or other statutes. Publishing a book without prior approval that contained unauthorized material could put the author at risk of a prison sentence, fine, and confiscation of the published materials.

Authorities from any of the recognized religious groups could request the DGS to ban a book. The government could prosecute offending journalists and publications in the publications court. According to one NGO, as of December 2017 the government opened more than 30 cases in the publications court during the year, mainly from libel suits filed by politicians, political parties, and private citizens. Authorities also referred such cases to criminal courts, which according to NGOs and media watchdogs, is counter to Lebanese law. These include an August 8 libel case filed by Speaker of Parliament Nabih Berri against a deputy news editor and journalist at al-Jadeed television station over its August 5 reporting on corruption allegations within Berri's Amal movement.

Libel/Slander Laws: On July 24, protestors gathered in Samir Kassir Square in Beirut to protest the perceived abuse of libel and slander laws by authorities and political figures to silence critics. In most cases criminal courts heard libel and defamation complaints, which can carry sentences of one to three years, but typically resulted in fines or a promise to remove offending material from the internet. NGOs and activists reported increased prosecutions under such laws, and representatives of the foreign minister and president, among others, filed several

complaints against critics throughout the year. On June 20, a judge issued a four-month prison sentence in his absence against blogger and journalist Fidaa Itani for defaming government officials. The charges related to blog and Facebook posts Itani published between June and July 2017, which criticized the foreign minister, prime minister, and president.

Nongovernmental Impact: Radical Islamist groups sometimes sought to inhibit freedom of expression and the press through coercion and threats of violence.

Internet Freedom

The law does not restrict access to the internet. There was a general public perception, however, that the government monitored email and social media activity. The government reportedly censored some websites to block online gambling, pornography, religiously provocative material, extremist forums, and Israeli websites, but there were no verified reports the government systematically attempted to collect personally identifiable information via the internet.

Restrictions on freedom of speech concerning government officials applied to social media communications, which authorities considered a form of publication rather than private correspondence. Political activists and NGOs reported that political parties and their supporters engaged in intimidating individuals online and in person in response to online posts deemed critical of political leaders or religious figures.

The ISF's Cybercrime Unit and other state security agencies summoned journalists, bloggers, and activists to question them about social media and blog posts, especially when they criticized political figures or religious sects. According to an August 17 open letter from 15 local NGOs to the UN High Commissioner for Human Rights, since 2016 security services have questioned, and in some cases detained, 39 individuals--including a 15-year-old boy--over online posts criticizing the government or other officials. NGOs also noted that the number of summonses might be higher since many individuals chose not to discuss or report their cases. Authorities charged the majority of those summoned under libel and slander laws. NGOs and media watchdogs reported that the willingness of the government to prosecute such cases increased over the past year, particularly during the May elections, focusing heavily on those who criticized the foreign minister or president.

On July 19, the Cybercrime Unit interrogated online activist Charbel Khoury when one of his Facebook posts raised public controversy for allegedly mocking a popular Maronite Christian saint. The judge in the case ordered Khoury to pledge to abstain from his Facebook account for one month and not to criticize religions.

Internet access was available and widely used by the public. According to the International Telecommunication Union, 76 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

There were no government restrictions specific to academic freedom, but libel and slander laws apply.

The majority of private universities enjoyed freedom of expression, and students were free to hold student elections and organize cultural, social, and political activities.

During the year the government censored and barred the screening of at least one film. The DGS reviewed all films and plays, and there were complaints the DGS's decision-making process lacked transparency and the opinions of religious institutions and political groups influenced it. Cultural figures and those involved in the arts practiced self-censorship to avoid being detained or denied freedom of movement.

Following the 2017 ban on the film *Wonder Woman*, the group Campaign to Boycott Supporters of Israel successfully lobbied for the DGS to ban the release of the film *The Post* due to the film director's alleged financial support to Israel. The ban was issued on January 15. On January 17, the government overturned the ban following widespread public attention.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these freedoms.

Freedom of Peaceful Assembly

The constitution provides for the freedom of peaceful assembly with some conditions established by law. Organizers are required to obtain a permit from the Interior Ministry three days prior to any demonstration.

Security forces occasionally intervened to disperse demonstrations, usually when clashes broke out between opposing protesters.

Freedom of Association

The constitution provides for freedom of association with some conditions established by law, and the government generally respected the law.

No prior authorization is required to form an association, but organizers must notify the Ministry of Interior for it to obtain legal recognition, and the ministry must verify that the organization respects public order, public morals, and state security. The ministry sometimes imposed additional, inconsistent restrictions and requirements and withheld approval. In some cases the ministry sent notification of formation papers to the security forces to initiate inquiries about an organization's founding members. Organizations must invite ministry representatives to any general assembly where members vote on bylaws, amendments, or positions on the board of directors. The ministry must then validate the vote or election. Failure to do so may result in the dissolution of the organization by a decree issued by the Council of Ministers.

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

In areas under Hizballah's sway, independent NGOs faced harassment and intimidation, including social, political, and financial pressures. Hizballah reportedly paid youth who worked in "unacceptable" NGOs to leave the groups.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights for citizens but placed extensive limitations on the rights of Palestinian refugees and Syrian,

Iraqi, and other refugee populations. Within families, men sometimes exercised considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives.

As of October the Office of the UN High Commissioner for Refugees (UNHCR) registered more than 976,000 Syrian refugees, almost 16,400 Iraqis, more than 1,700 Sudanese refugees, and refugees of other nationalities in the country. UNHCR estimated that another 300,000 Syrians were unregistered, a result of government policy banning new registrations. While the government has allowed no new UNHCR registrations of refugees, UN agencies reported that working relationships with government ministries were generally productive. Some elements of the government, most notably the Ministry of Foreign Affairs, have attacked UNHCR, other UN agencies, and some donor governments for purportedly discouraging refugee returns to Syria, including threatening to eject some of those countries' officials from Lebanon. The foreign minister for several months blocked renewal of legal residency for UNHCR staff, affecting the organization's ability to deliver humanitarian assistance.

The UN Relief and Works Agency (UNRWA) assisted Palestinian refugees registered in the country. Approximately 470,000 Palestinians were registered as refugees with UNRWA in Lebanon as of December 2017. As of October, UNRWA estimated the number of Palestinians residing in the country was between 260,000 and 280,000. UNRWA also provided services to Palestinian refugees from Syria (PRS). As of October, UNRWA reconfirmed more than 29,000 PRS individuals residing in the country.

