

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	541
Land:	Libanon
Kilde:	Australian Government
Titel:	Department of Foreign Affairs and Trade. Country Information Report Lebanon
Udgivet:	23. oktober 2017
Optaget på baggrundsmaterialet:	29. januar 2018



Australian Government

Department of Foreign Affairs and Trade



DFAT COUNTRY INFORMATION REPORT LEBANON

23 October 2017

CONTENTS

ACRONYMS	3
1. PURPOSE AND SCOPE	4
2. BACKGROUND INFORMATION	5
Recent History	5
Demography	5
Economic Overview	6
Political System	8
Human Rights Framework	9
Security Situation	9
3. REFUGEE CONVENTION CLAIMS	11
Race/Nationality	11
Religion	13
Political Opinion (Actual or imputed)	16
Groups of Interest	18
4. COMPLEMENTARY PROTECTION CLAIMS	22
Arbitrary Deprivation of Life	22
Death Penalty	23
Torture	23
Cruel, Inhuman or Degrading Treatment or Punishment	24
5. OTHER CONSIDERATIONS	25
State Protection	25
Internal Relocation	27
Treatment of Returnees	27
Documentation	28
Prevalence of Fraud	30

ACRONYMS

ISIL	Islamic State in Iraq and the Levant, also known as Daesh
ISF	Internal Security Forces
LAF	Lebanese Armed Forces
NPTP	National Poverty Targeting Programme
PLO	Palestine Liberation Organisation
PRL	Palestinians in Lebanon
PRS	Palestinians from Syria
UNHCR	United Nations Refugee Agency
UNRWA	United Nations Relief and Works Agency for Palestinian Refugees in the Near East
<i>wasta</i>	connections with powerful people

1. PURPOSE AND SCOPE

- 1.1 This Country Information Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgement and assessment at time of writing and is distinct from Australian government policy with respect to Lebanon.
- 1.2 The report provides a general, rather than an exhaustive country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.
- 1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the *Migration Act 1958* states that:
- Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.
- 1.4 This report is informed by DFAT's on-the-ground knowledge and discussions with a range of sources in Lebanon. It takes into account relevant and credible open source reports, including those produced by American University of Beirut, Amnesty International, Committee to Protect Journalists, Government of Lebanon, Human Rights Council, Human Rights Watch, Transparency International, United Nations Development Programme, United Nations Office for the Coordination of Humanitarian Affairs, United Nations Relief and Works Agency for Palestinian Refugees in the Near East, US State Department and the World Bank. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.
- 1.5 This updated Country Information Report replaces the previous DFAT report released on Lebanon published on 18 December 2015.

2. BACKGROUND INFORMATION

RECENT HISTORY

2.1 Lebanon declared independence from France in 1943. The last French forces withdrew in 1946 leaving behind a sectarian political system intended to preserve a balance of power between Lebanon's major religious groups.

2.2 In 1975, increasing sectarian strife escalated into a civil war, exacerbated by the presence of the heavily armed Palestine Liberation Organization (PLO). While factional alliances changed during the course of the conflict, it was not at that time a predominantly Sunni – Shi'a conflict. In 1976, ostensibly in response to the conflict, Syrian troops occupied large parts of Lebanon. From 1982 onwards, Israeli troops occupied other parts of the country, particularly in the south, in an effort to curb cross-border attacks conducted by the PLO.

2.3 The Taef Accord negotiated by the Arab League in 1989 set out a timetable for the withdrawal of Syrian and Israeli troops from Lebanon, as well as a power sharing arrangement between Muslim and Christian groups. This effectively led to the conclusion of the civil war in 1990. Israel withdrew troops from southern Lebanon in 2000 (although Lebanon claims that Israel still occupies some disputed territory along the border). Israel again invaded southern Lebanon in 2006 in response to the kidnapping of members of the Israel Defense Forces by Hizballah but withdrew shortly thereafter.

2.4 Many Lebanese and international observers, including the Prosecutor of the United Nations' Special Tribunal for Lebanon, blamed the 2005 assassination of a popular former Prime Minister, Rafik Hariri, on Syria and Hizballah. His assassination led to a popular revolution known as the Cedar Revolution against Syria's occupation of Lebanon and prompted the withdrawal of Syrian troops later in 2005.

2.5 Despite Syria's withdrawal from Lebanon in 2005, elements of Syrian influence remain in Lebanon, although this has decreased due to Syria's internal instability. Attitudes towards Syria have been a key fault line in Lebanon's domestic political stability since 2005, with Shi'a groups tending to support Syria's involvement in Lebanon and Sunni groups tending to oppose it. Hizballah's active support for the Assad regime has exacerbated existing sectarian divides between Lebanon's Shi'a and Sunnis.

2.6 Since 2011, the conflict in Syria has increasingly affected Lebanon, including through the presence of Lebanese nationals in Syria fighting on opposing sides and the significant influx of displaced Syrians into Lebanon. The activities in Lebanon of predominantly Sunni-linked extremist groups such as ISIL (Islamic State in Iraq and the Levant) and Jabhat Fatah al-Sham (formerly Jabhat al-Nusra) have added another layer of complexity to instability within Lebanon.

DEMOGRAPHY

2.7 The population of Lebanon is approximately 4.6 million, excluding displaced populations residing in Lebanon, although the last official census was in 1932. The population is largely urban (87.8 per cent of the

total population), concentrated in Beirut, Tripoli, Sidon and Tyre. Lebanon's official language is Arabic, with English, French and, to a lesser extent, Armenian also spoken.

