

**Flygtningenævnets baggrundsmateriale**

|                                    |                        |
|------------------------------------|------------------------|
| <b>Bilagsnr.:</b>                  | <b>365</b>             |
| Land:                              | Libanon                |
| Kilde:                             | Amnesty International. |
| Titel:                             | Annual Report 2010     |
| Udgivet:                           | 28. maj 2010           |
| Optaget på<br>baggrundsmaterialet: | 24. juni 2010          |

|                  |                                                                                                                                                                                                                                                         |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Title            | Amnesty International Report 2010 - Lebanon                                                                                                                                                                                                             |
| Publisher        | Amnesty International                                                                                                                                                                                                                                   |
| Country          | Lebanon                                                                                                                                                                                                                                                 |
| Publication Date | 28 May 2010                                                                                                                                                                                                                                             |
| Cite as          | Amnesty International, <i>Amnesty International Report 2010 - Lebanon</i> , 28 May 2010, available at:<br><a href="http://www.unhcr.org/refworld/docid/4c03a81a2d.html">http://www.unhcr.org/refworld/docid/4c03a81a2d.html</a> [accessed 23 June 2010] |



## Amnesty International Report 2010 - Lebanon

### LEBANESE REPUBLIC

**Head of state:** Michel Suleiman

**Head of government:** Saad Hariri (replaced Fouad Siniora in November)

**Death penalty:** retentionist

**Population:** 4.2 million

**Life expectancy:** 71.9 years

**Under-5 mortality (m/f):** 31/21 per 1,000

**Adult literacy:** 89.6 per cent

The Special Tribunal for Lebanon, established to try those responsible for killing former Prime Minister Rafic Hariri in 2005 and related attacks, opened in March, and ordered the release of four generals arbitrarily detained in connection with its investigations. Palestinian refugees continued to face discrimination, which impeded their access to work, health, education and adequate housing. Other refugees were liable to arrest and deportation. Small advances were made in establishing what happened to some of the thousands of people who were victims of enforced disappearance during the 1975-1990 civil war. Some progress was also made to improve the conditions of migrant domestic workers, although they continued to suffer widespread exploitation and abuse. At least 41 people were under sentence of death at the end of the year.

### Background

Political tension remained high following June elections until the formation in November of a national unity government. Headed by Saad Hariri, son of assassinated former Prime Minister Rafic Hariri, the new government was formed after five months of negotiations between Saad Hariri's March 14 alliance and the March 8 coalition comprising Hizbullah and other parties.

Several civilians were reported to have been killed and others injured in localized outbreaks of political violence, mostly clashes between the Alawite and Sunni Muslim communities in Tripoli, and in Aisha Bakkar and Ain al-Rummaneh in Beirut.

Relations between Lebanon and Syria continued to improve, with both countries appointing ambassadors.

There was continuing tension with Israel. Several rockets were fired from southern Lebanon into Israel in January, September and October, and Israeli forces returned fire. The Israeli air force continued to violate Lebanese airspace.

Three civilians were killed and 25 injured, including children, by cluster bomb remnants and land mines left behind by Israeli forces in previous years, according to the official Lebanon Mine Action Center. In May, the Israeli authorities handed to the UN Interim Force in Lebanon data and maps showing where their forces had used cluster munitions during the 2006 war.

- In March, Mohammed Abd al-'Aal, aged 10, lost his left leg and right hand when a cluster bomb exploded as he played near his home at Hilta in south Lebanon.

### **Palestinian and other refugees**

Most Palestinian refugees continued living in overcrowded and often squalid conditions in 12 official refugee camps. Nearly 422,000 registered Palestinian refugees faced discriminatory laws and regulations, denying them the right to inherit property, work in around 20 professions and other basic rights.

At least 3,000 Palestinian refugees had no official ID cards – which are required for proving their residence in Lebanon, for registering births, marriages and deaths, and for other essential purposes – because they arrived in Lebanon after the Palestine Liberation Organization was expelled from Jordan in 1971. In 2008, the authorities had issued official temporary ID cards valid for one year to some 800 Palestinians as a step towards legalizing their status and to enable them to move freely about the country. In 2009, however, the General Directorate of the General Security prevented further ID cards from being issued, leaving Palestinian refugees facing severe obstacles to accessing their basic rights.

Around 21,650 Palestinian refugees who were forced to flee from Nahr al-Bared refugee camp near Tripoli in 2007 during a 15-week battle between the Lebanese Army and fighters belonging to Fatah al-Islam, an armed group, remained displaced because of the devastation and delays in reconstruction. Some 4,450 who had lived in the area adjacent to the official camp were able to return.