Abuse of Migrants, Refugees, and Stateless Persons: The government lacked the capacity to provide adequate protection for refugees. Multiple NGOs and UN agencies shared reports of sexual harassment and exploitation of refugees by employers and landlords, including paying workers below the minimum wage, working excessive hours, debt bondage, and pressuring families into early marriage for their daughters. There were multiple reports of foreign migrant domestic workers (mainly from East Africa and Southeast Asia), tied to their employers through legal sponsorship, who faced physical and mental abuse, unsafe working conditions, and nonpayment of wages. According to NGOs who assisted migrant workers in reporting these abuses to authorities, security forces and judges did not always adequately investigate these crimes, particularly as many victims later refused to file complaints or retracted testimony due to fear of reprisals or deportation.

In one highly publicized example, a domestic worker advocacy group reported that an Ethiopian domestic worker badly injured herself after leaping from a balcony to escape a physically abusive sponsoring family. The worker alleged the family abused and beat her, but later retracted her statements in televised interviews with the family. Advocacy groups suspected the well connected family coerced her to recant. The family reportedly sought to suppress media reporting on the incident through Lebanon's libel and defamation laws.

In-country Movement: The government maintained security checkpoints, primarily in military and other restricted areas. Hizballah also maintained checkpoints in certain Shia-majority areas. Government forces were usually unable to enforce the law in the predominantly Hizballah-controlled southern suburbs of Beirut and did not typically enter Palestinian refugee camps. According to UNRWA Palestinian refugees registered with the Interior Ministry's Directorate of Political and Refugee Affairs could travel from one area of the country to another. The DGS, however, had to approve the transfer of registration of residence for refugees who resided in camps. UNRWA stated the DGS generally approved such transfers.

In an effort to address the low number of refugees obtaining and renewing legal residency, the government waived renewal fees for refugees registered with UNHCR, a change to be implemented by the DGS. While the government intended these policies to improve the ability of Syrian refugees to obtain and maintain legal residency, there has been little improvement in the percentage of refugees with legal status. According to the United Nations, only 27 percent of the refugee population held legal residency as of October.

Due to the slow implementation of a February 2017 residency fee waiver by the DGS and, in many cases, failure to obtain or keep a Lebanese sponsor, the majority of Syrian refugees were unable to renew their legal documents, which significantly affected their freedom of movement owing to the possibility of regular arrests at checkpoints, particularly for adult men. While authorities released most detainees within a few days, some of the refugees met by foreign diplomats said authorities required them to pay fines before releasing them. Obtaining and maintaining legal residency was also a challenge for Iraqi refugees and refugees of other nationalities. UNHCR reports that only 20 percent of Syrian refugees were legal residents. There is no official limitation of movement for PRS in the country; however, PRS without valid legal status faced limitations to their freedom of movement, mainly due to the fear and risk of arrest at checkpoints. UNRWA

reported anecdotal accounts of authorities detaining PRS without legal residency documents as well as issuing “departure orders” for those with expired visas.

Since 2014 authorities granted entry visas at the border for PRS only to persons with either a verified embassy appointment in the country or a flight ticket and visa to a third country. Authorities issue most of these individuals a 24-hour transit visa. Additionally, limited numbers of PRS secured a visa for Lebanon by obtaining prior approval from the DGS, which required a sponsor in the country and could not be processed at border posts. UNRWA estimated that only 12 percent of the PRS in the country arrived after 2016.

Compared to the policy applied to Syrian nationals, authorities applied tighter conditions to PRS (notwithstanding restrictions on Syrians announced in January 2015). For example, Syrian nationals, in principle, could enter with humanitarian visas, while this opportunity was not available to PRS. Consequently, some PRS sought to enter the country through irregular border crossings, placing them at additional risk of exploitation and abuse and creating an obstacle to later regularizing their legal status.

In July 2017 DGS issued a circular allowing the free, unlimited renewal of PRS residency for six months, with no fees for delays. It applied to PRS who entered the country legally or who regularized their status before September 2016, and granted temporary residency documents to PRS who turned 15 years old in the country, allowing them to use available documents more easily, for cases of children without passports or national identity cards. The circular, issued for residency renewal and not regularization, did not apply to PRS who entered the country through unofficial border crossings; authorities issued a departure order to PRS who entered the country through official border crossings, but who overstayed their temporary transit visa or failed to renew their visa.

In October 2017 the government waived the condition of valid residency for birth and marriage registration for PRS, expanding the application of a previous circular issued in September 2017 applicable to Syrians.

In principle, asylum seekers and refugees of nationalities other than Syrian, if arrested because of irregular entry or stay, were sentenced to one to three month’s imprisonment and ordered to pay a fine. Some also received a deportation order, due to illegal entry.

According to UNHCR most non-Syrian asylum seekers arrested due to irregular entry or residency faced administrative detention without being sentenced by a court. The DGS held these individuals in a migrant retention facility where officials processed their immigration files before making administrative deportation decisions. Most cases resulted in deportation of the detainee, except for some instances where UNHCR secured their resettlement to a third country.

Internally Displaced Persons (IDPs)

Fighting in 2007 destroyed the Nahr el-Bared Palestinian refugee camp, displacing approximately 30,000 residents, of whom approximately 27,000 were registered Palestine refugees. Many of the displaced resided in areas adjacent to the camp or in other areas of the country where UNRWA services were available. As of July approximately 55 percent of displaced families returned to newly reconstructed apartments in Nahr el-Bared camp.

Protection of Refugees

Refoulement: The government consistently reaffirmed its commitment to the principle of nonrefoulement with respect to Syrians. The DGS coordinated with Syrian regime officials to facilitate the voluntary return of 4,800 refugees, as of October 1. UNHCR did not organize these returns but was present at departure points and, in interviews with refugees, found no evidence that returns were involuntary or coerced. Between July 2017 and June, DGS deported seven Iraqi refugees.

Access to Asylum: The law does not provide for the granting of asylum or refugee status. Nonetheless, the country hosted an estimated 1.5 million refugees.

Palestinian refugees were prohibited from accessing public health and education services or owning land; they were barred from employment in many fields, making refugees dependent upon UNRWA as the sole provider of education, health care, and social services. A 2010 law expanding employment rights and removing some restrictions on Palestinian refugees was not fully implemented, and Palestinians remained barred from working in most skilled professions, including almost all those that require membership in a professional association.

In 2017 the Ministry of Labor issued an administrative decree that allowed Syrian refugees with valid legal residency to work in construction, agriculture, and cleaning. The decree does not apply to PRS, and many, therefore, worked

unofficially, exposing them to discrimination and increased risk of abuse and exploitation. Large number of PRS families in the country relied heavily on UNRWA financial assistance.