2.8 Given the country's confessional power-sharing system is ostensibly based on proportional representation by religious affiliation, some Lebanese have opposed conducting a further census. There are therefore no current, official statistics available on Lebanon's religious makeup and unofficial estimates vary greatly. The Central Intelligence Agency estimates that 54 per cent of the population is Muslim, comprising 27 per cent Sunni and 27 per cent Shi'a. An estimated 40.5 per cent of the population is Christian, comprising 21 per cent Maronite Christian, 8 per cent Greek Orthodox, 5 per cent Greek Catholic and 6.5 per cent other Christian denominations. (Significant numbers of Christians have emigrated in recent years, so the Christian population may be decreasing). An estimated 5.6 per cent of the population is Druze. There are also small numbers of Jews, Baha'i and Hindus.

2.9 Despite some segregation during the civil war in the mid-1970s to late-1980s, Lebanon's population remains dispersed. However, religious groups are concentrated in certain areas. In broad terms:

- North governorate is majority Sunni with a substantial Christian population in the south and east. There are smaller populations of Alawites in Tripoli and Akkar Province and Shi'a in the north-east, contiguous with the northern part of Beka'a governorate.
- Beka'a governorate is approximately half Shi'a, although a substantial Christian population lives in the capital, Zahle. Smaller populations of Sunnis live in the north-east and Druze in the south.
- Beirut governorate has substantial Christian, Sunni and Shi'a populations with both sectarian enclaves and mixed suburbs, as well as smaller populations of other religious groups.
- South governorate is majority Shi'a but has a mixed population including Sunnis, Christians and Druze.
- Nabatiye governorate is majority Shi'a but has a mixed population, including Sunnis, Christians and Druze.

2.10 Some 450,000 displaced Palestinians have registered with the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) in Lebanon, although only an estimated 280,000 currently reside in Lebanon. Approximately 31,500 displaced Palestinians from Syria are also currently in Lebanon.

2.11 Conflict in Syria has resulted in significant numbers of Syrians seeking refuge in Lebanon. Lebanon now has the highest proportion of displaced people of any country in the world. As at 27 April 2017, the United Nations Refugee Agency (UNHCR) had registered approximately 1.01 million Syrians in Lebanon, although the total estimated number of displaced Syrians in Lebanon is closer to 1.5 million.

ECONOMIC OVERVIEW

2.12 Lebanon's economy enjoyed strong GDP growth between 2007 and 2010, averaging 8.5 per cent per annum. After 2010, domestic political instability, the escalating conflict in neighbouring Syria (and the significant influx of displaced Syrians into Lebanon) and the global downturn led to a sharp slow-down in GDP growth. The World Bank estimates that GDP growth was 1.3 per cent in 2015. In-country contacts suggest that Lebanon is currently experiencing a period of sustained low growth. Traditionally strong sectors such as real estate and construction have contracted, while other secondary sectors such as agricultural exports have been constrained. Remittances, which have traditionally buoyed the Lebanese economy, have also decreased in recent years, although were expected to stabilise in 2016.

2.13 Inflation averaged 2.08 per cent from 2008 until 2017, reaching an all-time high of 11.1 per cent in October 2012 and an all-time low of -4.67 per cent in September 2015. Inflation has since risen to

4.4 per cent. Government debt levels remain high at 146 per cent of GDP. Corruption significantly affects Lebanon's economic performance – Lebanon ranked 136th out of 175 countries on Transparency International's Corruption Perceptions Index in 2016.

2.14 The World Bank classifies Lebanon as an 'Upper Middle Income Country' with an average per capita gross national income of USD7,930, which is a slight reduction compared to recent years. Recent and reliable data on the proportion of the population living in poverty is unavailable. Available data from 2008 and 2011 published by the National Poverty Targeting Programme (NPTP) indicated around 28 per cent of the Lebanese population was poor, living below USD3.84 per capita per day. NPTP categorised around 10 per cent of Lebanese households as extremely poor. According to NPTP, the incidence of poverty has increased since 2011. Poverty is concentrated in Beka'a and North governorates. Displaced Syrians and Palestinians face higher levels of poverty. Seventy per cent of Syrians live below the poverty line and 65 per cent of displaced Palestinians live below the poverty line. Displaced Syrians from Palestine face particularly high rates of poverty, with an estimated 90 per cent living below the poverty line.

2.15 Overall, DFAT considers that limited economic opportunity, exacerbated by the influx of displaced Syrians, is a push factor for external migration.

Health

2.16 Lebanon ranked 76th out of 187 countries on the United Nations Development Programme's 2016 Human Development Index. Average life expectancy at birth is 79.5 years, 8.7 years above the regional average for Arab states. Infant, under-five and maternal mortality ratios remain well below the regional average for Arab states.

2.17 Health facilities in Lebanon have historically been considered adequate although they are currently under strain. Many people rely on private healthcare, but a substantial proportion of the population remains uninsured. Public healthcare facilities are of poor quality compared to private healthcare facilities, which are concentrated in urban areas. Healthcare facilities in Akkar and Beka'a governorates have been traditionally under-served and are in need of institutional support. The influx of displaced Syrians has increased competition for healthcare, affecting both displaced Syrians and lower-income Lebanese.

Education

2.18 Children in Lebanon receive an average of 8.6 years of schooling, compared to the regional average for the Arab States of 6.8 years. Lebanon's literacy rate is 93.9 per cent, 13 percentage points above the regional average for the Arab States.

2.19 Many people have traditionally relied on the private education system – particularly secondary education. Prior to the influx of displaced Syrians, 70 per cent of schoolchildren were enrolled in the private system. Fifty thousand Lebanese children of primary school age remain out of school. The influx of displaced Syrians has placed significant pressure on existing education facilities, affecting both Syrians and lower-income Lebanese.

Employment

2.20 Estimates of unemployment have nearly doubled to 20 per cent since 2011. Conflict in neighbouring Syria is likely to continue to have an adverse effect on employment within Lebanon, particularly in areas with high concentrations of Syrians, by expanding the pool of available labour and decreasing wages. Syrians are

reportedly willing to work for lower wages, reducing opportunities for Lebanese workers. However, displaced Syrians are primarily engaged in low-skilled roles traditionally filled by non-Lebanese citizens.

