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LEBANON: TIER 2

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Lebanon remained on Tier 2. The government demonstrated increasing efforts by investigating and prosecuting significantly more trafficking cases and referring an increased number of trafficking victims to NGO-run protective services. The government continued to partner with several NGOs to provide essential services to victims. However, the government did not meet the minimum standards in several key areas. The government did not directly protect victims or fully implement victim identification and referral procedures stipulated in its anti-trafficking law, which resulted in the potential for some victims to face arrest, detention, or deportation for crimes committed as a result of being subjected to trafficking. Moreover, Lebanon's sponsorship system, which places a significant amount of power in the hands of employers of foreign workers, remained a significant impediment to authorities identifying and protecting trafficking victims.

RECOMMENDATIONS FOR LEBANON

Increase prosecutions and convictions of offenders under the anti-trafficking law, and investigate employers and recruitment agents who withhold workers' passports, travel documents, or wages for potential trafficking crimes; increase efforts to ensure trafficking victims are not arrested, detained, or deported for unlawful acts committed as a direct result of being subjected to trafficking, such as immigration or prostitution violations; screen all detained domestic workers for potential trafficking victims in detention centers; develop and implement procedures to identify and refer to protection services trafficking victims among vulnerable populations, such as illegal migrants, women holding *artiste* visas, domestic workers, and Syrian refugees; take steps to establish greater oversight over *artiste* visas, a program that contributes to the vulnerability of women to sexual exploitation; increase efforts to train judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and application of the anti-trafficking law; continue to work in partnership with NGOs to screen for, identify, and provide protection services to victims, including witness support during criminal proceedings; prohibit and penalize the withholding of workers' passports and travel documents, reform the sponsorship system to ensure workers are not bound to abusive employers, and allow workers, including *artiste* visa holders, freedom of movement; formally establish the victim assistance fund; adopt

and implement the draft national action plan; enact the labor law amendment extending legal protections to foreign workers and the draft law providing increased labor protections to domestic workers; and launch an awareness-raising campaign.

PROSECUTION

The government significantly increased efforts to investigate and prosecute potential trafficking cases. The 2011 anti-trafficking law criminalized sex and labor trafficking and prescribed penalties of five to 15 years imprisonment. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not have a law that prohibited or penalized confiscation of workers' passports or travel documents by employers or labor agents. Government officials and NGOs continued to report that some judges lacked understanding of the anti-trafficking law and knowledge of best practices for handling trafficking cases, though they noted improvements in the overall consistency of judges' and prosecutors' application of the law.

In 2017, the government reported initiating 134 total trafficking investigations, compared with 71 investigations in 2016. The Internal Security Forces (ISF) anti-trafficking unit investigated 23 cases of suspected trafficking, involving 55 victims of sexual exploitation and child trafficking; this was compared with 20 ISF investigations in 2016. Of the 23 cases, the ISF issued 17 arrest warrants and referred 39 suspected traffickers to the judiciary. The Directorate of General Security (DGS) investigated 111 potential trafficking cases involving migrant workers and other immigrants in 2017, which was a significant increase from 51 investigations in 2016. Among the 111 cases, the DGS referred six to judicial or law enforcement authorities for further investigation and it classified 36 as child labor cases and referred them to the Ministry of Labor (MOL). In 2017, public prosecutors referred 109 trafficking cases to investigative judges, who charged and prosecuted 172 suspected traffickers under the anti-trafficking law; these cases were pending at the end of the reporting period. These cases involved forced prostitution, coerced street begging, and labor exploitation. This demonstrated a significant increase in prosecutions, but a decrease in convictions, in comparison to 2016 when investigative judges charged and prosecuted 71 alleged traffickers, which resulted in 33 convictions under the anti-trafficking law; however, these cases, like many in Lebanon's overworked judicial system, took significant time to resolve. Officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than refer them for criminal prosecution. Additionally, government officials continued to report security forces were reluctant to arrest parents for subjecting their children to trafficking, usually in forced begging, due to a lack of social services available should the child be removed from the family. The government did not report investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, NGOs continued to report a common perception that DGS officers allegedly accepted bribes to protect adult nightclubs or issue *artiste* visas – a program that sustains a significant commercial sex industry and enables sex trafficking. The government encouraged officials to participate in trainings provided by NGOs and during the reporting period, DGS introduced human rights and anti-trafficking training as part of its curriculum for all new DGS recruits. The army continued to require anti-trafficking training for soldiers, while widely distributed military publications featured articles on human trafficking to raise awareness among military officers.

