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2008 Country Reports on Human Rights Practices - Lebanon

Bureau of Democracy, Human Rights, and Labor
February 25, 2009

Lebanon, with a population of approximately four million, is a parliamentary republic in which the president is a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the chamber of deputies a Shia Muslim. On May 25, parliament elected President Michel Sleiman, who serves as the head of state, in a process that was facilitated by Qatar and the Arab League. As stipulated in the constitution, former president Emile Lahoud stepped down in November 2007 at the end of his term, and the powers of the presidency were transferred to the cabinet. Although parliament was scheduled originally to begin the presidential election process in September 2007, the speaker rescheduled the session 19 times.

On May 7, opposition fighters led by Hizballah, a Shia opposition party and terrorist organization, seized control of Beirut International Airport and several West Beirut neighborhoods to protest government decisions to declare Hizballah's telecommunication network illegal and remove the airport security chief because of the presence of Hizballah's surveillance cameras monitoring the airport. During the heavy fighting, 84 persons were killed and approximately 200 were injured. On May 21 in Doha, Qatar, rival leaders reached an agreement to end the violence and the 18-month political feud. Sectarian clashes continued to break out between the Druze and Hizballah across the country and between Sunnis and Alawites in the northern part of the country, leading to the deaths of approximately 70 persons and the wounding of 275. UN Security Council (UNSC) resolutions 1559 and 1701 call upon the government to take effective control of all Lebanese territory and disarm militia groups. However, despite the presence of the Lebanese and UN security forces, Hizballah retained significant influence over parts of the country, and the government made no tangible progress towards disbanding and disarming armed militia groups, including Hizballah.

There were limitations on the right of citizens to change their government peacefully. Militant and sectarian groups committed unlawful killings, and security forces arbitrarily arrested and detained individuals. Torture of detainees remained a problem, as did poor prison conditions, lengthy pretrial detention, and long delays in the court system. The government violated citizens' privacy rights, and there were some restrictions on freedoms of speech and press, including intimidation of journalists. The government suffered from corruption and a lack of transparency. There were limitations on freedom of movement for unregistered refugees, and widespread, systematic discrimination against Palestinian refugees and minority groups continued. Domestic violence and societal discrimination against women continued, as did violence against children and child labor.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, militant groups killed civilians during the year in connection with the May 7-21 conflict and other internal sectarian clashes (see section 1.g.).

There were no further developments in the investigations following several 2007 car bomb deaths: Member of Parliament (MP) Walid Eido and 10 others in June, MP Antoine Ghanem and eight others in September, and Lebanese Armed Forces (LAF) chief of operations Brigadier General Francois el-Hajj and his bodyguard in December.

The four suspected members of the terrorist group Fatah al-Islam (FAI) arrested in March 2007 for the 2006 Ain Alaq twin bus bombings remained in detention at year's end, without formal convictions.

In June 2007 the news Web site Al-Mustaqbal reported that Judge Sa'id Mirza brought charges against Lebanese citizen Ibrahim Hasan Awadah and Syrian citizens Firas Abd al-Rahman, Mahmoud Abd al-Karim Imran, and Izzat Muhamad Tartusi for the 2005 attempted assassination of the defense minister and incoming Deputy Prime Minister Elias Murr, which injured Murr and killed one person. The suspects allegedly remained outside of the country in an unknown location at year's end.

Alleged FAI official Walid al-Bustani remained detained at year's end for his reported connection to the 2006 assassination of then-industry minister Pierre Gemayal.

There were no further developments in the investigations of the 2006 killings of Islamic Jihad member Mahmoud Majzoub and his brother or of the roadside bombs in Rmeileh that injured Internal Security Forces (ISF) Lieutenant Colonel Samir Shehade and killed four of his bodyguards. The ISF alleges that Israel was behind the Majzoub killings because the victims were Palestinian. Shehade, the former head of the ISF intelligence unit, departed for Canada following the assassination attempt against him.

During the year the UN International Independent Investigation Commission (UNIIC), established under UNSC resolution 1595, continued its investigation into the 2005 assassination of former prime minister Rafiq Hariri and other political killings. While preliminary reports pointed to possible linkages to Syrian intelligence services, the UNIIC did not reach a firm conclusion by year's end.

Israeli cluster munitions from the 2006 conflict continued to kill and injure civilians during the year. The UN Mine Action Coordination Center estimated that 560,000 to 1.1 million unexploded munitions remained despite ongoing removal and that munitions had killed 42 persons since the end of the conflict.

b. Disappearance

During the year there were no reports of politically motivated disappearances.

On July 16, Hizballah returned to Israel the bodies of two Israeli soldiers kidnapped in 2006; in exchange Israel returned five living prisoners to Hizballah, as well as the bodies of 200 Lebanese, Palestinian, and other Arab fighters.

On August 27, a Lebanese judge accused Libyan President Moammer Qadafi and six of his aides of inciting and participating in the 1978 disappearance of Imam Moussa Sadr.

On September 2, the Public Prosecutor issued charges against 14 persons for the April 2007 kidnapping and killing of Ziad Ghandour and Ziad Qabalan, two youths affiliated with Progressive Socialist Party leader Walid Jumblatt, a Druze Muslim allied with the

government. The ruling requested the death penalty for five brothers who were at large at year's end, Mohammed, Shehadeh, Abdallah, Abbas, and Ali Shamas; a life term of hard labor for helping conceal the crime for Mustafa Omar al-Saeedy, Ayman Fouad Safwan, Wissam Ghazi Orabi, and Saeb Ibrahim al-Dakdoki; and up to three years' imprisonment for hiding Ali Shamas and failing to notify the authorities about the crime for Hanan Atwi, Abeer Qabalan, Hassan Hazeemah, Hana Ismail, and Rabih Houili.

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

The law does not specifically prohibit torture. Security forces abused detainees and in some instances used torture. Human rights groups, including Amnesty International (AI) and Human Rights Watch (HRW), reported that torture was common. In a February 14 letter to the Association Council between the European Union and Lebanon and an October 7 letter to the interior minister, HRW reported there were instances of torture during the year at the Ministry of Defense and the Information Section, the ISF's intelligence branch, as well as in certain police stations. The Lebanese Association for Education and Training (ALEF) also reported during the year instances of torture in the ISF's Drug Repression Bureau detention facilities in Beirut and Zahle.

On September 18, parliament authorized the government to ratify the Optional Protocol to the Convention Against Torture (CAT); however, at year's end the government had not submitted its initial report under the CAT. On November 5, eight international and local human rights organizations issued a press release stating that over the last two years they had gathered testimonies from a number of detainees who claimed that security officials beat and tortured them. The press release requested the government to take concrete and public measures to stop the use of torture in detention facilities and submit the initial report under the CAT, seven years overdue.

In May 2007 HRW and the Lebanese Center for Human Rights (CLDH) called for an investigation into allegations of torture and ill treatment of nine of 12 detainees whose military court trial began in April 2007. In interviews with HRW and CLDH, some detainees alleged that interrogators tortured them during their detention at the Ministry of Defense to force confessions, while other detainees claimed they were ill-treated and intimidated. Five detainees reported being blindfolded and frequently punched during questioning. On September 5, the court acquitted for lack of evidence the 12 suspects of allegedly planning to assassinate Hizballah leader Hassan Nasrallah; however, 11 of the 12 were sentenced to three to five years' imprisonment for conspiracy to commit crimes against the state with the aim of inciting sectarian strife and possession and transfer of weapons and explosive material. At year's end HRW and CLDH's call for an investigation had not been answered.

In May 2007 the Lebanese daily Al-Diyar reported that the ISF Information Section called Muhammad Abd-al-Amir Salhab in for questioning following the 2005 assassination of former Prime Minister Rafiq Hariri. According to Al-Diyar, security forces detained Salhab for three days, during which he "was subjected to all types of torture." At year's end Salhab remained in France seeking political asylum.

In 2006 the nongovernmental human rights organization Support of Lebanese in Arbitrary Detention (SOLIDA) issued a report documenting the various types of torture allegedly practiced at the Ministry of Defense between 1992 and 2005, before Syria withdrew its troops in 2005. Torture methods included physical abuse, sleep deprivation, and prolonged isolation. In April 2007 the army released a statement dismissing news reports that detainees suspected of belonging to armed groups were subjected to torture during interrogation. According to the Daily Star, the statement denied that any detainees had undergone "any sort of physical or psychological torment in order to force them to give false testimonies."