2.21 All sects in Lebanon rely to some extent on *wasta* or connections with powerful people to gain benefits in employment. Given Lebanon's sectarian nature, this often leads to nepotism.

POLITICAL SYSTEM

2.22 Lebanon is a democratic parliamentary republic with a confessional structure that allocates key positions within the executive and legislature to the country's major religious groups. By convention, the President is a Maronite Christian, the Prime Minister is Sunni and the Speaker is Shi'a.

2.23 According to the Constitution, Parliament elects the President every six years. The President, in consultation with the Parliament, appoints the Prime Minister and the Deputy Prime Minister. The unicameral Parliament has 128 members – half allocated to Christian representatives and half to Muslim representatives, with further breakdowns along sectarian lines. Under current legislation, parliamentary elections are scheduled every four years.

2.24 Political parties in Lebanon divide largely along sectarian lines. Since the 2005 withdrawal of Syrian forces, political blocs in Lebanon (referred to as the 'March 8 Coalition' and 'March 14 Coalition') have been distinguished by their attitude towards Syria (see 2.5). The March 8 Coalition is named after a 2005 rally on 8 March in support of the Syrian presence in Lebanon. Key members of the March 8 Coalition include Hizballah (Shi'a) and the Free Patriotic Movement (Maronite Christian). The March 14 Coalition is named after a 14 March 2005 rally protesting the Syrian presence in Lebanon. Key members include the Future Movement (Sunni), the Kataeb Party (Maronite Christian) and the Lebanese Forces (Maronite Christian). The Progressive Socialist Party (Druze) was formerly aligned with the March 14 Coalition but is now unaligned.

2.25 Parliament was due to elect a new President in April 2014 but no candidate reached the required two-thirds majority and subsequent rounds failed to gain a quorum. This led to a virtual paralysis in decision-making by Parliament until October 2016, when Michel Aoun of the March 8 Coalition was elected President as part of a deal that also led to Saad Hariri of the March 14 Coalition being endorsed as Prime Minister in early November 2016.

2.26 The last parliamentary elections were held in 2009 and further elections were due to be held in 2013. However, given the inability of major parties to agree on new electoral legislation and concerns regarding the ongoing conflict in Syria, Parliament extended its term until 2017. In June 2017, Parliament agreed on new electoral legislation and extended its term for a third time until May 2018 in order to allow sufficient time for electoral preparations.

2.27 The new electoral legislation adopts a proportional representation model that divides the country into 15 electoral districts. Successful candidates will need to achieve a certain percentage of votes calculated by dividing the number of voters by the number of seats in a given district. In practice, the new electoral system tailors specific areas to suit particular political parties and entrenches sectarian divides – such as through breaking Beirut into two districts, one predominantly Christian and one predominantly Muslim (thereby sidelining Muslim voters in predominantly Christian areas and vice versa). Local commentators suggest that the reforms are unlikely to change the overall balance of power. The new legislation omitted some foreshadowed significant reforms, including a quota for female representation and a change in voting age from 21 to 18.

2.28 Municipal elections were held across Lebanon throughout May 2016 in four separate stages. Municipal elections are held every six years by direct universal suffrage in what is effectively a winner-takes-

all contest between rival tickets. All stages proceeded without major security incidents. Reported violations mainly related to vote buying.

HUMAN RIGHTS FRAMEWORK

2.29 Lebanon's 1929 Constitution enshrines many fundamental rights including to liberty, freedom of religious affiliation and practice, freedom of the press, speech, assembly and association, and suffrage (although women are required to show proof of primary education to enrol). DFAT assesses that the 1929 Constitution provides a broad framework within which key rights are generally respected.

2.30 Lebanon is party to many international human rights conventions, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, along with other conventions relating to labour rights and freedom from discrimination. Lebanon has not signed the Convention on the Status of Refugees.

National Human Rights Institution

2.31 In a sign of Lebanon's maturing commitment to human rights, the parliamentary Human Rights Committee launched a National Human Rights Action Plan in December 2012. The National Human Rights Action Plan called for the establishment of a National Human Rights Institution to monitor and enforce the protection of human rights.

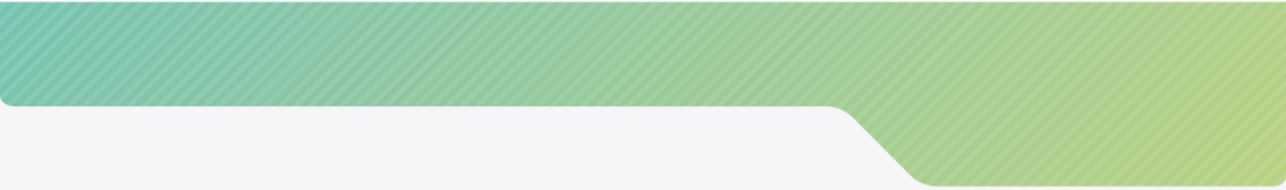
2.32 The US State Department's Country Report on Human Rights Practices for 2016 notes that the parliamentary Human Rights Committee has struggled to advance its legislative proposals. Draft legislation to establish the National Human Rights Institution is yet to be considered due to Parliament's paralysis from April 2014 to October 2016.

SECURITY SITUATION

2.33 Since the conclusion of the civil war from the mid-1970s to late-1980s, violence between non-state actors has continued sporadically. Many non-state actors have their roots in political and paramilitary groups established during the civil war. The majority of non-state actors, with the exception of Hizballah, disarmed as agreed in the 1989 Taef Accord, although weapons remain prevalent and non-state actors retain the ability to re-arm quickly. Hizballah is the most prominent non-state actor and has a rising military strength believed to exceed that of the Lebanese Armed Forces, particularly in the south of Lebanon. The Australian government has listed Hizballah's External Security Organisation as a terrorist organisation.