PROTECTION

The government maintained inconsistent victim protection efforts. It referred an increased number of victims to NGOs, but victims remained vulnerable to punishment for crimes committed as a direct result of being subjected to trafficking. The government did not formally adopt draft procedures for the identification and referral of victims to NGO services; in practice, officials

continued to identify and refer trafficking victims to care on an ad hoc basis. During the course of investigations in 2017, the ISF identified 55 victims of sex trafficking and child trafficking that were referred to NGO-run shelters, compared to the 87 victims it identified in 2016. Nevertheless, NGOs reported they received 56 victim referrals from ISF, DGS, and MOL in 2017, which was an increased number from the 46 victims that government officials referred in 2016. During the reporting period, the ISF adopted a policy to route all cases involving potential trafficking victims through its Human Rights Unit, where officers monitored victims to ensure they were properly identified and cared for per ISF guidelines. The government did not directly provide protection services to trafficking victims but continued to work in cooperation with NGOs to provide essential victim services. NGO-run victim care facilities in Lebanon were dedicated only to female and child victims of trafficking; there were no services available or government resources dedicated to male trafficking victims, who comprised a minority of total victims, mostly through coerced agricultural labor. A longstanding Memorandum of Understanding between the government and an NGO required DGS to refer female victims to an NGO-run safe house and provide security for the location. In 2017, the safe house assisted 218 trafficking victims; victims were not allowed to work while receiving assistance at the safe house. The Ministry of Social Affairs continued to coordinate and fund the provision of protection services to child trafficking victims through contractual agreements with NGOs. During the reporting period, the government collaborated with an NGO to initiate a committee dedicated to drafting a handbook outlining best practices and legal requirements for the protection of trafficking victims and witnesses during investigations and trials.

The government continued to arrest, detain, and/or deport unidentified victims for crimes committed as a direct result of being subjected to human trafficking, mainly domestic workers who fled abusive employers and out-of-status or illegal migrant workers, but also women holding *artiste* visas and persons in prostitution. Women holding *artiste* visas were subject to immediate deportation upon arrest for prostitution violations, and foreign workers without valid residence and work permits were subject to detention for one to two months – or longer in some instances – followed by deportation. ISF and NGO representatives observed decreased rates of detention of sex trafficking victims, in part due to coordination between security forces and prosecutors to proactively screen for trafficking among women in prostitution and refer them to care. The DGS continued to operate a 750-person detention center where authorities detained foreign domestic workers for violating the terms of their work contracts or visas. However, the DGS continued to implement procedures for identifying and referring trafficking victims in the detention center to care facilities, and permitted an NGO to interview detainees to identify trafficking victims among the detention center population; the NGO identified and assisted 29 victims in the center in 2017. The NGO continued to report an increased level of professionalism and sensitivity among DGS officials and investigators. The government did not adopt the draft labor law amendment extending legal protections to foreign workers or the draft law to increase labor protections for domestic workers.

Officials did not always encourage victims to file criminal charges against their traffickers, although victims were permitted to file civil suits. Victims were allowed to reside in Lebanon during an investigation of a trafficking case upon a judge's decision, but the government did not report if any judges issued such a decision during the reporting period. Investigations were impeded when victims chose voluntary repatriation rather than facing an often-lengthy trial process because they were not present in the country to testify against their traffickers. NGOs continued to report that foreign victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions because of the lack of protection services or resettlement options during the criminal proceedings. The anti-trafficking law stipulated that money earned from trafficking crimes would be confiscated and deposited into a special fund to assist trafficking victims, but the government did not issue an implementing decree to create such a fund. Except for cases involving Syrian refugees, whom the government did not deport, the

government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who faced retribution or hardship in the countries to which they would be deported.

PREVENTION

The government maintained some efforts to prevent trafficking. The national anti-trafficking steering committee continued its monthly meetings throughout 2017. The government did not adopt the draft national anti-trafficking action plan, but relevant ministries continued to take efforts to implement portions of the plan. The government did not organize any anti-trafficking public awareness campaigns during the reporting period. DGS, MOL, and ISF continued to operate hotlines to receive reports of abuse and migrant worker complaints, including for trafficking crimes, but the government did not report how many trafficking victims were identified through these hotlines. In January 2018, the municipality of Tripoli – in cooperation with an NGO – opened a hotline to report cases of exploitative child street begging. DGS continued a program to inform *artiste* visa holders about restrictions and obligations of their visa status upon arrival to Beirut International Airport. Under the program, if the visa holder objects to the visa's terms, she is free to return to her home country. During the reporting period, under a directive from the DGS, airport officers continued to return passports directly to foreign domestic workers upon their arrival in Lebanon. In June 2017, the Ministry of Justice and ISF partnered with an international organization and Lebanon's main air carrier to raise awareness of trafficking and victim identification for airline crews.