The government acknowledged that violent abuse of detainees sometimes occurred during preliminary investigations at police stations or military installations where suspects were interrogated without an attorney. Such abuse occurred despite national laws that prevent judges from accepting confessions extracted under duress.

In June 2007 security forces arrested five dual Australian-Lebanese citizens – Hussein Elomar, Omar al-Hadba, Ibrahim Sabbough, Ahmed Elomar, and Mohammed Bassel – during a raid on al-Hadba's workshop in Tripoli on suspicion of supplying weapons to FAL. Security forces reportedly broke Hussein Elomar's jaw in detention and forced his nephew, Ahmed Elomar, to stand for long periods of time and beat him severely if he tried to rest. Ahmed's injuries included damage to his knee. Police dropped charges against Ahmed Elomar and Mohammed Bassel. The other individuals remained in custody at year's end.

Abuses also occurred in areas outside the government's control, including in Palestinian refugee camps. During the year there were reports that members of various Palestinian factions and foreign militias detained their rivals during clashes over territorial control of the camps, particularly in the north and south.

Prison and Detention Center Conditions

Prison conditions were poor and did not meet minimum international standards. Prisons were overcrowded, and sanitary conditions, particularly in the women's prison, were very poor. According to HRW failure to provide appropriate medical care and negligence of authorities were likely causes of 13 deaths in prisons during the year. The government did not consider prison reform a high priority. The number of inmates was estimated to be 4,700, including pretrial detainees and remand prisoners. The government made a modest effort to rehabilitate some inmates through education and training programs.

Overcrowding and limited prison facilities meant that pretrial detainees were often held together with convicted prisoners, and juveniles may have occasionally been held together with adults during the year.

The government permitted independent monitoring of prison conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC). In February 2007 the ICRC and judicial and security authorities signed a protocol enabling the ICRC to visit all prisons in the country in accordance with decree 8800. According to its 2007 annual report released on May 27, the ICRC carried out 59 visits, visited 6,764 detainees, and monitored the cases of 415 detainees in 2007. According to its January-April report on its activities in the country, the ICRC carried out 15 visits to detainees in seven prisons to monitor conditions and the treatment of detainees so far during the year. The ICRC's 2008 report detailing their activities for the rest of the year had not been issued by year's end.

d. Arbitrary Arrest or Detention

Although the law requires judicial warrants before arrests, except in immediate pursuit situations, the government arbitrarily arrested and detained persons.

Role of the Police and Security Apparatus

The ISF, under the Ministry of Interior (MOI), enforces laws, conducts searches and arrests, and refers cases to the judiciary while the State Security Apparatus, which reports to the prime minister, and the Surete Generale (SG), which is under the MOI, control the borders. The LAF may arrest and detain suspects on national security grounds. Both the State Security Apparatus and the SG collect information on groups deemed a possible threat to state security.

Laws against bribery and extortion by government security officials and agencies also apply to the police force. In practice, however, a lack of strong enforcement limited their effectiveness. The government acknowledged the need to reform law enforcement, but the lack of political stability and security hampered these efforts. The ISF maintained three hot lines for complaints, which are believed to operate efficiently. Operation centers are set up for North Lebanon, South Lebanon, Bika', Mount Lebanon, and Beirut. Each operation center receives approximately 50 calls per day with the

exception of the Beirut operation center, which receives approximately 100 calls per day. Depending on the urgency and the seriousness of the calls, the ISF dispatches its forces for assistance. During times of security instability, these centers receive a greater number of calls.

Arrest and Detention

Military intelligence personnel made arrests without warrants in cases involving military personnel and those involving espionage, treason, weapons possession, and draft evasion. According to ISF statistics, of the 4,686 persons held in prison, 2,780 had not been convicted of crimes. Also, there were reports that security forces arrested civilians during the May clashes without warrants.

The law generally requires a warrant for arrest and provides the right to a lawyer, a medical examination, and referral to a prosecutor within 48 hours of arrest. If a detainee is held longer than 48 hours without formal charges, the arrest is considered arbitrary and the detainee must be released. In such cases officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom. 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. Bail is available in all cases regardless of the charges. Family members were allowed to visit detainees every Tuesday, Thursday, and Saturday.

Many provisions of the law were not observed in practice, and security forces and extralegal armed groups continued the practice of arbitrary arrest and detention.

On April 26, Hizballah members detained Karim Pakzad, who was representing the French Socialist Party at a two-day socialist conference held in Beirut, and another person who were taking pictures at a Hizballah stronghold. After interrogating the two for four hours, Hizballah released them.

On August 15, Hizballah members detained Brazilian journalist Marcos Losekanna de Paulo Pimentel and Beirut-based Brazilian BBC journalist Tarek Saleh and interrogated them for five hours. The journalists were working on a story about a diner located in Hizballah's stronghold in the southern suburbs of Beirut that sold sandwiches named after weapons, dishes inspired by terrorist attacks, and snacks wrapped in camouflage paper.

In mid-September Hizballah members detained five employees from LebanonFiles.com who were conducting a survey in the southern Beirut suburb of Dahiyeh. The employees were reportedly interrogated for six hours before being released.

A November 2007 UN Commission for Human Rights working group cited as an example of arbitrary detention the UNHCR arrest of four Lebanese generals for the 2005 assassination of former PM Rafiq Hariri. The generals remained in prison at year's end. On August 6, Investigative Magistrate Saqr Saqr turned down a request for the release of the four generals. Separately, Saqr released two of another nine detainees held for giving false information related to the Hariri investigation. On August 26, the lawyers for one of the generals, General Security Major General Sayyed, filed a lawsuit in France against former UN Chief Investigator Detlev Mehlis for distorting the investigation and calling false witnesses.

Palestinian refugees were subject to arrest, detention, and harassment by state security forces and rival Palestinian factions.

Human rights activists believed that there were numerous Lebanese and Palestinians from Lebanon in prolonged and often secret detention in Syria. The NGO Support of Lebanese in Detention and Exile (SOLIDE) estimated that more than 600 Lebanese prisoners remained in Syria. On August 20, Justice Minister Ibrahim Najjar stated in a televised interview that there were 745 Lebanese citizens missing in Syria, divided into

two categories: convicted criminals and victims of "enforced disappearances." Najjar was the first government official to publicly classify the detainees.

On September 7, the Syrian delegation of the joint Lebanese-Syrian commission charged with investigating the missing individuals presented a list of 115 names of convicted Lebanese citizens held in Syrian jails; however, the Syrian list differed from the Lebanese delegation's list and contained names only of convicted Lebanese, rather than any of those classified as "enforced disappearances," the primary focus of human rights activists. According to SOLIDE, at year's end the Syrian delegation had not granted approval for Lebanese judges to check on the prisoners, although it agreed in principle.

During the year there were no reports of Syrian forces operating in the country carrying out searches, arrests, or detentions of citizens outside any legal framework.

e. Denial of Fair Public Trial

While the constitution provides for an independent judiciary, in practice the judiciary was subject to political pressure, particularly in the appointments of key prosecutors and investigating magistrates. Influential politicians, as well as Syrian and Lebanese intelligence officers at times intervened and protected their supporters from prosecution. With UNHCR support, however, the judiciary continued to detain once-powerful security and intelligence chiefs who had cooperated with Syria's occupation. Despite intimidation generated by a series of unresolved political assassinations committed by unidentified assailants beginning in 2004, the aftermath of the 2005 assassination of Rafiq Hariri led to gradual progress in eliminating political and security influence over the judiciary.

The judicial system consists of a council to determine the constitutionality of newly adopted laws upon the request of 10 members of parliament; the civilian courts; the military court, which tries cases involving military personnel and civilians in security-related issues; and the Judicial Council, which tries national security cases. There are also tribunals of the various religious affiliations, which adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody. The religious Shari'a courts are often used by both the Shia and Sunni religious communities to resolve family legal matters. There are also religious family courts in the various Christian-sect and Druze communities.

The military court has jurisdiction over cases involving the military as well as those involving civilians in espionage, treason, weapons possession, and draft evasion cases. Civilians may be tried for security issues, and military personnel may be tried for civil issues. The military court has two tribunals: the permanent tribunal and the cassation tribunal. The latter hears appeals from the former. A civilian judge chairs the higher court. Defendants on trial under the military tribunal have the same procedural rights as defendants in ordinary courts.