2.34 Since late 2013, incidents of violence influenced by longstanding sectarian tensions have decreased, ostensibly in response to successful interventions by authorities and cooperation between traditionally opposing actors (including Hizballah, which has played a role in safeguarding some areas of Lebanon). Security plans implemented in a number of areas by the Lebanese Armed Forces and dialogue between the Sunni-dominated Future Movement and the Shi'a Hizballah have contributed to a more stable security situation in many areas.

2.35 Despite this, the conflict in neighbouring Syria continues to challenge Lebanon's stability. ISIL has a presence in Lebanon, and is intent on perpetrating violence and agitating pre-existing sectarian tensions within Lebanon. Although areas in Syria under ISIL control are diminishing, sporadic attacks by ISIL continue to occur in areas that border Syria. ISIL maintains a presence in and around Aarsal and the mountainous



region of Baalbek, although at the time of publication, military operations against ISIL were continuing. In-country contacts suggest that the Lebanese Armed Forces and Hizballah have been successful in subduing ISIL's further attempts to carry out attacks in Lebanon. Hizballah has also successfully expelled militants from Jabhat Fatah al-Sham from an area near the border.

2.36 Tensions between Israel and Hizballah have remained high since the 2006 war. Skirmishes on the Lebanon – Israel border (where Hizballah maintains control on the Lebanese side) occur sporadically, including frequent cross border artillery fire, albeit generally into unpopulated areas. While this occasionally flares up due to broader Israeli – Hizballah tensions, it predominantly occurs in an effort to maintain the status quo and to reinforce Israel and Hizballah's claims to disputed territory along the Lebanon – Israel border.

2.37 Overall, DFAT assesses that the security situation in Lebanon remains largely stable, but unpredictable. Instability is greatest in areas where ISIL and Jabhat Fatah al-Sham are located, particularly around the north-eastern border, although local authorities largely contain these groups.

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 Up to 95 per cent of Lebanon's population is Arab, although some Christians self-identify as Phoenician. Approximately four per cent of the population are Armenian. DFAT is not aware of any reports of systematic discrimination or violence perpetrated against these groups based on their race or ethnicity.

3.2 Other nationalities present in Lebanon such as displaced Syrians and Palestinians face discrimination and occasional violence, as detailed below and in DFAT's Thematic Report on Conditions in Syria, published on 23 October 2017. Lebanon is also home to a community of displaced Iraqis, although little information is available as to their welfare.

Palestinians

3.3 UNRWA defines a Palestinian refugee as a Palestinian whose normal residence was Palestine during the period 1 June 1946 to 15 May 1948. Some 450,000 Palestinian refugees are registered with UNRWA in Lebanon, of whom an estimated 280,000 currently reside in Lebanon. Not all Palestinians who entered Lebanon registered with UNRWA; an estimated 40,000 Palestinians registered with the Lebanese government. Several thousand 'non-ID' Palestinians are registered with neither UNRWA nor the government. The Lebanese government estimates 31,502 displaced Palestinians from Syria are also currently in Lebanon. PRL is commonly used to refer to Palestinians in Lebanon, while PRS is used to refer to Palestinians from Syria. More detailed information on the situation for displaced Palestinian refugees from Syria is available in DFAT's Thematic Report on Conditions in Syria, published on 23 October 2017.

3.4 PRL are considered 'foreigners' and do not, therefore, enjoy the same basic rights as citizens of Lebanon. PRL remain excluded from many aspects of social, political and economic life in Lebanon and face a number of specific discriminatory barriers, including restrictive property ownership rights (from 2001 onwards, Palestinians have been unable to purchase or inherit property, unless owned and registered prior to 2001) and employment measures that prohibit PRL from working in particular professions. PRL often rely on UNRWA as their main source of assistance – UNRWA provides primary, secondary and vocational education, healthcare, relief and social services, infrastructure improvements, protection and emergency response. PRL registered with UNRWA can obtain travel documents issued in Lebanon (see [Travel documents for Palestinians in Lebanon](#)).

3.5 Sixty-three per cent of PRL live in 12 well-established camps: Beddawi, Burj Barajneh, Burj Shemali, Dbayeh, Ein al-Hilweh, al-Buss, Mar Elias, Mieh, Nahr al-Bared, Rashidieh, Shatila, and Wavel. These camps are characterised by acute overcrowding and high levels of poverty, exacerbated by the influx of PRS into Lebanon. Southern Lebanon accommodates the largest proportion of PRL – 52 per cent reside in Saida and Tyre – whereas the smallest proportion (four per cent) reside in the Beqa'a Valley.

3.6 Lebanese law is in practice not generally implemented in the camps, which have an informal legal system enforced by 'Popular Committees' and 'Security Committees'. Popular Committees consist of

representatives of each faction present in the camp. Due to the rivalry between the PLO, the umbrella organisation for most Palestinian factions, and Hamas, some camps have two Popular Committees. The Popular Committees act to create and enforce the informal system in each camp and cooperate with UNRWA in administering and servicing the camp. They are not democratic—members represent their factions and their factions' interests. Popular Committees often resolve problems that arise between individuals belonging to different factions. Popular Committees are also the primary contact point for the Lebanese government. Security Committees are an extension of the Popular Committees and enforce peaceful relations in the camps. Armed faction members will generally patrol specific areas in a camp controlled by that faction.

3.7 Camps viewed as security threats by the Lebanese government, such as Ein al-Hilweh, have fences surrounding them and strict entry and exit controls enforced by the Lebanese authorities (these camps often host Palestinian and non-Palestinian fugitives wanted by the Lebanese security forces, necessitating security measures). Camps in Beirut are more integrated into the surrounding suburbs, although Lebanese authorities often control movement into and out of the camps.