As of June 30, there were more than 975,000 Syrian refugees registered with UNHCR. Since the government instructed UNHCR to stop registering Syrian refugees in early 2015, this total did not include Syrian refugees who arrived in the country after early 2015. There were no formal refugee camps in the country for Syrians. Most Syrian refugees resided in urban areas, many in unfinished, substandard, or nonresidential buildings. Approximately 19 percent lived in informal tented settlements, often adjacent to agricultural land, according to an October UN assessment. According to a UN study, the refugees borrowed to cover even their most basic needs, including rent, food, and health care, putting nearly 90 percent of them in debt.

In 2015 the government banned the entry of all Syrian refugees unless they qualified for undefined “humanitarian exceptions.” During the year the government accepted Syrians seeking asylum only if they qualified under the “humanitarian exceptions” that the Ministry of Social Affairs reviewed on a case-by-case basis. These exceptions included unaccompanied and separated children, persons with disabilities, medical cases, and resettlement cases under extreme humanitarian criteria.

Legal status in Lebanon was critical for protection, as it allowed refugees to pass through checkpoints, including to and from camps, complete civil registration processes, and access and remain within the educational system.

In addition to more than 16,000 UNHCR-registered Iraqi refugees residing in the country, a limited number of additional Iraqis entered during the year to escape violence. As of June 30, UNHCR also registered more than 3,500 refugees or asylum seekers from Sudan and other countries.

Freedom of Movement: Authorities imposed curfews in a number of municipalities across the country, allegedly to improve security of all communities. Some international observers raised concerns that these measures may be discriminatory and excessive, since authorities usually enforced them only on Syrian refugees.

Municipalities and neighborhoods hosting Syrian refugee populations continued to impose movement restrictions through curfews, evictions, and threats of evictions.

As of July UNHCR confirmed the evictions of 336 households, comprising more than 1,500 refugees across the country. UNHCR only tracks “mass evictions” of five or more households; the overall number of refugees affected by eviction is higher. Furthermore, UN agencies reported that local municipal officials frequently used the threat of evictions to exert control over refugees or to appease host communities competing with refugees for jobs and other resources.

Police checkpoints and curfews imposed by municipalities restricted refugees’ movement. For example, in Metn refugees were under curfew from 7:00 p.m. until 7:00 a.m. Cases of identity document confiscation and fines for breaking curfews continued, although observers reported no violent incidents. UNHCR staff reported these restrictions on movement increasingly forced families to send children and young women, who authorities are less likely to stop, to perform family errands.

Employment: Authorities continued requiring Syrian refugees who wished to obtain residency permits to pledge to abide by the country’s laws, under which Syrians may work only in agriculture, construction, and cleaning.

The law allows a special account to provide end-of-service indemnities or severance pay to Palestinian refugees who retired or resigned. These benefits were available only to Palestinians working in the legal labor market. Palestinians did not benefit from national sickness and maternity funds or the family allowances fund. UNRWA continued to bear the cost of any medical, maternity, or family health-care expenses (excluding worker’s compensation).

Palestinian refugees received partial access to the benefits of the National Social Security Fund. They may not, however, work in at least 36 professions including medicine, law, and engineering and face informal restrictions on work in other industries. According to UN agencies, government officials, and Palestinian advocacy groups, Palestinian refugees consistently reported discrimination in hiring due to bureaucracy and stigma. Lack of written contracts, lack of employment benefits, and insecure job tenure contributed to unstable working conditions.

Access to Basic Services: The government did not consider local integration of any refugees a viable solution.

The law considers UNRWA-registered Palestinian refugees to be foreigners. UNRWA has the sole mandate to provide health, education, social services, and

emergency assistance to registered Palestinian refugees residing in the country. The amount of land allocated to the 12 official Palestinian refugee camps in the country had changed only marginally since 1948, despite a fourfold increase in the population. Consequently, most Palestinian refugees lived in overpopulated camps, some of which past conflicts heavily damaged. In accordance with agreements with the government, Palestine Liberation Organization security committees provided security for refugees in the camps, with the exception of the Nahr el-Bared camp.

A comprehensive, multi-year plan to rebuild the Nahr el-Bared camp in eight stages began in 2008 and was in process at year's end. In April UNRWA revised the overall estimated cost of the completing Nahr el Bared camp from LL 521 billion (\$345 million) to LL 497 billion (\$329 million). Remaining reconstruction was not fully funded, and a shortfall of LL 135 billion (\$90 million) remained. On April 25, the prime minister appealed to the international community at the Brussels II Syria Conference to fund shortfall for reconstructing the camp, reconfirming this project as a priority for the country. Of the 27,000 Palestinians originally displaced following the camp's destruction, UNRWA expected that approximately 21,000 would return.

A 2001 amendment to a 1969 decree barring persons explicitly excluded from resettling in the country from owning land and property was designed to exclude Palestinians from purchasing or inheriting property. Palestinians who owned and registered property prior to the 2001 law entering into force could bequeath it to their heirs, but individuals who were in the process of purchasing property in installments were unable to register the property.

Palestinian refugees residing in the country could not obtain citizenship and were not citizens of any other country. Palestinian refugee women married to Lebanese citizens were able to obtain citizenship after one year of marriage. According to the country's nationality law, the father transmits citizenship to children. Palestinian refugees, including children, had limited social and civil rights and no access to public health, education, or other social services. Children of Palestinian refugees faced discrimination in birth registration, and many had to leave school at an early age to earn an income.

Palestinian refugees who fled Syria to Lebanon since 2011 received limited basic support from UNRWA, including food aid, cash assistance, and winter assistance, such as cash to purchase fuel for heating. Authorities permitted children of PRS to enroll in UNRWA schools and access UNRWA health clinics.

The Ministry of Education and Higher Education facilitated the enrollment of more than 213,000 non-Lebanese students, predominantly Syrian refugees, in public schools (basic education from kindergarten to grade nine) in the 2017-18 academic year. Authorities estimated that there were almost 338,000 registered Syrians of school age (three to 14 years old) in the country. Donor funding to UN agencies covered school-related expenses, such as school fees, books, and uniforms. Syrian refugees had access to many government and private health centers and local clinics for primary care services, and UN agencies and NGOs funded the majority of associated costs with international donor support. Syrian refugees had access to a limited number of UNHCR-contracted hospitals for lifesaving and obstetric care.