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security and some high-profile cases. Upon the recommendation of the minister of justice, the cabinet decides whether to try a case before this tribunal. Defendants before the Judicial Council had the same procedural rights as other defendants; however, there was no right to appeal and judges had the discretion to order the generally public sessions be closed. On September 18, the cabinet referred the assassination case of Saleh Aridi to the Judicial Council, which was already considering the assassination cases of MPs Walid Eido, Antoine Ghanem, and Pierre Gemayel.

The Ministry of Justice (MOJ) appoints all other judges, taking into account the sectarian affiliation of the prospective judge. A shortage of qualified judges impeded efforts to adjudicate cases backlogged during the years of internal conflict. Trial delays were aggravated by the government's inability to conduct investigations in areas outside of its control, specifically in the Hizballah-controlled areas in the south and in the 11 Palestinian-controlled refugee camps in the country.

Trial Procedures

There is no trial by jury; trials were generally public, but judges had the discretion to order a closed court session. Defendants have the right to be present at trial and the right of timely consultation with an attorney. While defendants do not have the presumption of innocence, they have the right to confront or question witnesses against them, but they must do so through the court panel, which decides whether or not to permit the defendant's question. Defendants and their attorneys have access to government-held evidence relevant to their cases and the right of appeal. These rights generally were observed. While there was no state-funded public defender's office, the bar association operated an office for those who could not afford a lawyer, and a lawyer was often provided for indigent defendants. A member from the Beirut Bar Association's Legal Aid Committee estimated that as many as 20 percent of the cases did not receive proper representation; however, this was believed to be related to the competence of the lawyer handling the case.

Palestinian groups in refugee camps operated an autonomous and arbitrary system of justice not under the control of the state. For example, local popular committees in the camps attempted to resolve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally handed over the perpetrator to state authorities for trial.

Political Prisoners and Detainees

During the year there were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

While there is an independent judiciary in civil matters, in practice it was seldom used for bringing civil lawsuits for seeking damages for human rights violations committed by the government. During the year there were no examples of a civil court awarding an individual compensation for human rights violations committed against them by the government.

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

While the law prohibits such actions, authorities frequently interfered with the privacy of persons regarded as enemies of the government. The law requires that prosecutors obtain warrants before entering homes, except when the security forces are in close pursuit of armed attackers; these rights were generally observed.

The Army Intelligence Service monitored the movements and activities of members of opposition groups. Although the law regulates eavesdropping, security services continued to eavesdrop without prior authorization.

Militias and non-Lebanese forces operating outside the area of central government authority also frequently violated citizens' privacy rights. Various factions used informer networks and monitoring of telephones to obtain information regarding their perceived adversaries.

There were no developments in the 2005 decree to create an independent judicial committee to receive telephone-tapping complaints and permit security services to monitor criminals' telephones. Similarly, there were no developments in the 2005 decree to create a centralized unit to supervise tapping telephones related to military personnel only. During a parliamentary session on August 26, Parliament Speaker Berri announced his intention to form a parliamentary investigative committee to look into telephone-tapping. Telecom Minister Gebran Bassil also noted the same day the need to formally regulate the practice of the country's two cellular telephone service providers in supplying information to any individual or party.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Internal strife along confessional divides and between the government majority and the opposition continued to plague the country throughout the year, and militant groups committed violence against political figures and government institutions.

On January 15, an explosion targeted a diplomatic embassy vehicle, killing three persons in an adjacent vehicle and injuring two security employees.

On January 25, a car bomb killed ISF Information Technology Intelligence branch head Captain Wissam Eid and three others and injured 36. Eid played a significant role in a number of sensitive investigations, including the assassination of PM Rafiq Hariri.

On January 27, violent riots broke out when youth from the predominantly Shia Muslim area of Shiyah were protesting what they perceived to be discriminatory power cuts. When an Amal movement official was killed by unknown gunfire, the riots turned violent with protesters throwing stones and setting cars ablaze. The riots led to the death of seven civilians, including the Amal Movement official, and more than 19 injured. On February 2, the LAF arrested 17 persons, including 11 soldiers and three officers, for their excessive use of force in containing the protests. Investigations were ongoing at year's end.

On April 20, two Phalange party supporters, Nasri Marouni and Salim Assi, were killed during the inauguration of the Phalange headquarters in Zahle. Alleged suspects Joseph and Tony Zouki, supporters of pro-"March 8 Alliance" MP Elie Skaff, remained at large.

Between May 7 and 21, Hizballah-led opposition fighters occupied parts of downtown Beirut to protest two government decisions taken against Hizballah. Armed clashes ensued between the predominantly Shia opposition and Sunnis aligned with the majority. The takeovers targeted Sunni-run political party offices and media outlets. Armed clashes also broke out between Druze and Hizballah in the mountains and between Sunnis and Alawites in the north. The May conflict reportedly resulted in more than 80 deaths and 250 injuries.

According to HRW, during the May conflict members of the opposition groups Hizballah, Amal, and the Syrian Socialist National Party (SSNP) used small arms and rocket-propelled grenades (RPGs) in densely populated areas of Beirut, killing numerous civilians. For example, HRW reported that on May 8, opposition gunmen shot and killed Amal Baydoun and her son, Haytham Tabbarah with an RPG while they were trying to flee their Ras al-Nabaa neighborhood. Opposition gunmen shot and injured Tabbarah's two brothers later that day while they were trying to join their family at the hospital.

Also during May supporters of the progovernment groups Future Movement and the Progressive Socialist Party (PSP) also resorted to violence against civilians and offices associated with opposition groups in areas under the progovernment groups' control in northern Lebanon, the Bqaa', and the Shouf. According to Hizballah, PSP fighters detained and then executed two Hizballah followers. After examining photos of the two Hizballah members, HRW reported that at least one had been shot in the head at close range while the other appeared to have had part of the skin of his forearm removed. In Halba, a village in the north, armed Sunnis killed members of the SSNP after they had surrendered.

On May 31, a blast killed Lebanese soldier Ossama Hassan at an army intelligence post in the northern village of al-Abdeh near the northern city of Tripoli. In two separate attacks on August 13 and September 29, culprits bombed buses packed with LAF soldiers on their way to work in Tripoli, killing 20 persons, including 14 soldiers, and injuring more than 90. On October 28, the public prosecutor issued charges against 34 suspects accused of carrying out terrorist attacks, including the attack on the intelligence post and the Tripoli bus bombings. If convicted the 26 detained suspects and the eight who remained at large could face the death penalty.

On September 10, unknown actors planted a car bomb that killed Druze opposition figure Saleh Aridi and injured six others. Aridi reportedly played a major role in the reconciliation efforts of Druze leaders Walid Jumblatt and Talal Arslan following the May conflict.

In June 2007 HRW reported that LAF and ISF forces arbitrarily detained and physically abused some Palestinian men fleeing the fighting in the Nahr al-Barid refugee camp. During the conflict the LAF interrogated many men as they left the camp and detained those suspected of supporting or having information about FAI. The LAF interrogated some Palestinian detainees at the Kobbah military base near Tripoli, approximately 10 miles from Nahr al-Barid. HRW reported that other interrogations took place at checkpoints and private houses near the camp.

In one case documented by HRW in June 2007, the Lebanese military detained a Palestinian man from Nahr al-Barid for interrogation at different locations for four days. During the interrogations, army interrogators reportedly punched and slapped him, giving him food only twice in four days. HRW also reported that members of the Lebanese military intelligence allegedly subjected detainees to kicks, punches, and beatings with rifle butts during interrogation.

The Nahr al-Barid conflict caused other humanitarian concerns. Palestinian refugees and Lebanese displaced by the violence were without running water, sewage, or electricity for weeks. Refugees who left the camp were treated for dehydration, diarrhea, and stomach illnesses, and the regular UNRWA-run health care clinics in the camp were not fully functioning due to security problems.

Members of international humanitarian organizations were attacked by FAI when attempting to enter the Nahr al-Barid camp. In May 2007, UN High Commissioner for Human Rights Louise Arbour condemned an attack by FAI on a UN aid convoy at Nahr al-Barid during the conflict that claimed the lives of two Palestinian refugees.

2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice, although journalists continued to feel intimidation, compounded by the May conflict. Individuals are free to criticize the government but are legally prohibited from publicly criticizing the president.

Dozens of newspapers and hundreds of periodicals were published throughout the country and were financed by and reflected the views of various local, sectarian, and foreign interest groups. There was very limited state ownership of newspapers and periodicals. Of the seven television and 33 radio stations, all but one television and one radio station were owned privately. The majority of media outlets had political affiliations, and a news station's political affiliations sometimes hampered its ability to operate freely.