3.8 The American University of Beirut and UNRWA's Survey on the Socioeconomic Status of Palestinian Refugees in Lebanon 2015 found that an estimated 65 per cent of PRL live in poverty. Rates of extreme poverty amongst PRL have improved since 2010, but the overall poverty rate has remained relatively static. An estimated 23.3 per cent of PRL are unemployed, a significant increase from the 2010 rate of 8 per cent.

3.9 School enrolment rates amongst PRL are relatively high, particularly at the elementary level with 97.2 per cent of primary school-aged PRL children enrolled. Enrolment rates at the secondary level increased from 51.5 per cent in 2010 to 61.2 per cent in 2015. PRL can access the Lebanese University with fees equivalent to their Lebanese counterparts, although they are subject to quotas. UNRWA also offers a limited number of scholarships for academically outstanding students. Despite this, in-country contacts noted that more and more children were losing motivation to continue their education given the limited and restricted access to certain professions (see below).

3.10 Until 2005, the Interior Minister maintained a list of professions reserved for Lebanese nationals. A reform of that system in 2005 eliminated a ban on Palestinians holding most clerical and technical positions. However, a number of professions such as medicine, law, engineering, nursing, accounting, pharmacy and teaching remain largely off limits to Palestinians. Employment in these professions requires membership in the relevant syndicate, and such memberships are usually only available to Lebanese nationals (according to the by-laws of the various syndicates). As a result, an estimated 80 per cent of Palestinians are self-employed or labourers in low-skilled and low-wage jobs.

3.11 Overall, DFAT assesses that Palestinians face a high risk of official discrimination. While legislation does not necessarily specially target Palestinians, Palestinians face a lack of access to basic rights and barriers that restrict their ability to participate equally with Lebanese (or other foreigners who are not restricted by a 'stateless' status) in social, political and economic life. Palestinians face a similar risk of societal discrimination as others within Lebanon, a country that is highly sectarian.

Iraqis

3.12 Recent developments in neighbouring Syria and Iraq have led to an influx of Iraqi refugees into Lebanon. In addition, some Iraqis who fled Iraq in 2003 remain in Lebanon. Iraqis are the third largest group of displaced people in Lebanon after Syrians and Palestinians. The precise number of Iraqi refugees currently in Lebanon remains unclear, but the US State Department's Country Report on Human Rights Practices for 2016 states that there were 18,542 as at August 2016. Limited information is available on the treatment of displaced Iraqis in Lebanon. DFAT understands that the treatment of displaced Iraqis mirrors that of displaced Syrians (see DFAT's Thematic Report on Conditions in Syria, published on 23 October 2017).

RELIGION

3.13 For mainstream religious and social groups in Lebanon, the political and legal system is generally free from religious discrimination. The Lebanese Constitution guarantees freedom of religious practice and association. Lebanon's political structure (as set out in the Taef Accord) officially recognises eighteen religious sects, including four Muslim sects, 12 Christian sects, Druze and Judaism.

3.14 Lebanon's political system puts religious association at the heart of Lebanon's official practice. The confessional structure is designed to support diverse political representation, rather than to exclude certain groups in a discriminatory manner. Lebanon's confessional political system, however, under which positions are allocated to religious sects (see [Political System](#)), arguably limits rights to political representation and public sector employment.

3.15 The 18 religious communities officially recognised in Lebanon continue to be able to apply their own laws and maintain their own judicial systems to deal with matters relating to personal status, marriage, divorce and other family issues. The religious court system pertains to the main religions of Christianity and Islam. Not all of the 18 recognised denominations have courts; some resort to out-of-court settlements facilitated by religious figures.

3.16 Lebanon is a diverse country with a tradition of religious pluralism and a high degree of religious tolerance. The UN Special Rapporteur on Freedom of Religion stated in 2015 that situation between religious groups within Lebanon is largely amicable, that individuals were generally able to practise their religion freely and that there was no religious persecution. The Special Rapporteur further noted that Lebanon has successfully kept society united across religious boundaries, and built resilience in the face of religious extremism. DFAT agrees with these views.

3.17 In general, Lebanon adopts a tolerant attitude towards conversions between faiths. The Lebanese Constitution protects 'absolute freedom of conscience' and religious conversion is legal and recognised in Lebanon. Conversion has legal effect, including in documentation issued by Lebanese authorities. DFAT is not aware of any evidence that Lebanese authorities monitor or harass religious converts, though converts may experience some societal discrimination.

3.18 The UN Special Rapporteur on Freedom of Religion reported to the Human Rights Council in 2015 that inter-faith marriages between Muslims and Christians are widespread. However, in-country contacts suggest that inter-faith or inter-confessional relationships and marriages can attract significant societal and official discrimination and, in some circumstances, violence. Religious groups maintain their own judicial systems to deal with matters relating to personal status, including marriage, and in-country contacts report that inter-faith or inter-confessional couples often marry overseas, and then subsequently apply to the government to have their marriage recognised as a civil marriage.

3.19 Discrimination and violence relates more to political affiliation than religious affiliation. DFAT is aware of limited examples of individuals targeted based on their religion alone. Nonetheless, there is low-level societal discrimination against particular religious groups in some areas.

Alawites

3.20 Centred in Syria, the Alawites follow a branch of the Twelver School of Shi'a Islam, with some syncretistic elements. They represent a small minority of the Lebanese population and are concentrated almost exclusively in Tripoli and Akkar Province in the North governorate. In-country contacts report that small numbers of Alawites are also present in Beirut as well as other areas of Lebanon. Alawites living in communities where they are not the dominant religious group face the same issues as other religious or

political groups who are the minority in a particular area. Those with access to financial resources and influential contacts would face little risk of societal discrimination in such areas.