Iraqi refugees had access to both the public and private education systems. UNHCR verification exercises confirmed that authorities enrolled more than 600 Iraqi children in formal public schools for the 2017-18 school year. Iraqi refugees also had access to the primary health-care system. UNHCR, through NGOs, provided secondary health care with donor support.

Stateless Persons

Citizenship is derived exclusively from the father, resulting in statelessness for children of a citizen mother and a noncitizen father when registration under the father's nationality is not possible. This discrimination in the nationality law particularly affected Palestinians and, increasingly, Syrians from female-headed households. Additionally, some children born to Lebanese fathers did not have their births registered due to administrative obstacles or a lack of understanding of the regulations. The problem was compounded since nonnational status was a hereditary circumstance that stateless persons passed to their children. There were no official statistics on the size of the stateless population.

Approximately 3-5,000 Palestinians were not registered with UNRWA or the government. These persons are Palestinians who began to arrive in the country during the 1960s and do not hold any formal valid identification documentation. The government does not recognize them as they do not hold valid legal status in the country. Without documentation and legal status, nonregistered Palestinians faced restrictions on movement, risked arrest or detention, and encountered obstacles completing civil registration procedures; all of which limited access to public services and formal employment.

Undocumented Palestinians, not registered in other fields, were not necessarily eligible for the full range of services provided by UNRWA. Nonetheless, in most cases, UNRWA provided primary health care, education, and vocational training services to undocumented Palestinians. The majority of undocumented Palestinians were men, many of them married to UNRWA-registered refugees or Lebanese citizen women, who could not transmit refugee status or citizenship to their husbands or children.

The Directorate of Political and Refugee Affairs is responsible for late registration of children of Palestinian refugees. According to the law, birth registration of children older than one year previously required a court procedure, a proof of marriage, an investigation by the DGS, and a DNA test. A March 2 decree issued by the Ministry of Interior facilitated the required documentation for birth registration of PRS and Syrian children more than one year old and born in the country between 2011 and February. In such cases authorities no longer required the court procedure and DNA tests to register these children; however, proof of marriage is still mandatory. This decree does not apply to the registration of Palestinian refugee children more than one year old.

Approximately 1,000 to 1,500 of an estimated 100,000 Kurds living in the country lacked 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 authorities denied them citizenship to preserve the country's sectarian balance. The government issued a naturalization decree in 1994, but high costs and other obstacles prevented many individuals from acquiring official status. Some individuals who received official status had their citizenship revoked in 2011 due to a presidential decree. Others held an "ID under consideration" document without a date or place of birth.

Stateless persons lacked official identity documents that would permit them to travel abroad and could face difficulties traveling internally, including detention for not carrying identity documents. They had limited access to the regular employment market and no access to many professions. Additionally, they could not access public schools or public health-care facilities, register marriages or births, and own or inherit property.

Section 3. Freedom to Participate in the Political Process

Although the law provides citizens the ability to choose their government in free and fair periodic elections conducted by secret ballot and based on universal and

equal suffrage, lack of government control over parts of the country, defects in the electoral process, previous prolonged extensions of parliament's mandate, and corruption in public office restricted this ability.

Elections and Political Participation

Recent Elections: Michel Aoun was elected President of the Republic in October 2016, ending two and a half years of political stalemate. Following the 2017 passage of a new electoral law, the government held its first parliamentary election since 2009 on May 6. Observers concluded that the election was generally free and fair.

For the first time, voters used preprinted ballots, which reduced opportunities for fraud.

Monitors observed that family members or other acquaintances “helped” elderly or disabled voters cast their ballots, often standing with them in the private voting booth. The new electoral law allowed citizens living outside Lebanon to vote from abroad in several countries.

NGOs and observers raised concerns about vote buying and bribes, particularly with respect to media broadcasting. Representatives of nontraditional parties or alliances--many belonging to “civil society” lists--alleged that election authorities did not always enforce laws meant to limit campaign expenses, and there was a public perception that some candidates paid for their positions on party lists or used patronage networks to provide voters with incentives, including cash or promises of employment. Prior to the elections, there were some reports of limited, sporadic violence between candidate supporters. Security services responded quickly to these incidents.

Political Parties and Political Participation: All major political parties and numerous smaller ones were almost exclusively based on confessional affiliation, and parliamentary seats were allotted on a sectarian basis.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate; however, there were significant cultural barriers to women's participation in politics. Prior to 2004 no woman held a cabinet position, and there were only four female ministers subsequently. During the year one woman served in the cabinet. Only six of 128 members of parliament were women, and most were close relatives of

previous male members. Female leadership of political parties was limited, although three parties introduced voluntary quotas for their membership and one party (Lebanese Forces) appointed a woman as its secretary general in 2016, the first woman ever to hold the post in a major Lebanese political party. In September 2017 parliament approved a law that allows women to run in municipal elections in their native towns instead of the municipality of their spouses.

Minorities participated in politics. Regardless of the number of its adherents, authorities allocated every government-recognized religion, except Coptic Christianity, Ismaili Islam, and Judaism, at least one seat in parliament. Voters elected three parliamentarians representing minorities (one Syriac Orthodox Christian and two Alawites) in this year's elections. None of the minority parliamentarians were women. These groups also held high positions in government and the LAF.

Since 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. Palestinian refugee leaders were not elected, but there were popular committees that met regularly with UNRWA and visitors.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for official corruption, the government did not implement the law effectively, and officials reportedly engaged in corrupt practices with impunity and on a wide scale. Government security officials, agencies, and police were subjected to laws against bribery and extortion. The lack of strong enforcement limited the law's effectiveness.

The Central Inspection Board (CIB), an oversight body within the Office of the Prime Minister, is responsible for monitoring administrative departments, including procurement and financial actions, and remained mostly independent of political interference. While the CIB may inspect working level employees at the municipal level, executive authorities in local government were not subjected to CIB inspection. The Social Security Fund and the Council for Development and Reconstruction, public entities that managed large funding flows, were outside CIB jurisdiction.

Corruption: Observers widely considered government control of corruption to be poor. There was limited parliamentary or auditing authority oversight of revenue collection and expenditures.

Types of corruption generally encountered included systemic patronage; judicial failures, especially in investigations of official wrongdoing; and bribery at multiple levels within the national and municipal governments. Corruption led to diversion of resources intended for other objectives. In one example during the year, a local mayor intentionally delayed a fully funded development project benefitting vulnerable Lebanese, demanding personal compensation in exchange for approving the project.