Despite a general increase in media freedom since 2005, the tense political atmosphere, weak judiciary, and the government's failure to apprehend the perpetrators of the 2005 killings of journalists Samir Kassir and Gibran Tuani meant that journalists continued to feel intimidated. Partly due to the political divisions in the country, several journalists received threats from parties, politicians, or their fellow journalists.

The law permitted censoring of pornographic, political opinion, and religious materials when they were considered a threat to national security. The SG reviews and censors all foreign newspapers, magazines, and books before they enter the country. The law also prohibits attacks on the dignity of the head of state or foreign leaders. The government may prosecute offending journalists and publications in the Publications Court. The 1991 security agreement between the government and Syria, still in effect, contains a

provision that prohibits the publication of any information deemed harmful to the security of either state. The media also practiced self-censorship at times due to fear of reprisal.

On May 9, Hizballah-led opposition fighters forced the pro-March 14 Future News television station and Radio al-Sharq to stop their transmission for four days. Using the LAF as an interlocutor, the gunmen threatened that if the employees did not suspend transmission, they would destroy the buildings. Management suspended transmission, at which point the gunmen entered the premises and cut all cables in the studio to guarantee no rebroadcast. Hizballah gunmen also set fire to the Future News archives building, destroying all records. On the same day, the gunmen also burned parts of March 14 majority leader Saad Hariri's Al-Mustaqbal newspaper offices as well as the Armenian radio station Sevan, located in the same building.

On November 27, a Beirut criminal court dismissed slander charges against Muhammad Mugarby, a prominent lawyer and human rights activist, resulting from a speech he gave to a European Parliament delegation in Brussels in 2003. Beirut public prosecutor Joseph Maamari appealed the verdict on December 11. The speech criticized the government for using the judiciary, particularly the military court, to suppress dissent. Mugarby also condemned the use of torture to coerce confessions from suspects and the court-ordered closure in 2002 of a television station that had criticized the authorities. Eight other legal actions were pending against Mugarby, including criminal actions initiated by the Higher Judicial Council, former and current judges, and the Beirut Bar Association.

There were no developments in the appeal filed by Al-Mustaqbal editor in chief Tawfiq Khattab and staff reporter Fares Khashan; authorities fined the two 50 million pounds (\$33,000) each for libel and damaging the reputation of President Lahoud in 2006.

The 2006 case in which the Lebanese Broadcasting Corporation (LBC) broadcast a show that ridiculed Hizballah Secretary General Hassan Nasrallah remained pending with the cabinet at year's end.

Also in 2006 the minister of justice filed a complaint against Al-Akhbar newspaper for alleging that two members of the Judicial Council had met with the head of the ISF Intelligence Department to discuss judicial appointments.

Most judicial cases launched in previous years against journalists were not pursued during the year. Investigations into the 2005 killings of Samir Kassir and Gebran Tuani and the 2005 attack on May Chidiac continued at year's end. There were no developments in the 2005 case against Al-Mustaqbal reporter and Future TV anchor Zahi Wehbe.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail and Internet discussion groups. The International Telecommunications Union indicated that the Internet penetration rate in Lebanon was 26.6 percent, with 950,000 Internet users. Internet access was publicly available, and the government continued to expand its high-speed infrastructure. The SG and MOJ sometimes contacted Internet providers to block pornographic and religiously provocative sites.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom; however, the government censored films, plays, and other cultural events. Filmmakers, playwrights, festival organizers, and others practiced self-censorship.

The SG reviews all films and plays and prohibits those that offend religious or social

sensitivities. On March 26, the SG banned the Oscar-nominated film *Persepolis*, which portrayed the Islamic Revolution in Iran, then reversed its decision the following day. In 2006 the SG prohibited the film *The Da Vinci Code*, and it obliged playwright Lina Khoury to revise a play inspired by *The Vagina Monologues*.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government sometimes restricted this right. The MOI required prior approval to hold rallies, and groups opposing government positions sometimes were not granted permits.

On May 7, the General Labor Confederation's (GLC) strike calling for an increase in the minimum wage was called off soon after it started, when the demonstrators were unable to reach their designated demonstration points after opposition forces had taken advantage of the strike to set up roadblocks and burning tires in the streets. This led to the May conflict in and around Beirut. The roadblocks and burning tires remained in place until the Doha agreement was concluded on May 21. The opposition "sit-in" that began in 2006 also ended on May 21.

In January 2007 security forces failed to protect protestors in two instances: the Hizballah-led strike that left three dead and 133 injured and the Beirut Arab University violence, which killed four persons and injured more than 150. In June 2007 security forces reportedly fired on Palestinian refugees protesting in Nahr al-Barid camp, killing three and injuring 50.

Freedom of Association

The law provides for freedom of association and the government did not interfere with most organizations; however, it imposed limits on this right. The law requires every new organization to submit a notification of formation to the MOI, which issues a receipt. However, the MOI sometimes imposed additional and inconsistent restrictions and requirements and withheld receipts, turning the notification process into a de facto approval process. For example, the MOI in some cases sent notification of formation papers to the security forces to conduct inquiries on an organization's founding members. On February 22, the Lebanese Center for Human Rights received the MOI's receipt of acceptance for the notification it submitted in 2006.

Organizations also must invite MOI representatives to any general assembly where votes are held for by-law amendments or when elections are held for positions on the board of directors. The MOI must then validate the vote or election; failure to do so could result in the dissolution of the organization.

The MOI did not immediately validate the February 28 elections of the Israeli Communal Council, representing the small Jewish community and Jewish property owners who do not reside in the country. Similar to the previous two such elections, the MOI did not validate them until May 15, following diplomatic intervention.

The cabinet must license all political parties. The government scrutinized requests to establish political movements or parties and to some extent monitored their activities. The Army Intelligence Service monitored the movements and activities of members of some opposition groups.

c. Freedom of Religion

The constitution provides for freedom of religion and the freedom to practice all religious rites, provided that the public order is not disturbed. The government generally respected these rights; however, there were some restrictions.

Formal recognition by the government is a legal requirement for religious groups to conduct most religious activities. The group must ensure the number of its adherents is sufficient to maintain its continuity.

Alternatively, religious groups may apply for recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the recognized religion's codes to personal status matters. Each recognized religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance. Although the government did not recognize officially some Baha'i, Buddhist, Hindu, and Protestant Christian groups, they were allowed to practice their faith without government interference; however, their marriages, divorces, and inheritances in the country were not recognized under the law.

Protestant evangelical churches are required to register with the Evangelical Synod, which represents those churches to the government. Representatives of some churches complained that the Synod has refused to accept new members since 1975, thereby preventing their clergy from ministering to adherents in accordance with their beliefs. The Pentecostal Church applied for recognition from the Evangelical Sect, but the leadership of the Evangelical Sect, in contravention of the law, refused to register new groups. The Pentecostal Church pursued recourse through the MOI; however, at year's end it had not been registered.

Although the law stipulates that anyone who "blasphemes God publicly" may face imprisonment for up to one year, no prosecutions were reported under this law during the year.

The unwritten "National Pact" of 1943 stipulates that the president, the prime minister, and the speaker of parliament be a Maronite Christian, a Sunni Muslim, and a Shia Muslim, respectively. The 1989 Taif Accord, which ended the country's 15-year civil war, reaffirmed this arrangement but also codified increased Muslim representation in parliament and reduced the power of the Maronite president.

Religious affiliation is encoded on national identity cards and indicated on civil status registry documents but not on passports, and the government complied with requests of citizens to change their civil records to reflect their new religious status.

The law provides that only religious authorities may perform marriages; however, civil marriage ceremonies performed outside the country were recognized by the government.

There were no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discouraged such activity.

Societal Abuses and Discrimination

Societal harassment and discrimination based on religion occurred, and the government failed to prevent or punish such actions. There were approximately 100 Jews in the country and 6,000 registered Jewish voters who lived abroad but could vote in parliamentary elections.

During the year Hizballah directed strong rhetoric against Israel and the Jewish population, and it cooperated in the publishing and distribution of anti-Semitic literature. Lebanese media outlets such as Al-Manar TV, which is controlled and operated by Hizballah, as well as independent newspapers, such as Al-Nahar and Al-Mustaqbal, continued to publish anti-Semitic material and drew no government response.

On April 16, representatives from the Israeli Communal Council, the legally registered Jewish organization, reported acts of vandalism and theft committed against a Jewish-owned cemetery in downtown Beirut where Hizballah flags had been raised.