3.21 Alawites have traditionally been supportive of the Syrian regime, which has exacerbated tensions with the Sunni community — generally seen as against the Syrian regime, particularly in Tripoli where Sunni and Alawite communities live in close proximity to each other. Sectarian violence in Tripoli has historically been limited to the predominantly Alawite suburb of Jabal Mohsen and the Sunni suburb of Bab al-Tabbeneh, with the meeting point of the two — Syria Street — a recurring flashpoint. Regular rounds of sectarian violence between competing militias occurred most recently in 2013 and 2014. In April 2014, Lebanese authorities implemented a security plan in Tripoli that led to a notable reduction in the number of incidents between the Alawite and Sunni communities.

3.22 Some disaffected Sunni youth in Tripoli have turned to ISIL and Jabhat Fatah al-Sham. In January 2015, two suicide bombers linked to Jabhat Fatah al-Sham attacked a café in the predominantly Alawite suburb of Jabal Mohsen in Tripoli, killing nine people and injuring a further 35 people. Jabhat Fatah al-Sham reportedly claimed that the attack was in response to the mistreatment of Sunnis in both Lebanon and Syria. This was an isolated incident and DFAT is not aware of any other significant security incidents of violence aimed at Alawites since the implementation of the security plan in Tripoli in April 2014.

3.23 The stability of Akkar Province in the North governorate is complicated by its extensive border with Syria, which is largely defined but poorly controlled and has long been a conduit for smuggling into Syria. There are no recent, credible examples of Alawites targeted in Akkar Province based on their religious identity.

3.24 Overall, DFAT assesses that Alawites currently face a low risk of violence or discrimination. DFAT agrees with the view of in-country contacts that the situation within Tripoli and, in particular, Jabal Mohsen is susceptible to escalation at short notice.

Sunnis

3.25 Most Sunnis are concentrated in west Beirut, North governorate and South governorate. However, substantial populations of Sunnis live throughout Lebanon.

3.26 Sectarian violence within Tripoli has been led, from the Sunni side, by a range of militia groups operating in the suburb of Bab al-Tabbeneh. A terrorist attack in Tripoli in August 2013 targeted the Sunni community. Two powerful car bombs exploded outside two mosques, killing at least 42 people and injuring hundreds of people. Residents blamed Syrian authorities and Hizballah. As outlined above (see 'Alawites'), Tripoli is enjoying increased stability due to a successful April 2014 security plan implemented by the Lebanese Armed Forces (LAF). DFAT is not aware of any significant security incidents or violence aimed at Sunnis in Tripoli since the plan came into effect. Tripoli is now broadly stable, though vulnerable to outbreaks of renewed violence.

3.27 As with Akkar Province, security in the Beka'a governorate, which hosts substantial Sunni populations (including displaced Syrians), is complicated by an extensive border with Syria. Smuggling across the border is common. The production and trafficking of hashish and narcotics is also associated with the Beka'a governorate.

3.28 There are also instances of Sunnis targeted for not supporting ISIL. In October 2016, ISIL killed seven Sunni religious figures in Aarsal in the Beka'a governorate after accusing them of cooperating with the government.

3.29 DFAT assesses that Sunnis are unlikely to be targeted because of their religion alone, and attacks affecting Sunnis are often of a political nature and related to the conflict in Syria. Overall, DFAT assesses that Sunni communities close to the Syrian border face a low risk of being caught up in cross-border reprisal attacks by Syrian authorities. DFAT assesses that this risk increases to moderate if a community is sheltering anti-Syrian regime fighters. In practice, this is only likely to occur close to the border with Syria in Akkar Province in the North governorate and the Beka'a governorate. DFAT assesses that Sunnis in other areas of Lebanon currently face a low risk of violence or discrimination, but that the situation in Tripoli and Bab al-Tabbeneh is susceptible to escalation at short notice.

Shi'a

3.30 Shi'a predominantly live in southern Lebanon, Beirut's southern suburbs, and the northern half of the Beka'a governorate. However, substantial populations of Shi'a live across Lebanon. Hizballah and Amal are the primary political and social movements representing Shi'a interests. DFAT assesses that Shi'a are unlikely to be targeted because of their religion alone, and attacks affecting Shi'a have been of a political nature and related to the conflict in Syria.

3.31 In November 2015, two suicide bombers detonated explosives in Bourj el-Barajneh, a predominantly Shi'a suburb in southern Beirut. ISIL claimed responsibility for the bombings, which killed 43 and injured 239. The bombings were the worst terrorist attack since the end of the Lebanese civil war in 1990, and the first terrorist attack in the southern suburbs of Beirut since June 2014, when a car bomb detonated in a Shi'a neighbourhood, killing a security officer.

3.32 DFAT is aware of reports of Shi'a being kidnapped, particularly in the Beka'a governorate, an area associated with the production and trafficking of hashish and narcotics. These criminal operations are run by clans who are motivated by different factors, including sectarian and financial considerations.

3.33 Overall, DFAT assesses that Shi'a in southern Beirut face a moderate risk of violence, given the severity of incidents has increased.

Christian Denominations

3.34 Maronite Christians are concentrated in Mount Lebanon and in Beirut and its surrounds. Lebanon is also home to a range of other recognised Christian denominations, including Armenian Catholic, Armenian Orthodox, Assyrian Church of the East, Chaldean Catholic, Coptic, Greek Catholic, Greek Orthodox, Latin Catholic, Protestant, Syrian Catholic and Syrian Orthodox.

3.35 DFAT understands that there is a growing feeling of marginalisation in the Christian community, given the position of President (who is by convention a Christian) remained unfilled until October 2016 and the perceived threat of extremist groups such as Jabhat Fatah al-Sham and ISIL. Furthermore, Christians have complained about their lack of representation within decision-making bodies such as the Parliament. However, DFAT is unable to point to any specific examples of how this marginalisation has occurred in practice.