Financial Disclosure: The law requires the president of the republic, the president of the Chamber of Deputies, the president of the Council of Ministers, as well as ministers, members of parliament, and judges to disclose their financial assets in a sealed envelope deposited at the Constitutional Council, but the government does not make the information available to the public. They must also do the same when they leave office. Heads of municipalities disclose their financial assets in a sealed envelope at the Ministry of Interior, and civil servants deposit their sealed envelopes at the Civil Servants Council, but the information is also not available to the public. If a case is brought to the State Council for noncompliance, the State Council will take judiciary administrative sanctions consisting of terminating the tenure of the incumbent.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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 were responsive in some instances to these groups' views; however, there was limited accountability for human rights violations.

Government Human Rights Bodies: Parliament's Committee on Human Rights struggled to advance legislative proposals to make legal changes to guide ministries in protecting specific human rights or, for example, improving prison conditions. The State Ministry for Human Rights supported human rights legislation and engaged with NGOs and international organizations, but lack of an official budget or staff limited it.

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

Women

Rape and Domestic Violence: The law criminalizes rape and the use of threats or violence to claim a “marital right to intercourse.” While the government effectively enforced the law, its interpretation by religious courts precluded full implementation of civil law in all provinces. The minimum prison sentence for a person convicted of rape is five years, or seven years for raping a minor. In August 2017 parliament repealed the article of the penal code that freed rapists from prosecution and nullified their convictions if they married their victims.

The law criminalizes domestic violence, but it does not specifically provide protection for women. Despite a law that sets a maximum sentence of 10 years in prison for battery, some religious courts may legally require a battered wife to return to her home despite physical abuse. Foreign domestic workers, usually women, often suffered from mistreatment, abuse, and in some cases rape or conditions akin to slavery. Some police, especially in rural areas, treated domestic violence as a social, rather than criminal, matter.

NGOs and activists criticized the domestic violence law, claiming that it does not sufficiently protect victims or punish abusers, whom they alleged often received disproportionately light sentences. On January 29, activists gathered in downtown Beirut to protest perceived inaction by the judiciary and security forces to respond to such cases after at least eight women died in domestic violence incidents through January. Examples included a woman whose husband shot her outside their home in front of neighbors following a dispute. On April 25, a judge issued an indictment and called for the death penalty for the husband who had fled to Syria but subsequently returned and surrendered to investigators. The case was ongoing as of October.

Police and judicial officials worked to improve their management of domestic violence cases, but they noted that social and religious pressures--especially in more conservative communities--led to underreporting of cases, while some victims sought arbitration through religious courts or between families rather than through the justice system.

The government provided legal assistance to domestic violence victims who could not afford it, and police response to complaints submitted by battered or abused women improved. During the year ISF and judicial officials received training on

best practices for vulnerable female detainees, including victims of domestic violence and sexual exploitation. NGOs that provided services to such victims reported increased access to potential victims in ISF and DGS custody. In February the ISF began alerting its human rights unit to all cases involving victims of domestic violence and other vulnerable groups, so officers could track the cases and provide for proper conduct.

The Women's Affairs Division in the Ministry of Social Affairs and several NGOs continued projects to address sexual or gender-based violence, such as providing counseling and shelter for victims and training ISF personnel to combat violence in prisons.

Sexual Harassment: The law prohibits sexual harassment, but authorities did not enforce the law effectively, and it remained a widespread problem. According to the UN Population Fund, the labor law does not explicitly prohibit sexual harassment in the workplace; it merely gives an employee the right to resign without prior notice in the event that the employer or representative committed an indecent offense towards the employee or a family member. There are, however, no legal consequences for the perpetrator.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women suffered discrimination under the law and in practice. In matters of child custody, inheritance, and divorce, personal status laws provide unequal treatment across the various confessional court systems but generally discriminate against women. For example, Sunni civil courts applied an inheritance law that provides a son twice the inheritance of a daughter. Religious law on child custody matters favors the father in most instances. Nationality law also discriminates against women, who may not confer citizenship to their spouses and children, although widows may confer citizenship to their minor children. On August 29, however, the Ministry of Interior issued a circular allowing a divorced woman to include the names of her children on her civil record.

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 does not distinguish between women and men in employment and provides for equal pay for men and women.

Children

Birth Registration: Citizenship is derived exclusively from the father, which may result in statelessness for children of a citizen mother and noncitizen father who may not transmit his own citizenship (see section 2.d.). If a child's birth is not registered within the first year, the process for legitimizing the birth is long and costly, often deterring families from registration. In September 2017 the General Directorate of Personal Status issued a memorandum to facilitate marriage and birth registration procedures of Syrian nationals, which removed some difficult-to-fulfill requirements for Syrian parents. Syrian refugees no longer needed legal residency to register the birth of their child. Subsequently, authorities waived several requirements for late birth registration.

Some refugee children and the children of foreign domestic workers also faced obstacles to equal treatment under the law. NGOs reported discrimination against them, although some could attend public school.

Religious courts legally handled personal status for civil matters, applied religious laws of the various confessions, and occasionally interfered in family matters such as child custody in the case of divorce. Refugee birth registrations require families to register birth certificates with Lebanese ministries, which remained inaccessible because the ministries require proof of legal residence and legal marriage.

Education: Education for citizens is free and compulsory through the primary phase; however, authorities required modest school fees from parents that acted as a barrier to poorer families. Noncitizen children, including those born of noncitizen fathers and citizen mothers and refugees, lacked this right. The Ministry of Education and Higher Education directed that non-Lebanese students could not outnumber Lebanese in any given classroom during the regular school shift, which sometimes limited enrollment. The ministry, however, opened a second shift at 350 public schools specifically for Syrian refugee children.

Child Abuse: The country lacked a comprehensive child protection law; however, a law on the "Protection of at-Risk Children or Children Violating the Law," provided some protection to children who were victims of violence.

As of September 30, the child protection NGO Himaya reported assisting more than 1,300 cases of psychological, physical, sexual abuse as well as exploitation and neglect. The Ministry of Social Affairs had a hotline to report cases of child abuse. In a typical example, representatives of a local shelter for abused women

and children described a case of a father who sexually and physically abused a child in the shelter's care. According to the organization, the father escaped punishment through religious courts, as many families chose to handle such cases through these courts rather than the national justice system.

UN agencies and NGOs reported that Syrian refugee children were vulnerable to child labor and exploitation.

Early and Forced Marriage: There is no legal minimum age for marriage, and the government does not perform civil marriages. Instead, religious courts set the marriage age based on confessionally determined personal status law, and minimum ages for marriage differ accordingly. UN agencies, NGOs, and government officials noted higher rates of early marriage among the Syrian refugee population. They partially attributed this circumstance to social and economic pressure on families with limited resources.