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights for Lebanese citizens but placed limitations on the rights of Palestinian refugees.

The government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to conduct warrantless searches for smuggled goods, weapons, narcotics, and subversive literature. Security forces were unable to enforce the law in the predominantly Hizballah Beirut southern suburbs and did not typically enter the Palestinian refugee camps.

The law prohibits direct travel to Israel. After the cancelation in 2005 of mandatory military service, there was no limitation on the travel of young men.

The law prohibits forced exile, and it was not used.

Internally Displaced Persons (IDPs)

According to international humanitarian organizations, a significant number of persons remained displaced from the 1975-90 civil war and the July 2006 war. Estimates from the Ministry of Displaced and the World Bank of persons displaced by the civil war range from 500,000 to 800,000, with an estimated 20-25 percent having returned home.

During the year there were no substantiated reports that the government deliberately attacked IDPs or made efforts to obstruct access of international humanitarian organizations from assisting IDPs in returning to their residence. Similarly, there were no reports that the government forcibly resettled IDPs.

The government continued to encourage IDPs displaced during the 1975-90 civil war to return, reclaim their property, and rebuild their homes. Despite this encouragement, many have not attempted to reclaim and rebuild their property due to the hazardous social and economic situation in some areas.

The second primary category of IDPs is those individuals displaced during the July 2006 conflict between Israel and Hizballah. The government encouraged the hundreds of thousands of internally displaced persons to return to their homes. According to the Internal Displacement Monitoring Center, at the height of the conflict, up to one million persons fled their homes; approximately 735,000 were internally displaced, while some 230,000 fled to neighboring countries. According to the government's Higher Relief Council, more than 700,000 displaced persons and refugees returned to their homes. While the Office of the UN High Commissioner for Refugees (UNHCR) believed there was no official and reliable figure, according to its data on the number of houses completely destroyed and damaged, the UNHCR reported that 40,000-70,000 persons remained displaced at year's end.

During the 2006 conflict, the government opened public schools to provide shelter for the individuals displaced from the south.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention Relating to the Status of Refugees and its 1967 protocol, but the government has mechanisms to provide assistance. The government cooperated with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. According to the UNHCR, the main theoretical protection against the refoulement of refugees was Article 3 of the CAT, to which Lebanon is a party. A

number of judges have ruled that Article 3 was applicable to refugees, thus stopping their deportation or expulsion. However, this has not been systematic. Similarly, the SG has in most cases not implemented deportation orders against refugees, but there have been exceptional cases where Article 3 of the CAT was violated. The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention or the 1967 protocol. According to the UNHCR, the government has not officially provided temporary protection to refugees. However, in practice there has been a policy of tolerance that permitted many undocumented refugees not to be arrested or detained. This has been the case for the estimated 50,000 Iraqis.

A 2003 agreement between the SG and the UNHCR recognizes and grants protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status must do so within two months of arriving in the country. The SG issues residence permits, valid for three months, during which time the UNHCR must make a refugee status determination. The SG extended residency permits for up to 12 months for those accorded refugee status by the UNHCR. The government granted admission and temporary (six months) refuge to asylum seekers but not permanent asylum. The SG sometimes arbitrarily detained asylum seekers at its detention facility for more than a year before deporting them.

UNRWA has the sole mandate to provide health, education, social services, and emergency assistance to Palestinian refugees residing in the country as well as in the West Bank, Gaza, Syria, and Jordan. As of September 30, there were approximately 419,285 UNRWA-registered Palestinian refugees living in or near 12 camps throughout the country. The vast majority of Palestinian refugees were those displaced during the Arab-Israeli war of 1948 and their descendents. Additional Palestinians arrived in 1967 after the Six-Day War and in the 1970s after many were expelled from Jordan.

Palestinian refugees residing in the country were not able to obtain Lebanese citizenship and were not citizens of any other country. However, Palestinian refugee women married to Lebanese men were able to obtain citizenship and transmit Lebanese citizenship to their children. Palestinian refugees have limited social and civil rights, restricted access to governmental public health and education, and no access to public social services. The majority rely entirely on UNRWA for education, health, relief, and social services. Lebanon is the only country in which UNRWA operates secondary schools to address restricted access to public schools and the high costs of private schools. Palestinian refugees in the country have the worst socioeconomic situation in all of UNRWA's five fields of operations resulting in the highest percentage of Special Hardship Cases (SHCs). SHCs receive direct humanitarian support from UNRWA, including food aid, cash assistance, and shelter rehabilitation. There were approximately 50,144 registered SHCs during the year, which totaled 12 percent of the registered Palestinian refugee population in the country, in comparison with 9 percent in Gaza and 3 percent in Jordan.

According to a credible international human rights group, Palestinian refugees faced severe restrictions in their access to work opportunities and diminished protection of their rights at work. Very few Palestinians received work permits, and those who found work usually were directed into unskilled occupations. Some Palestinian refugees worked in the informal sector, particularly in agriculture and construction. Palestinian incomes continued to decline. In 2005 the minister of labor issued a memorandum authorizing Palestinian nationals born in the country and duly registered with the MOI to work in 50 (out of 72) professions banned to foreigners. However, there were no indications that this memorandum was implemented consistently.

Property laws do not explicitly target Palestinian refugees but bar those who are not bearers of nationality of a recognized state from owning land and property. Under this law Palestinians may not purchase property, and those who owned property prior to the 2001 issuance of this law are prohibited from passing it on to their children. The parliament justified these restrictions on the grounds that it was protecting the right of Palestinian refugees to return to the homes they fled after the creation of the state of Israel in 1948. All other foreigners may own a limited-size plot of land, but only after obtaining the approval of five different district offices.

The amount of land allocated to official refugee camps in the country has only marginally changed since 1948, despite a fourfold increase in the registered refugee population. Two refugee camps previously destroyed in the civil war were never reconstructed. Consequently, most Palestinian refugees lived in overpopulated camps that suffered repeated heavy damage as a result of fighting during the 1975-90 civil war, the 1980s Israeli invasion of the country, continuing camp feuds, the July-August 2006 conflict between Israel and Hizballah, and the May-September 2007 Nahr al-Barid conflict. The government generally prohibited the construction of permanent structures in the camps on the grounds that such construction encouraged refugee settlement in the country. Refugees frequently feared that the government might reduce the size of the camps or eliminate them completely.

Over the last three years, the government, in coordination with UNRWA, took concrete steps to improve relations between Palestinian refugees and the Lebanese community and address the housing conditions in the camps. In October 2005 Prime Minister Siniora supported the launch of UNRWA's multiyear Early Recovery Plan and Camp Improvement Initiative to support new infrastructure development projects, by improving housing and upgrading sewage, water, and electricity systems in the camps.

According to the Internal Displacement Monitoring Center, 16,000 Palestinian refugees were displaced at the height of the July 2006 conflict.

As a result of the May-September 2007 Nahr al-Barid conflict, an estimated 35,000 Palestinian refugees were displaced. The majority sought shelter with host families in the neighboring Beddawi camp in northern Lebanon, while several hundred families sought shelter in UNRWA as well as government-run schools throughout the north of the country. In October 2007 refugees began returning to the "new camp" along the periphery of Nahr al-Barid. In September UNRWA estimated that approximately 2,400 families had returned to the "new camp." UNRWA estimated that there were approximately 5,300 families in the camp before the Nahr al-Barid conflict.

During and after the fighting in Nahr al-Barid in September 2007, the government provided emergency relief, with assistance from UNRWA, the international donor community, and relief nongovernmental organizations (NGOs), to Palestinian refugees who had fled Nahr al-Barid. UNRWA, in coordination with the government, provided temporary housing in schools in nearby Beddawi camp and started efforts to begin removing the rubble in preparation for new camp housing to be built. Most humanitarian assistance to refugees was provided through UNRWA's 2007 and 2008 Emergency Relief Appeal. At year's end small numbers of refugees had returned to areas adjacent to the camp; however, a full return was expected to take three years or longer. Among the most pressing concerns was ensuring temporary accommodation and emergency food assistance for refugee families, as well as addressing the loss of employment. Displaced communities raised concerns about their security and freedom of movement, as security measures tightened in response to sporadic clashes in northern Lebanon. In June UNRWA, the government, and the World Bank launched a comprehensive three-year plan to rebuild Nahr al-Barid camp and surrounding communities.