3.36 Overall, DFAT assesses that Christians are not generally at risk from official or societal discrimination or violence based on their religious identity alone. However, as with any other religious group this risk increases in the event that a Christian voices criticism of another religious group.

Druze

3.37 The Druze are an ethno-religious group whose faith is a monotheistic Abrahamic religion that originally derived from Ismaili Islam. Large Druze communities are concentrated around Mount Hermon, and in the area known as 'Old Chouf' at the southern end of the Mount Lebanon ranges. Druze are also concentrated in Baabda, Aley, Hasbaya and Rashaya.

3.38 DFAT assesses that Druze are not generally at risk from official or societal discrimination or violence. As with any other religious group, this risk would likely increase if a Druze was openly critical of another religious group.

Unrecognised Religious Groups

3.39 Small populations of other religious groups not recognised in the Taef Accord (see [Recent History](#)), including Buddhists, Baha'is, Mormons and Jehovah's Witnesses, live in Lebanon. Individuals are generally able to convert to these religious groups, perform religious rites and proselytise without attracting official or societal discrimination or violence.

3.40 As only the 18 recognised religious groups have allocated positions within Lebanon's political system, unrecognised religious groups are de facto excluded from political representation. However, workarounds are available and DFAT understands that some unrecognised religious groups have incorporated as non-government organisations in order to participate in some quasi-political processes. Individuals can also register to vote as one of the recognised religious groups.

3.41 Recognised religious groups within Lebanon administer personal and family status laws on behalf of their communities. Unrecognised religious groups cannot perform legally recognised marriage or divorce proceedings, nor do they have standing to determine inheritance issues. Members of unrecognised religious groups can, however, own property.

3.42 Overall, DFAT assesses that there are low levels of official and societal discrimination against members of unrecognised religious groups, exemplified by their de facto exclusion from a number of political and societal practices. DFAT assesses that unrecognised religious groups are not at risk from official or societal violence.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.43 Lebanon has a diverse political landscape where individuals are generally free to express their political opinions. Broadly speaking, DFAT assesses that individuals are not generally subject to official or societal discrimination on the basis of their political opinion, whether actual or imputed. There is a significant correlation between political views and religious affiliation and most political parties have been established along sectarian lines. However, there are many examples of individuals who hold political views distinct from their religious affiliation.

3.44 Armed non-state actors have generally refrained from widespread targeting of people on the basis of their political opinion alone. Instances of discrimination or violence tend to be targeted at people who express strong political views and are politically active.

March 14 Coalition / Future Movement Supporters

3.45 The March 14 coalition is named after the date of a rally in 2005 protesting against the Syrian presence in Lebanon and against the assassination of former Prime Minister Rafik Hariri. Key members include the Future Movement (Sunni), the Kataeb Party (Maronite Christian) and the Lebanese Forces (Maronite Christian). The decision of Samir Geagea of the Lebanese Forces to support Michael Aoun of the Free Patriotic Movement (and the March 8 Coalition) for President challenged the traditional political fault lines within Lebanon, and the bonds of the March 14 Coalition. Despite this, the March 14 Coalition remains a functional grouping, united on many fronts.

3.46 The Future Movement is a political party led by Prime Minister Saad Hariri (son of assassinated former Prime Minister Rafik Hariri). While the majority of its support base is Sunni, the Future Movement professes a secular political ideology and enjoys some support from progressives of all sectarian affiliations. The Future Movement has a presence across Lebanon, although its support is stronger in predominantly Sunni areas such as west Beirut and parts of the North governorate and the South governorate.

3.47 Lebanon's fundamental political divide is between the March 14 Coalition (including the Future Movement) and the March 8 Coalition (including Hizballah) (see [Political System](#)). Hizballah has been accused of targeting high-profile leaders that threaten its interests in the past. For example, it is accused of involvement in the 2005 killing of former Prime Minister Rafik Hariri. In 2008, political tensions escalated into violence between supporters of the two coalitions following the Government's decision to disable Hizballah's telecommunications network and remove senior officials with links to Hizballah.

3.48 In late 2014, the traditionally opposed Future Movement (Sunni) and Hizballah (Shi'a) commenced dialogue to lower tensions exacerbated by the conflict in Syria. That process has been successful in reducing the risk and incidence of violence but has not resolved the underlying causes of tension.

3.49 Overall, DFAT assesses that ordinary March 14 / Future Movement supporters are at a low risk of violence. DFAT assesses that March 14 / Future Movement supporters who represent a direct threat to Hizballah's political power face a moderate risk of violence. In practice, this is only likely to affect senior leaders of the Future Movement. For example, Future Movement leader Saad Hariri lived abroad until shortly before being appointed Prime Minister, in part due to the perceived threat to his life in Lebanon. Despite this risk, the Future Movement maintains political representation, including established offices in Beirut and elsewhere in Lebanon.

Critics of Hizballah

3.50 Non-Shi'a critics of Hizballah tend to be either Sunnis or Christians aligned with the March 14 Coalition. Non-Shi'a critics of Hizballah are not at risk unless they represent a direct threat to Hizballah's authority. In reality, this is most likely to affect leaders of rival political factions or other outspoken critics, such as journalists. Hizballah's response, which can include intimidation, arrest, detention or violence, tends to be targeted, but not necessarily geographically limited – Hizballah's reach extends across Lebanon.

3.51 Hizballah's reaction to dissent within the Shi'a community – its major support base – is more nuanced. Hizballah relies predominantly on societal pressure and persuasion rather than violence to address such opposition. Given Hizballah effectively has complete control of certain areas, its ability to assert societal pressure and persuasion is significant. In-country contacts suggest that such societal pressure and persuasion may begin with an individual being excluded from services provided by Hizballah (e.g. health and education) and societal marginalisation (e.g. the critic of Hizballah's business being 'blacklisted') and would eventually lead to economic marginalisation.