Sexual Exploitation of Children: The penal code prohibits and punishes commercial sexual exploitation, child pornography, and forced prostitution. The minimum age for consensual sex is 18, and statutory rape penalties include hard labor for a minimum of five years and a minimum of seven years' imprisonment if the victim is younger than 15 years old. The government generally enforced the law.

ISF, DGS, and judicial officials improved enforcement of the country's antitrafficking law, which prohibits the sexual exploitation of children. NGOs provided training throughout the year to increase police and judicial officials' sensitivity to the issue and reported increased numbers of potential victims that authorities referred to NGO-run shelters and victim protection programs.

Displaced Children: Some refugee children lived and worked on the street. Given the poor economic environment, limited freedom of movement, and little opportunity for livelihoods for adults, many Syrian refugee families relied on children to earn money for the family. Refugee children were at greater risk of exploitation and child labor, since they had greater freedom of movement compared to their parents, who often lacked residency permits.

The Ministry of Education and Higher Education facilitated enrollment of almost 217,000 non-Lebanese children in the 2017-18 academic year. The government and some NGOs offered a number of informal education programs to eligible students.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.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.

The Jewish Community Council reported that between May and June vandals destroyed tombs and gravestones in the Jewish cemetery in Sidon, attempting to rob graves that they believed contained gold. Rooms, shops, and a gas station were built on the land of the Jewish cemetery in Tripoli, and a lawsuit was filed in 2011. While the suit was still pending, authorities took no action by year's end.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

According to the law, persons with disabilities have the right to employment, education, health services, accessibility, and the right to vote; however, there was no evidence the government effectively enforced the law. Although prohibited by law, discrimination against persons with disabilities continued.

Employment law defines a "disability" as a physical, sight, hearing, or mental disability. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. The law does not mandate access to information nor accommodations for communication for persons with disabilities.

The law stipulates that persons with disabilities fill at least 3 percent of all government and private sector positions, provided such persons fulfill the qualifications for the position. There was no evidence indicating the government

enforced the law. Employers are legally exempt from penalties if they provide evidence no otherwise qualified person with disabilities applied for employment within three months of advertisement.

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 had occurred since parliament passed the law on disabilities in 2000. Resource limitations restricted the ability of the government to investigate adequately abuses against persons with disabilities.

The Ministry of Education and Higher Education stipulates that for new school building construction “schools should include all necessary facilities in order to receive the physically challenged.” Nonetheless, the public school system was ill equipped to accommodate students with disabilities.

Depending on the type and nature of the disability, children with a disability may attend mainstream school. Due to a lack of awareness or knowledge, school staff often did not identify a specific disability in children and could not adequately advise parents. In such cases children often repeated classes or dropped out of school. According to a March HRW report, children with disabilities lacked access to education as both public and private schools often improperly refused to admit them or charged additional fees, citing a lack of appropriate facilities or staff. In May the Ministry of Education and Higher Education launched a donor-supported inclusive education program to address these issues.

In the May parliamentary elections, access for persons with disabilities and older persons was a significant issue. ISF officers and poll workers helped, and at times carried, some voters with disabilities into the polling stations, which were ill equipped to accommodate persons with disabilities.

National/Racial/Ethnic Minorities

Lebanese of African descent attributed discrimination to the color of their skin and claimed harassment by police, who periodically demanded to see their papers. Foreign Arab, African, and Asian students, professionals, and tourists reported being denied access to bars, clubs, restaurants, and private beaches.

Syrian workers, usually employed as manual laborers and construction workers, continued to suffer discrimination, as they did following the 2005 withdrawal of

Syrian occupation forces from the country. Many municipalities enforced a curfew on Syrians' movements in their neighborhoods in an effort to control security.

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

The law prohibits sexual relations “contradicting the laws of nature” and effectively criminalizes consensual, same-sex sexual conduct among consenting adults. The law was occasionally enforced, and it carries a penalty of up to one year in prison, although there were no successful prosecutions under the provision during the year. Some government and judicial officials, along with NGOs and legal experts questioned whether the law actually criminalized same-sex sexual conduct. There are no provisions of law providing antidiscrimination protections to LGBTI persons based on their sexual orientation, gender identity or expression, or sex characteristics.

On July 12, a district appeals court ruled that same-sex relationships between adults could be considered neither “unnatural,” nor illegal. The case related to nine allegedly gay and transgender persons arrested in Beirut in 2015. The decision followed four similar rulings from lower courts.

Official and societal discrimination against LGBTI persons persisted.

Observers received reports from LGBTI refugees of physical abuse by local gangs, which the victims did not report to the ISF. Observers referred victims to UNHCR-sponsored protective services.

Most reports of abuse came from transgender women. An Arab Foundation for Freedoms and Equality and Marsa project highlighted employment discrimination faced by transgender women due to the inconsistency between official documentation and gender self-presentation.

During the year government agents interfered with or restricted events focused on LGBTI rights. On May 14, a general prosecutor ordered the ISF to arrest and detain “Beirut Pride” organizer Hadi Damien on charges of obscenity relating to Beirut Pride events that highlighted and supported the LGBTI community. Authorities released Damien when he pledged to cancel the week’s remaining events rather than face charges of “incitement to immorality” and “breach of public morality.” Security services nevertheless allowed some LGBTI-focused events, panels, and forums facilitated by other organizations to continue.

The government did not collect information on official or private discrimination in employment, occupation, housing, statelessness, or lack of access to education or health care based on sexual orientation or gender identity. Individuals who faced problems were reluctant to report incidents due to fear of additional discrimination. There were no government efforts to address potential discrimination.

HIV and AIDS Social Stigma

HIV/AIDS is stigmatized due to sensitivities about extramarital relations. Few who contracted the disease did so in the course of homosexual relations, which are also taboo. The main challenge facing AIDS patients, in addition to stigma and discrimination, was that many were unable to pay for regular follow-up tests that the Ministry of Public Health does not cover. The law requires the government to offer treatment to all residents who are AIDS patients rather than deporting foreigners who carry the disease.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of private-sector workers to form and join trade unions, bargain collectively, and strike but places a number of restrictions on these rights. 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 permits the administrative dissolution of trade unions and bars trade unions from political activity. Unions have the right to strike after providing advance notice to and receiving approval from the Ministry of Interior. Organizers of a strike (at least three of whom must be identified by name) must notify the ministry of the number of participants in advance and the intended location of the strike, and 5 percent of a union's members must take responsibility for maintaining order during the strike.