Children of Palestinian refugees faced discrimination in birth registration and access to adequate housing, social security, and education. The government did not provide health services or education to Palestinian refugees, who relied on UNRWA for these services. Many Palestinian children reportedly had to leave school at an early age to help earn income. Poverty, drug addiction, prostitution, and crime reportedly prevailed in the camps, although reliable statistics were not available.

At year's end the MOI had not rendered a decision on the legal status of approximately 4,000 persons who stood to lose Lebanese citizenship due to the State Consultative Council's 2003 decision to invalidate the 1994 naturalization decree, which naturalized several thousand Palestinians.

The government issued travel documents to Palestinian refugees to enable them to travel and work abroad. The government did not issue visitors visas to Jordanian

nationals who were born in the country and were of Palestinian origin.

After Palestinians, the next largest group of refugees in the country was Iraqis, of which there were more than 10,407 registered with the UNHCR at year's end; however, this number did not include a substantial number of Iraqi refugees who entered the country illegally in search of jobs, education, and security. According to the UNHCR, an estimated 50,000 Iraqis were living in the country. During the year the government provided very limited services for Iraqi refugees and had no process for regularizing their status. Due to government inaction and Lebanon's not being a party to the 1951 Refugee Convention or the 1967 Protocol Relating to the Status of Refugees, there remained no temporary protection regime for Iraqi asylum seekers, as advocated by the UNHCR, and the government regularly deported Iraqis who may have had valid persecution claims. According to a December 2007 HRW report, authorities during the year arrested Iraqi refugees without valid visas and detained them indefinitely to coerce them to return to Iraq. According to the SG, there were 16 detained Iraqis in the country at year's end. During the year the SG deported 183 Iraqis to Iraq for illegal immigration into Lebanon. From February 18 until June 18, the SG granted a grace period for illegal immigrants, including Iraqis, to regularize their status and allowed Iraqi detainees an additional three months to arrange for new sponsors in Lebanon if they did not wish to return to Iraq.

Stateless Persons

There were approximately 3,000 Palestinian refugees who were registered neither with UNRWA nor with authorities. Also known as undocumented, or non-ID Palestinians, most moved to the country after the Palestinian Liberation Organization's (PLO) expulsion from Jordan in 1971 and faced increased protection issues after the PLO leadership departed Lebanon in 1982. Non-ID Palestinians were not eligible for assistance from UNRWA, faced restrictions on their movements, and lacked access to fundamental rights under the law. The vast majority of non-ID Palestinians were males, and UNRWA refugee and Lebanese women were unable to transmit their citizenship or refugee status to their husbands. In January the government and Palestinian leaders struck a quiet agreement that would grant a new legal status to non-ID Palestinians. The Lebanese Palestinian Dialogue Committee (LPDC) was working with UNRWA to implement the government's new policy by facilitating the issuance of identification cards to non-ID Palestinians.

There were thousands of Kurds who lived without citizenship despite decades of family presence in the country. Most were descendents of migrants and refugees who left Turkey and Syria during World War I but were denied the right to citizenship in order to preserve the country's fragile sectarian balance. The government issued a naturalization decree in June 1994, but high costs and other obstacles prevented many from acquiring official status. Approximately 75,000 Kurds resided in the country. At year's end an estimated 1,000 to 1,500 Kurds in the country lacked official status or held an "ID under consideration," which states no date and place of birth.

3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government in periodic, free, and fair elections; however, lack of control over parts of the country, defects in the electoral process, and corruption in public office significantly restricted this right.

Elections and Political Participation

The law provides that elections for the parliament must be held every four years and that the parliament elects the president every six years. The president and the parliament nominate the prime minister, who, with the president, chooses the cabinet. According to the unwritten National Pact of 1943, the president must be a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of parliament a Shia Muslim.

In 2004, amid evidence of heavy Syrian manipulation and coercion, parliament voted for

a constitutional amendment extending the term of President Emile Lahoud to November 2007. Many citizens considered this amendment to violate the constitution. In September 2007 parliament was scheduled to meet to begin the process of choosing President Emile Lahoud's successor; however, because two-thirds of the members were not present, the speaker cancelled the session. In November 2007 President Lahoud stepped down at the end of his term and, as stipulated in the constitution, the powers of the presidency were transferred to the cabinet, led by Prime Minister Fouad Siniora, until the election of a new president. The speaker rescheduled the session 19 times due to internal political deadlock before President Michel Sleiman was elected on May 25.

In August 2007 parliamentary by-elections in Metn and Beirut were held to replace two seats vacated by the assassinations of MPs Pierre Gemayel and Walid Eido. The Lebanese Association for Democratic Elections monitored the elections and reported a few incidents of voter fraud, including instances in which voters used fake identity cards or national identity cards instead of the voter identity cards.

On September 29, parliament approved a new electoral law as part of the Doha agreement. The law established an independent election commission, abolished the voter card, and provided for one-day elections and regulation of campaign finance and media. Out-of-country voting provisions were also approved for the 2013 parliamentary elections.

Political parties could organize, seek votes, and publicize their views without government restriction. The political system is based on confessional lines, and parliamentary seats are allotted on a sectarian basis.

There were four major and numerous smaller political parties. The largest party in the parliamentary majority was the Future Movement, led by Saad Hariri. Its membership was predominantly Sunni, but Hariri's parliamentary bloc included a number of members from other sects. The Progressive Socialist Party, led by Walid Jumblatt, predominantly represented Druze interests and allied itself with the Future Movement. The Free Patriotic Movement, led by Michel Aoun, represented a significant portion of the Christian community. The party's leadership decided to remain outside the cabinet. Two smaller Christian parties were the Lebanese Forces, led by Samir Geagea, and the Phalange party, led by former president Amine Gemayel. The largest party representing the Shia community was Hizballah, a designated terrorist organization, led by Hassan Nasrallah. A smaller Shia party, Amal, was led by Speaker of Parliament Nabih Berri. While a number of smaller parties existed or were in the process of forming, the larger, sectarian-based parties maintained the greatest influence in the country's political system.

There were significant cultural barriers to women's participation in politics. Prior to 2005 no woman held a cabinet position; however, at year's end there was one woman who was selected as a member of the national unity cabinet formed on July 11.

Minorities were able to participate in politics to some extent. Regardless of the number of adherents, every recognized religion was given at least one seat in parliament. There were four parliamentarians representing minorities (one Evangelical, one Syrian Orthodox, and two Alawites.) Additionally, these minority groups held high positions in the Ministry of Foreign Affairs and the LAF. Palestinian refugees, however, had no political rights. An estimated 17 Palestinian factions operated in the country and were generally organized around prominent individuals. Most Palestinians lived in refugee camps controlled by one or more factions. Refugee leaders were not elected, but there were popular committees that met regularly with UNRWA and visitors.

Government Corruption and Transparency

The government provides criminal penalties for official corruption, but they were seldom enforced, and government corruption was a serious problem. Public officials were required by law to disclose their financial assets to the Constitutional Council; however, the information was not open to the public. The Court of Accounts, the

Central Inspection Department, and the Disciplinary Board were charged with fighting corruption.

There are no laws regarding public access to government documents, and the government did not respond to requests for documents.

4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of local and international human rights groups, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, the National Association for the Rights of the Disabled, the ICRC, and AI, generally operated freely without overt government restriction and investigated and published their findings.

Government officials generally were cooperative with NGOs; however, following the 2007 Nahr al-Barid conflict, the government obstructed the visit of several international and domestic NGOs, including HRW, ALEF, the Palestinian Human Rights Organization (PHRO), and the Palestinian Foundation for Human Rights (Shahed), to the refugee camp to monitor the conditions of the return of IDPs. During the year the government continued to deny ALEF the right to enter the camp and allegedly threatened the organization not to push its request any further.

The government cooperated with international governmental organizations and permitted visits by UN representatives and other organizations such as the ICRC. On May 27, the ICRC released its 2007 annual report on Lebanon. In February 2007, the government signed an agreement granting the ICRC access to all detainees in the country and visits began in March 2007.

In conjunction with the UN Development Programme and the UN Office of the High Commissioner for Human Rights, the Human Rights Parliamentary Committee concluded during the year the first phase of its Human Rights National Action Plan by publishing 22 of the planned 24 background papers on various human rights topics. The thrust of the endeavor was the development of a roadmap that guides the ministries to amend the law where necessary and implement measures, such as improving prison conditions, needed to protect and ensure specific human rights.

5. Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for equality among all citizens; however, in practice, some aspects of the law and traditional beliefs discriminated against women. Although the law reserves a percentage of private sector and government jobs to persons with disabilities, few accommodations were made for them. Discrimination based on race, language, or social status is illegal; however, foreign domestic servants often were mistreated, sometimes suffered physical abuse, had pay withheld or unfairly reduced, or were forced to remain locked within their employer's home for the duration of their contracts.

Women

The law prohibits rape and the government effectively enforced it. The minimum prison sentence for a person convicted of rape is five years, or seven years for raping a minor. Spousal rape was not criminalized. According to local NGO KAFA (Enough) Violence and Exploitation, 80 percent of domestic violence victims were exposed to spousal rape. Even though there were no official statistics on the number of abusers that were prosecuted, prosecution was rare according to KAFA.

The law does not specifically prohibit domestic violence, which, including spousal abuse, was a problem; however, there were no authoritative statistics on its extent. Despite a law prohibiting battery with a maximum sentence of three years in prison for those convicted, some religious courts legally may require a battered wife to return to her

home in spite of physical abuse. Women were sometimes compelled to remain in abusive marriages because of economic, social, and family pressures.

The government provided legal assistance to domestic violence victims who could not afford it; however, in most cases police ignored complaints submitted by battered or abused women. A local NGO, the Lebanese Council to Resist Violence against Women (LCRVAW), worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence. From January to August, the LCRVAW received 51 cases, excluding consultations it received on its hot line. From January to October, KAFA received 133 cases.

Foreign domestic servants, usually women, often were mistreated, abused, and in some cases raped or placed in slavery-like conditions. Asian and African female workers had no practical legal recourse available to them because of their low status and isolation and because labor laws did not protect them. Because of the prevalence of such abuse, the government prohibited foreign women from working if they were from countries that did not have diplomatic representation in the country.

The legal system was discriminatory in its handling of honor crimes. According to the penal code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates that he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. For example, while the penal code stipulates that murder is punishable by either a life sentence or the death penalty, if a defendant can prove it was an honor crime, the sentence is commuted to seven years' imprisonment at most. According to a March 7 Agence France Presse article, although honor crimes were not widespread in the country, every year a number of women were killed by male relatives under the pretext of defending family honor. Several honor crimes that resulted in convictions were reported in the media.

Although the law on prostitution requires that brothels be licensed, including regular testing for disease, government policy was not to issue new licenses for brothels in an attempt gradually to eliminate legal prostitution in the country. Therefore, most prostitution was unlicensed and illegal. Some prostitutes were Eastern European and Russian women that entered the country for sexual exploitation. Women working in adult clubs were closely monitored by the SG. Their residency permits did not exceed six months, and they were deported if they were caught overstaying their permits. Most of the women entered the country knowing that they would be working in adult clubs.

The law prohibits sexual harassment; however, it was a widespread problem, and the law was not effectively enforced. Social pressure against women pursuing careers was strong in some parts of society. Men sometimes exercised considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives.

Women suffered discrimination under the law and in practice. Women may own property but often ceded control of it to male relatives for cultural reasons and because of family pressure. The law provides for equal pay for equal work for men and women, but in the private sector there was some discrimination regarding the provision of benefits.

Many family and personal status laws discriminated against women. For example, Sunni inheritance law provides a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands. Immigration law discriminates against women, who may not confer citizenship on their spouses and children, except for widows, who may confer citizenship on their minor children.

Children

There is legislation to make the country compliant with the UN Convention on the Rights of the Child, to which it has acceded. In order to follow up on the country's commitment to children's rights, the government established in 1994 the Higher Council for Childhood

(HCC) under the Ministry of Social Affairs. At year's end the HCC was working on a National Children Action Plan in conjunction with the appropriate parliamentary committees.

The government did not register the births of children born in the country to Palestinian refugees or non-ID Palestinian parents, resulting in the denial of citizenship and restricted access to public services, including school and health care. In addition children of Lebanese mothers and Palestinian fathers were not granted citizenship. Palestinian refugee and non-ID children were restricted from attending public secondary schools because they lacked the identity documents required to sit for the intermediate schooling exam. However, according to the Secretary General of the HCC, although Palestinian refugee births were not officially registered, the SG had birth figures adding that some Palestinian refugees did attend public schools.

Other refugees that were in a similar situation to Palestinians included Iraqi, Sudanese, and Somali refugees.

According to an October 15 report by the Integrated Regional Information Networks (IRIN), children born in the country of migrant domestic workers had no official identity. For Sri Lankans, Filipinos, and West Africans, the law allows for a child who is already registered in a Lebanese school to have residency. Many children of domestic workers faced marginalization and racism because of their parents' social status; however, according to the NGO Caritas, marginalization and racism were not perceived to exist in schools. No accurate statistics on the number of children of domestic workers born in the country existed at year's end, although according to a Caritas estimate conducted in September, there were approximately 150 children of domestic workers born in the country.

In some families with limited incomes, boys received more education than girls.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons, and it remained a problem.

The country was a destination for eastern European, Russian, and Syrian women who were contracted as dancers in adult clubs and sexually exploited. Most of these women engaged in voluntary illegal prostitution, but some reported facing intimidation or coercion and having their movements restricted, while others were at risk as targets of abuse.

The country also was a destination for women from Africa and Asia, usually contracted as household workers. Some of these workers found themselves in situations of involuntary servitude under conditions such as restrictions on movement, withholding of passports, nonpayment of wages, threats, and physical or sexual assault with little practical legal recourse.

A high percentage of traffickers were employers and employment agencies.

Many women became illegal workers because their employers did not renew their work and residency permits or because they ran away from their employer. These women were subject to detention, rendering them vulnerable to trafficking when abusive sponsors used the women's illegal immigration status to intimidate them and coerce them into labor. Unscrupulous employers sometimes falsely accused the employee of theft to relinquish contractual responsibility for the employee as well as the taxes and a return airline ticket.

Employers often restricted foreign employees' movement and withheld passports.

The penal code stipulates that abduction be punished by hard labor and that abductors who engage in sexual exploitation be sentenced to at least one year in prison. According

to the MOJ, there were no prosecutions or convictions during the year. NGOs and foreign embassies reported that many victims of exploitation and abuse preferred quick administrative proceedings, which resulted in monetary settlements and repatriations, instead of often lengthy and difficult legal proceedings. Court cases were often dropped before prosecution was completed. In March/April, SG investigators received training on investigative techniques. A small number of exploited foreign workers won cases against their employers, but nonjudicial action resolved the majority of these cases. As a result workers frequently were repatriated without further judicial action. A few cases were referred to the judiciary for further action, although the government took minimal steps to prosecute traffickers.

The SG, which falls under the MOI, the MOJ, and the Ministry of Labor (MOL), are all responsible for combating trafficking in the country. The MOL regulates local employment agencies that place migrant workers with sponsors. During the year the MOL closed two employment agencies for a specified period and warned a number of others for noncompliance with MOL regulations.

The government did not provide trafficking victims with relief from deportation, with shelter, or with legal, medical, or psychological services; however, the SG worked with Caritas Lebanon to provide some of these functions. The SG allowed Caritas social workers unrestricted access to its retention center for foreign persons where they provided detainees with counseling, assistance, and legal protection. The SG also continued to refer potential victims to Caritas. The SG sometimes granted victims permission to stay up to two months to assist in the investigation of their cases and the prosecution of their abusers. Once victims were identified as such, they were transferred to a safe house and Caritas was allowed to assist them.

The SG allows migrant workers who do not wish to be repatriated to their home country to legally change their sponsor with a "release paper" from the original employer. A court may order an abusive employer to provide such a release paper as part of a decision, or this may be part of a negotiated out-of-court settlement.

Two types of booklets explaining regulations governing migrant workers, including descriptions of their rights and responsibilities, were available upon request, or distributed as needed.

See also the State Department's [2008 Trafficking in Persons Report](#).

Persons with Disabilities

Although prohibited by law, discrimination against persons with disabilities continued. The Civil Service Board, which is in charge of recruiting government employees, continued to refuse applications from persons with disabilities. The law mandates access to buildings by disabled persons; however, the government failed to amend building codes. Approximately 100,000 persons were disabled during the 1975-90 civil war. Families generally cared for their own family members with disabilities. Most efforts to assist persons with disabilities were made by approximately 100 relatively active but poorly funded private organizations.

Many persons with mental disabilities were cared for in private institutions, several of which were subsidized by the government.