The government made some efforts to reduce the demand for forced labor. The MOL had the authority to close or penalize employment agencies that exploited migrant workers, and it maintained a blacklist of an unknown number of recruitment agencies for committing fraudulent recruitment practices; however, the government did not report prosecuting any recruitment or employment agencies for potential trafficking crimes. Unlike in the previous reporting period, the MOL did not report how many employment agencies it closed for labor violations. The MOL and ISF continued to require Syrian nationals to hold work permits in order to work in the formal sector, which bound these refugees to their employers. However, the government continued to ease the ability of some UNHCR-registered refugees to work in three sectors without any work permit – agriculture, sanitation, and construction – by waiving the fee for residence permit renewals, and made some progress on easing the ability of Syrian teenagers to obtain their own legal Lebanese residency documents when they were too old to be legally resident under their parents' statuses. Following an agreement signed in early 2017 between DGS, MOL, and the Farmers' Union in Lebanon that addressed protections of foreign children – primarily Syrians – under the age of 16 from agricultural work, MOL provided training to DGS officers and farmers in the Bekaa Valley and held awareness meetings across Lebanon on child labor in agricultural work. The government did not take steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Lebanon is a source and destination country for women and children subjected to forced labor and sex trafficking and – to a lesser extent – a destination country for Syrian refugee men subjected to forced labor. Women and girls from South and Southeast Asia and an increasing number from East and West Africa are subjected to domestic servitude in Lebanon. Under Lebanon's sponsorship system, foreign workers who leave their employers' houses without permission forfeit their legal status, increasing their vulnerability to re-trafficking. Lebanese government officials and NGOs report most employers withhold their workers' passports, putting workers at risk of trafficking, and NGOs report that abuse of domestic

workers is typically underreported. Many migrant workers arrive in Lebanon through legal employment agencies, but are subsequently placed in abusive or exploitative situations with their employers; some employment agencies recruit workers through fraudulent or false job offers. Women from Eastern Europe and North Africa legally enter Lebanon to work primarily as dancers in nightclubs through Lebanon's *artiste* visa program, which is valid for three months and can be renewed once. The government reported 10,363 women entered Lebanon under this program in 2017; 11,284 *artiste* visa holders entered Lebanon in 2016. The terms of the *artiste* visa prohibit foreign women working in these nightclubs to leave the hotel where they reside, except to work in the nightclubs which sponsor them, and nightclub owners withhold the women's passports and control their movement; these women also experience physical and sexual abuse, withheld wages, and domestic servitude. There are increasing reports that traffickers, including parents, force children to beg in the streets.

Men, women, and children among the estimated 1.3 million Syrian refugees in Lebanon are at high risk of sex trafficking and forced labor. There are some restrictions on Syrians' ability to work legally in Lebanon and the enforcement of visas and residence permit laws increase this population's vulnerability to trafficking. Syrians are commonly involved in the exploitation of other Syrians in Lebanon, particularly targeting refugees fleeing the conflict. For example, traffickers hold Syrian refugee men, women, and children in bonded labor in order to pay for food, shelter, and the cost of transit to Lebanon, and contract out groups of refugees to work in the agricultural sector in the Bekaa Valley. An international organization reported in 2015 evidence of bonded labor within refugee communities where child labor is used in exchange for living in informal tented settlements. Child labor among the Syrian refugee population continues to increase, particularly in agriculture, construction, and street vending and begging. These children are highly vulnerable to labor trafficking, especially in the agricultural sector of Bekaa and Akkar and on the streets of main urban areas such as Beirut and Tripoli. NGOs report that some children are forced or coerced to conduct criminal activity. Syrian women and girls are highly vulnerable to sex trafficking. In March 2016, Lebanese authorities reported on an extensive sex trafficking ring exploiting primarily Syrian women and girls in Beirut; the majority of the women and girls were recruited from Syria with false promises of work and subjected to commercial sexual exploitation in which they experienced mental, physical, and sexual abuse and forced abortions. Syrian girls are brought to Lebanon for sex trafficking, sometimes through the guise of early marriage. Some Syrian refugee women and girls are forced into sex acts or early marriage, often by family members or powerful local families, in order to ease economic hardships; these women and girls are highly vulnerable to trafficking. Syrian LGBTI refugees continue to be vulnerable to sexual exploitation. An international organization reported in 2017 that some employers coerce Syrian refugee men to perform sexual acts through threats of withholding their pay or terminating their employment. An international organization reported in 2016 that some Lebanese children are involved in armed tribal violence in Bekaa and Tripoli, some of whom may be forced to conduct such activity. There is also evidence of children within the Syrian refugee community in Lebanon that are associated with armed groups, who have either fought in the Syrian conflict or intend to fight in Syria as child soldiers.

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