Lebanon also hosted refugees from Iraq, Somalia, Sudan and other countries who were constantly at risk of arrest, detention and deportation irrespective of whether they had been formally registered as refugees by UNHCR, the UN refugee agency. In 2008, the General Directorate of the General Security had agreed informally to allow refugees a grace period of three months, renewable once, to find an employer to sponsor them and provide them with a residence permit and so regularize their status. This policy was not maintained in 2009.

### **Violence and discrimination against women**

Women migrant domestic workers continued to face exploitation and physical, sexual and psychological abuse in their workplace.

In January, the Labour Ministry introduced a standard employment contract for migrant domestic workers, the vast majority of whom are women. The contract includes a job description and sets out the rights and responsibilities of the employer and employee, and the maximum number of working hours. However, no monitoring process was established to ensure employer compliance and the change appeared insufficient to afford migrant domestic workers effective protection.

The nationality law does not allow Lebanese women to pass on their nationality to their

spouses or children, even if they were born in Lebanon.

- The public prosecution and a legal commission at the Ministry of Justice contested, in July and September respectively, a June decision by three judges allowing Samira Soueidan to pass on her nationality to three of her children. No hearings on the case had been held by the end of the year. The children's father, an Egyptian national, had died 15 years earlier.

### **Special Tribunal for Lebanon**

The Special Tribunal for Lebanon opened on 1 March near the Hague in the Netherlands. One of its first acts was to ask the Lebanese authorities to hand over the cases of four generals who had been detained without charge in Lebanon since August 2005 in connection with Rafic Hariri's assassination. The Lebanese authorities complied, and the four generals – Jamil al-Sayyed, Mustapha Hamdan, Ali al-Hajj and Raymond Azar – were released without charge by order of the Special Tribunal by 29 April. In 2008, the UN Working Group on Arbitrary Detention had found the generals' detention to be arbitrary and unjust.

Earlier, in February, the Lebanese authorities released on bail three other detainees – Ahmad 'Abd al-'Aal, Mahmoud 'Abd al-'Aal and Ibrahim Jarjoura – who had been held for three years, apparently because they were suspected of making false statements to the UN body investigating Rafic Hariri's assassination and related attacks.

### **Arbitrary detentions**

- Yusef Cha'ban, a Palestinian refugee imprisoned for 15 years for murdering a Jordanian diplomat, was released on 13 July after President Michel Suleiman granted him a special pardon in recognition of the gross miscarriage of justice in his case. He had remained in prison even after a Jordanian court concluded in 2002 that others were responsible for the murder. Yusef Cha'ban had been sentenced in Lebanon by the Justice Council, a court whose judgements cannot be appealed or revoked. In 2006, the UN Working Group on Arbitrary Detention found that Yusef Cha'ban was arbitrarily detained.

### **Enforced disappearances and abductions**

Thousands of cases of enforced disappearance and abduction carried out during the civil war remained unresolved. In October and November, however, a court issued preliminary decisions ordering the authorities to provide it with confidential findings of investigations conducted by the Official Commission of Investigation into the Fate of the Abducted and Disappeared Persons in 2000 and relating to two mass graves in Beirut. By the end of the year, the authorities had provided only a short medical report about one mass grave.

- In November, DNA tests concluded that human remains found in the eastern town of Aita al-Foukhar included those of Alec Collett, a British journalist who was abducted, apparently by a Palestinian armed group, in 1985 and subsequently killed.

### **Alleged collaborators**

Dozens of men and women suspected of spying for Israel were arrested by the authorities or handed over to them after being taken captive and interrogated by Hizbullah. At least two other men arrested in 2006 were tried for collaborating with Israel.

- In August, Mahmoud Rafeh, a retired Internal Security Forces official, went on trial before a military tribunal in Beirut. He alleged that he was tortured in pre-trial detention and forced to "confess" by Military Intelligence officials. His trial

was continuing at the end of the year.

- Joséph Sader, an employee of Middle East Airlines, was abducted in February and remained held incommunicado by a non-state group who suspected him of providing information to Israel.

### **Death penalty**

At least 40 men and one woman were under sentence of death at the end of the year. The last executions were carried out in 2004.

A draft law to abolish the death penalty proposed by Justice Minister Ibrahim Najjar and submitted to the Council of Ministers in 2008 had not been approved by the end of 2009. The Minister pressed for the repeal of Penal Code articles that allow courts to impose death sentences.

### **Amnesty International reports**

- The Special Tribunal for Lebanon: Selective justice? (MDE 18/001/2009)
- Lebanon: A human rights agenda for the elections (MDE 18/003/2009)

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