The law stipulates that at least 3 percent of all government and private sector positions be filled by persons with disabilities, provided that such persons fulfill the qualifications for the position. However, there was no evidence that the law was enforced in practice.

The Ministry of Social Affairs and the National Council of Disabled are responsible for protecting the rights of persons with disabilities. According to the president of the Arab Organization of Disabled People, little progress has been made since the law was passed, and progress was further hindered by the 18-month political deadlock.

National/Racial/Ethnic Minorities

There were reports that Syrian workers, usually employed in manual labor occupations, continued to suffer discrimination following the 2005 withdrawal of Syrian forces. Many Syrian laborers also reportedly left Lebanon out of fear of harassment. No further data was collected on this situation during the year, and the true extent of the problem was unknown.

Other Societal Abuses and Discrimination

Discrimination against homosexuals persisted during the year. The law prohibits what is termed unnatural sexual intercourse, which is punishable by up to one year in prison. The law was sometimes applied to homosexuals.

There are no discriminatory laws against persons with HIV/AIDS.

6. Worker Rights

a. The Right of Association

The law provides that all workers, except government employees, may establish and join unions with government approval, and workers exercised this right in practice. The MOL must approve formation of any union. The MOL controlled all trade union elections, including election dates, procedures, and ratification of results. The law permitted the administrative dissolution of trade unions and forbade them to engage in political activity.

The GLC estimated that there were approximately 900,000 workers in the active labor force. Approximately 5 to 7 percent of workers were members of some 450 to 500 labor unions and associations, half of which were believed to be inactive.

The law provides that unions conduct activities free from interference; however, the MOL at times interfered in union elections and registered unions not considered representative. Unions also have the right to demonstrate; however, advanced notice and approval by the MOI are required.

Most unions belonged to federations.

There were 47 federations that were voting members of the GCL, five of which were considered illegal by the judiciary in 2007. Many others were reportedly unrepresentative and created by political interest groups to offset the votes of the 13 established labor confederations that represent workers. The GCL remained the only organization recognized by the government as an interlocutor that represented workers. However, approximately 13 federations no longer participated in GCL meetings and created the so-called salvation committee of the GCL, but they have not declared an official breakaway.

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participated actively in trade unions. Palestinian refugees are legally barred from entering certain unionized professions such as engineering, law, and medicine.

b. The Right to Organize and Bargain Collectively

The right of workers to organize and to bargain collectively exists in law and practice, and the government supported this right. Most worker groups engaged in some form of collective bargaining with their employers. No government mechanisms promoted voluntary labor-management negotiations. The law protected workers against antiunion discrimination, although common practice among private employers suggested otherwise.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law does not specifically prohibit forced or compulsory labor, including by children; however, articles within the law prohibit behavior that constitutes forced or compulsory labor. Nevertheless, children, foreign domestic workers, and other foreign workers sometimes were forced to remain in situations amounting to coerced or bonded labor. Women from Asia, Africa, Eastern Europe, and Russia were trafficked and forced to provide sexual or domestic services.

Recruitment agencies and employers were required to have signed employment contracts with the foreign worker. According to NGOs assisting migrant workers, however, these agreements were often undermined by second contracts signed in the source countries that stipulated lower salaries. Employers and agencies used these changes to pay the migrant a lower salary. Anecdotal evidence suggested that some employers did not pay their workers on a regular basis and some withheld the salary for the duration of the contract, which was usually two years.

Government regulations also prohibited employment agencies from withholding foreign workers' passports for any reason. However, in practice employment agencies and household employers often withheld maids' passports.

d. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace, but the government sometimes did not effectively enforce these laws. According to 2005 UNICEF statistics, 7 percent of children ages five to 14 were involved in child labor. The International Labor Organization estimated there to be 100,000 child workers during the year. Out of these, 25,000 were thought to be in the tobacco industry, and a large percentage worked in informal sectors of the economy, including construction, agriculture, and fisheries. Street children worked selling goods, polishing shoes, and washing car windows. Children also were engaged in various forms of child labor, including commercial sexual exploitation and working under hazardous conditions in several sectors, such as metal works, construction, automobile repair, welding, and seasonal agriculture.

The minimum age for child employment is 14 years. The law prohibits the employment of juveniles, defined as children between 14 and 18 years of age, before they undergo a medical exam to ensure their fitness for the job for which they are hired. The labor code prohibits employment of juveniles under the age of 18 for more than six hours per day and requires one hour of rest if work is more than four hours. Juveniles under the age of 17 are prohibited from working in jobs that jeopardize their health, safety, or morals, as well as working between the hours of 7:00 p.m. and 7:00 a.m. The law also prohibits the employment of juveniles under 16 in industrial jobs or jobs that are physically demanding or harmful to their health.

During the year there were reports of children trafficked within the country for the purpose of commercial sexual exploitation and labor in the metal works, construction, and agriculture sectors. Street children were particularly vulnerable. There were no official statistics on children being used for drug trafficking during the year.

The MOL's enforcement of these requirements slightly improved, as it worked to train its inspectors and recruit new ones. The MOL also worked to amend the law to include a list of the most hazardous forms of child labor. The Higher Council of Childhood provided education to families and children to help prevent child abuse.

e. Acceptable Conditions of Work

On September 9, the government approved an increase in the legal minimum wage from

300,000 pounds (\$200) to 500,000 pounds (\$330) per month, the first increase since 1996; however, despite the increase, it was difficult to provide a decent standard of living for a worker and family with the minimum wage.

The law prescribes a standard 48-hour workweek with a 24-hour rest period per week. In practice workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 30 hours per week. The law stipulates that 48 hours is the maximum duration of work per week in most corporations except agricultural entities. A 12-hour day is permitted under certain conditions, including a stipulation that the overtime provided is 50 percent higher than the rate of normal hours. The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The MOL was responsible for enforcing these regulations but did so unevenly. Labor organizers reported that workers did not have the right to remove themselves from hazardous conditions without jeopardizing their employment.

Some private sector firms failed to provide employees with family and transport allowances as stipulated under the law and to register them at the National Social Security Fund (NSSF). Employers sometimes registered their employees declaring lower salaries, in order to decrease their contribution to the NSSF and end-of-service pay to the employee himself. Some companies also did not respect occupational health and safety regulations stipulated by the law. Workers are permitted to complain about violations to the GCL, an umbrella organization for trade unions, the MOL and the NSSF. In most cases, however, they preferred to remain silent for fear of arbitrary dismissal.

The law does not protect foreign domestic workers. Foreign domestic workers, mostly of Asian and African origin, were mistreated, abused, raped, or placed in situations of coerced labor or slavery-like conditions. Domestic workers often worked 18 hours per day and in many cases did not receive vacations or holidays. There was no minimum wage for domestic workers. Official contracts stipulate a wage ranging from 150,000 to 450,000 pounds (\$100 to \$300) per month, depending on the nationality of the worker. Victims of trafficking or abusive labor may file civil suits or seek legal action, but most victims, often counseled by their embassies or consulates, settled for an administrative solution, which usually included monetary compensation and repatriation. The government did not release information on legal actions filed, but NGOs indicated that fewer than 10 legal actions were undertaken during the year.

On August 26, HRW reported that 95 domestic workers had committed suicide or fallen from tall buildings since January 2007 in efforts to escape forced confinement, excessive work demands, employer abuse, and financial pressures. The SG, Caritas, and employment agencies responded that HRW published an exaggerated number.

During the year the MOL closed two employment agencies for violations of workers' rights, including physical abuse. Perpetrators of the abuses, however, were not further prosecuted for a number of reasons, including the victims' refusal to press charges or a lack of evidence. An unknown number of other cases of nonpayment of wages were settled through negotiation. According to source country embassies and consulates, many workers did not report violations of their labor contracts until after returning to their home countries.

An employer accused of attempted murder was arrested in Beirut in September 2007 but released after a week. He was arrested again two days later when the district judge issued an arrest warrant. He was released again when the victim withdrew her complaint after the offender paid her 9,756,500 pounds (\$6,500) in compensation for damages. In another case two Nigerian male migrant workers were the victims of fraud. The trafficker who brought them in was arrested in June 2007, and the Nigerian men were given the chance to stay in the country pursuant to an exceptional decision made by the SG. In 2006 a judge awarded an Ethiopian migrant worker financial compensation to be paid by her abusive employer, which marked the first time a domestic worker was awarded compensation for physical abuse. The employer, however, was not criminally prosecuted for physical assault.