There are significant restrictions on the right to strike. The labor law excludes public-sector employees, domestic workers, and agricultural workers. Therefore, they have neither the right to strike nor to join and establish unions. The law prohibits public-sector employees from any kind of union activity, including striking, organizing collective petitions, or joining professional organizations. Despite this prohibition public-sector employees succeeded in forming leagues of public school teachers and civil servants that created the Union of Coordination

Committees (UCC), which along with private school teachers, demanded better pay and working conditions.

The law protects the right of workers to bargain collectively, but a minimum of 60 percent of workers must agree on the goals beforehand. Two-thirds of union members at a general assembly must ratify collective bargaining agreements. Collective agreements for the Port of Beirut and the American University of Beirut Medical Center employees have been renewed, as well as for the Hotel Dieu de France hospital.

The law prohibits antiunion discrimination. Under the law when employers misuse or abuse their right to terminate a union member's contract, including for union activity, the worker is entitled to compensation and legal indemnity and may institute proceedings before a conciliation board. The board adjudicates the case, after which an employer may be compelled to reinstate the worker, although this protection was available only to the elected members of a union's board. Anecdotal evidence showed widespread antiunion discrimination, although this issue did not receive significant media coverage. The most flagrant abuses occurred in banking, private schools, retail businesses, daily and occasional workers, and the civil service. The government and ruling political parties interfered in the elections of the teachers and civil servants' leagues, succeeding in removing an active UCC leadership that aimed to transform itself into a genuine trade union structure. The International Labor Organization (ILO) reported that private schools fired approximately 500 teachers to pressure their union to back off demands for higher pay under a new salary scale. The founding members of the domestic workers' union were under scrutiny within the country. For example, the DGS detained Sujana Rana and deported her in 2016. The government continued its restriction against the unionization of domestic workers; however, it generally did not interfere with a June 24 demonstration of domestic workers and supporting organizations in Beirut demanding reform of laws covering the rights of domestic workers.

By law foreigners with legal resident status may join trade unions. The migrant law permits migrant workers to join existing unions (regardless of nationality and reciprocity agreements) but denies them the right to form their own unions. They do not enjoy full membership as they may neither vote in trade union elections nor run for union office. Certain sectors of migrant workers, such as migrant domestic workers, challenged the binding laws supported by some unions by forming their own autonomous structures that acted as unions, although the Ministry of Labor had not approved them.

Palestinian refugees generally may organize their own unions on an individual basis. Because of restrictions on their right to work, few refugees participated actively in trade unions. While some unions required citizenship, others were open to foreign nationals whose home countries had reciprocity agreements with Lebanon.

The government's enforcement of applicable laws was weak, including with regard to prohibitions on antiunion discrimination.

Freedom of association and the right to collective bargaining were not always respected. The government and other political actors interfered with the functioning of worker organizations, particularly the main federation, the General Confederation of Lebanese Workers (CGTL). The CGTL is the only national confederation recognized by the government, although several unions boycotted and unofficially or officially broke from the CGTL and no longer recognized it as an independent and nonpartisan representative of workers. The National Federation of Workers and Employees in Lebanon emerged as another alternative to represent the independent trade union movement. Since 2012 the UCC played a major role in pushing the government to pass a promised revised salary scale, largely overshadowing the CGTL. In July 2017 parliament passed the salary scale law for public-sector employees. The UCC's prominence declined considerably following the election of a new board in 2015, while the CGTL was increasingly active following the election of a new board in March 2017. Antiunion discrimination and other instances of employer interference in union functions occurred. Some employers fired workers in the process of forming a union before the union could be formally established and published in the official gazette.

There was no progress on enacting a draft labor law, under discussion since 2008.

There was widespread anecdotal evidence of arbitrary dismissals of Lebanese, and their replacement by non-Lebanese, across economic and productive sectors. This action was mainly in the form of Syrian refugees allegedly replacing Lebanese in some sectors. There were no official statistics to quantify the scale of these dismissals.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, but there is no legislative provision that provides criminal penalties for the exaction of forced labor. The government

did not effectively enforce the law, although the government made some efforts to prevent or eliminate it. The law does not criminally prohibit debt bondage.

Children, foreign workers employed as domestic workers, and other foreign workers sometimes worked under forced labor conditions. The law provides protection for domestic workers against forced labor, but domestic work is excluded from protections under the labor law and vulnerable to exploitation. In violation of the law, employment agencies and employers routinely withheld foreign workers' passports, especially in the case of domestic workers, sometimes for years. According to NGOs assisting migrant workers, some employers withheld salaries for the duration of the contract, which was usually two years.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

Child labor occurred, including in its worst forms. While up-to-date statistics on child labor were unavailable, anecdotal evidence suggested the number of child workers rose during the year and that more children worked in the informal sector, as well as commercial sexual exploitation, as UNHCR noted.

The minimum age for employment is 14, and the law prescribes the occupations that are legal for juveniles, defined as children between ages 14 and 18. The law requires juveniles 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 employers ask them to perform. The law prohibits employment of juveniles for more than seven hours per day or from working between 7 p.m. and 7 a.m., and it requires one hour of rest for work lasting more than four hours. The law, updated by a decree on the Worst Forms of Child Labor, prohibits specific types of labor for juveniles, including informal "street labor." It also lists types of labor that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety, or morals of children younger than 16, as well as types of labor that are allowed for children older than 16, provided they are offered full protection and adequate training.

Overall, the government did not enforce child labor laws effectively, in part due to inadequate resources. The penal code calls for penalties for those who violate laws on the worst forms of child labor ranging from a fine of LL 250,500 (\$167) and one to three months' imprisonment up to the closure of the offending

establishment. Advocacy groups did not consider these punishments sufficient deterrents.

Child labor, including among refugee children, was predominantly concentrated in the informal sector, including in small family enterprises, mechanical workshops, carpentry, construction, manufacturing, industrial sites, welding, agriculture (including in the production of tobacco), and fisheries. According to the ILO, child labor rates have at least doubled since the Syrian refugee influx. The ILO reported that instances of child labor strongly correlate with a Syrian refugee presence. The ILO equally highlighted that the majority of Syrian children involved in the worst forms of child labor--especially forced labor--worked primarily in agriculture in the Bekaa and Akkar regions and on the streets of major urban areas (Beirut and Tripoli). Anecdotal evidence also indicated that child labor was prevalent within Palestinian refugee camps.

The Ministry of Labor is responsible for enforcing child labor requirements through its Child Labor Unit. Additionally, the law charges the Ministry of Justice, the ISF, and the Higher Council for Childhood (HCC) with enforcing laws related to child trafficking, including commercial sexual exploitation of children and the use of children in illicit activities. The HCC is also responsible for referring children held in protective custody to appropriate NGOs to find safe living arrangements. The Ministry of Labor employed approximately 90 inspectors and assistant inspectors, as well as administrators and technicians. This team conducts all inspections of potential labor violations for the ministry, including for child labor issues whenever a specific complaint is reported or found in the course of their other inspections.

The government made efforts to prevent child labor and remove children from such labor during the year. The Ministry of Labor's Child Labor Unit acts as the government's focal point for child labor issues, and it oversees and implements the ministry's national strategy to tackle child labor. The National Steering Committee on Child Labor is the main interministerial body coordinating on child labor across the government. In collaboration with the ILO, the ministry established three new coordinating committees against child labor in 2016, in Beirut's southern suburbs, Mount Lebanon, and in the Bekaa region.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings.

d. Discrimination with Respect to Employment and Occupation

The law provides for equality among all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The law does not specifically provide for protection against discrimination based on sexual orientation, gender identity, HIV status, or other communicable diseases.

Although the government generally respected these provisions, they were not enforced in some areas, especially in economic matters, and aspects of the law and traditional beliefs discriminated against women. Discrimination in employment and occupation occurred with respect to women, persons with disabilities, foreign domestic workers, and LGBTI and HIV-positive persons (see section 6).

The law does not distinguish between women and men in employment, and it provides for equal pay for men and women. On wage equality for similar work, the report also indicates a considerable difference between wages for women and men in the workplace.

Although prohibited by law, discrimination against persons with disabilities continued. Employment law defines a “disability” as a physical, sight, hearing, or mental disability. The law stipulates that persons with disabilities fill at least 3 percent of all government and private sector positions, provided such persons fulfill the qualifications for the position; however, no evidence indicated that the government enforced the law.

Migrant workers and domestic workers faced employment hurdles that amounted to discrimination (see section 7.e.).

e. Acceptable Conditions of Work

The legal minimum wage was last raised in 2012. There was no official minimum wage for domestic workers. Observers concluded that the minimum wage is lower than unofficial estimates of the poverty income level. Official contracts stipulated a wage ranging from LL 225,000 to LL 450,000 (\$150 to \$300) per month for domestic workers, depending on the nationality of the worker. A unified standard contract, which was registered with the DGS for the worker to obtain residency, granted migrant domestic workers some labor protections. The standard contract covered uniform terms and conditions of employment, but not wages.

The law prescribes a standard 48-hour workweek with a weekly rest period that must not be less than 36 consecutive hours. The law stipulates 48 hours work as the maximum per week in most corporations except agricultural enterprises. The law permits a 12-hour day under certain conditions, including a stipulation that overtime pay is 50 percent higher than pay for normal hours. The law does not set limits on compulsory overtime. The law includes specific occupational health and safety regulations and requires employers to take adequate precautions for employee safety.

Domestic workers are not covered under the labor law or other laws related to acceptable conditions of work. Such laws also do not apply to those involved in work within the context of a family, day laborers, temporary workers in the public sector, or workers in the agricultural sector.

The Ministry of Labor is responsible for enforcing regulations related to acceptable conditions of work but did so unevenly. The ministry employed approximately 90 enforcement officials composed of both inspectors and assistant inspectors, as well as administrators and technicians, who handled all inspections of potential labor violations. The number of inspectors, available resources, and legal provisions were not sufficient to deter violations, nor was there political will for proper inspections in other cases. Interference with inspectors affected the quality of inspections and issuance of fines for violators was common. The law stipulates that workers may remove themselves from situations that endanger their health or safety without jeopardy to their employment, although government officials did not protect employees who exercised this right.

Workers in the industrial sector worked an average of 35 hours per week, while workers in other sectors worked an average of 32 hours per week. Some private-sector employers failed to provide employees with family and transportation allowances as stipulated under the law and did not register them with the National Social Security Fund (NSSF).

Some companies did not respect legal provisions governing occupational health and safety in specific sectors, such as the construction industry. Workers could report violations to the CGTL, Ministry of Labor, NSSF, or through their respective unions. In most cases they preferred to remain silent due to fear of dismissal.

Violations of wage, overtime, and occupational health and safety standards were most common in the construction industry and among migrant workers, particularly with foreign domestic workers.

Foreign migrant workers arrived in the country through local recruitment agencies and source-country recruitment agencies. Although the law requires recruitment agencies to have a license from the Ministry of Labor, the government did not adequately monitor their activities. A sponsorship system tied foreign workers' legal residency to a specific employer, making it difficult for foreign workers to change employers. If employment was terminated, a worker lost residency. This circumstance made many foreign migrant workers reluctant to file complaints to avoid losing their legal status.

Some employers mistreated, abused, and raped foreign domestic workers, who were mostly of Asian and African origin. Domestic workers often worked long hours and, in many cases, did not receive vacations or holidays. Victims of abuse may file civil suits or seek other legal action, often with the assistance of NGOs, but most victims, counseled by their embassies or consulates, settled for an administrative solution that usually included monetary compensation and repatriation. In a typical example, one victim explained that, when she escaped from an employer who was withholding her wages, an NGO helped her file charges against her employer. Authorities reached an administrative settlement with her employer to pay back wages and finance return to her home country, but did not seek criminal prosecution of her employer.

Authorities did not prosecute perpetrators of abuses against foreign domestic workers for a number of reasons, including the victims' refusal to press charges and lack of evidence. Authorities settled an unknown number of other cases of nonpayment of wages 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, since they preferred not to stay in the country for a lengthy judicial process.

While licensed businesses and factories strove to meet international standards for working conditions with respect to occupational safety and health, conditions in informal factories and businesses were poorly regulated and often did not meet these standards. The Ministry of Industry is responsible for enforcing regulations to improve safety in the workplace. The regulations require industries to have three types of insurance (fire, third party, and workers' policies) and to implement proper safety measures. The ministry has the authority to revoke a company's

license if its inspectors find a company noncompliant, but there was no evidence this occurred.

The law requires businesses to adhere to safety standards, but authorities poorly enforced the law, and it did not explicitly permit workers to remove themselves from dangerous conditions without jeopardy to their continued employment. Workers may ask to change their job or be removed from an unsafe job without being affected, as per the labor code. The government only weakly implemented the law due to lack of governance, the weak role of the trade union movement, corruption, and lack of trade union rights.