3.52 DFAT contacts have noted that a Shi'a individual's ability to criticise Hizballah depends on the individual's *wasta* or connections with powerful people – an individual connected to powerful people is more

likely to be protected. DFAT is aware of Shi'a critics of Hizballah who fit this profile and who continue to voice and publish sentiments critical of Hizballah without attracting overt opprobrium.

Communities Providing Support to Syrian Refugees

3.53 It is generally accepted that some in Lebanon's Sunni community (particularly in border areas) have offered a safe haven and opportunities for rest and recovery for the Syrian opposition, including fighters and activists. In response, Syrian authorities have targeted mainly-Sunni communities located near the Lebanese-Syrian border. Attacks have included the use of airstrikes, rockets and mortars. Some strikes appear to have been carefully targeted at the Syrian opposition, while others appear to be relatively indiscriminate. Communities across Lebanon have provided support for Syrian refugees, but there is limited evidence that communities outside of border areas have been targeted on this basis alone.

Anti-Syrian Activists

3.54 The term 'anti-Syrian activist' encompasses both supporters of the Syrian opposition and Lebanese activists opposed to Syria's involvement in Lebanon. In the latter case, there is some overlap with supporters of the March 14 Coalition.

3.55 Anti-Syrian activists in Lebanon have reported harassment, violence and intimidation, including the use of torture by Syrian and Lebanese authorities and armed non-state actors, such as Hizballah. DFAT assesses these reports as broadly credible but cannot provide details on how widespread this is. Victims would need to have come to the attention of Lebanese or Syrian authorities, including by being outspoken critics of the Syrian regime.

3.56 Overall, DFAT assesses that prominent anti-Syrian activists are at a moderate risk of societal and official discrimination and violence, and that this risk increases depending on how outspoken the individual is.

Syrian Opposition Fighters

3.57 In August 2017, around 350 Syrian opposition fighters linked to the Free Syrian Army, and around 2,500-3,000 of their family members, departed Lebanon for Syria as part of a Hizballah-negotiated deal for their return. Media reports have questioned whether all of these returns were voluntary. Although it is expected that once the return is completed there will be no more Syrian opposition groups within Lebanon, individual fighters could have remained in Lebanon. DFAT assesses that if an active or former Syrian opposition fighter were identified, that person would likely face a high risk of discrimination and violence from the pro-Syrian regime community.

GROUPS OF INTEREST

Civil Society

3.58 Lebanon is a generally permissive environment for civil society groups and non-governmental organisations. Organisations operating in areas with weak state control can be subjected to local pressures. Activism on some issues, such as criticism of the security apparatus, is sensitive but broadly tolerated. Civil society groups working on lesbian, gay, bisexual, transgender or intersex (LGBTI) issues are able to operate although normally keep a low-profile in an effort to avoid negative attention. No such group has received a receipt of registration from the Ministry of Interior and Municipalities pursuant to the Law of Associations. Although this does not affect such organisations' legal status, it can impact their operations, including their

ability to manage finances. Employees of organisations focused on LGBTI issues have reportedly been intimidated by local authorities and, as such, many organisations maintain strict confidentiality with regards to their employees.

Media

3.59 Lebanon has a diverse and active media. The Lebanese Constitution guarantees freedom of the press. In practice, the majority of media outlets have political affiliations and there are some legal restrictions on the publication of newspapers. The Directorate of General Security also exercises some censorship of broadcast media in cases where material is deemed to harm the state or its foreign relations, harm public morals, ignite sectarian strife or insult religious beliefs. DFAT understands that Shi'a journalists who publish anti-Hizballah views are susceptible to both discrimination and violence. DFAT understands that *wasta* can decrease a journalist's risk of retribution (see 2.21).

3.60 Civil society organisations have reported some instances of harassment and abuse towards members of the media. The Committee to Protect Journalists reported that local authorities, including uniformed and non-uniformed officers, hit a freelance journalist who was filming protests against Parliament extending its term in Beirut in June 2017. In addition, Al-Jadeed, an independent television channel, was attacked after it aired a satirical program that referenced the 1978 disappearance of an Amal politician, and suggested that the current Speaker had information on the disappearance. A crowd of 300 people, some waving Amal flags, surrounded Al-Jadeed's offices in Beirut and attacked the building with fireworks, firebombs and rocks. Journalists in Lebanon are reportedly increasingly in danger as a result of the ongoing Syrian conflict, with two journalists being kidnapped in March 2015 in Aarsal, near the Syrian border.

3.61 DFAT assesses that journalists are generally able to operate without intimidation or harassment, subject to the conditions outlined above.

People with Disabilities

3.62 Lebanon has signed the Convention on the Rights of Persons with Disabilities and passed a law concerning the rights of people with a disability. However, DFAT contacts note that Lebanese authorities are a long way from implementing their obligations under these commitments.

3.63 DFAT understands that people with a disability are particularly vulnerable. For example, the majority of children with special needs are denied access to private education and there are limited public educational facilities that provide targeted support for children with special needs. In addition, commitments by Lebanese authorities to ensure organisations offer employment opportunities to people with a disability are not enforced, and public and private infrastructure does not take into account the accessibility needs of people with a disability.

3.64 Overall, DFAT assesses that people with a disability face a high risk of official and societal discrimination, and that Lebanese authorities regularly fail to ensure adequate support for people with a disability.

Women

3.65 Lebanon has acceded to the Convention on the Elimination of All Forms of Discrimination Against Women, with a reservation on women's choice of surname. Despite this, in-country contacts say that women in Lebanon continue to suffer high levels of societal and official discrimination and violence.

3.66 Laws relating to nationality and citizenship discriminate against women. Lebanese women are unable to confer nationality on either their (non-Lebanese) spouse or children, which prevents their spouse and children from accessing education, healthcare and residency within Lebanon. Husbands can request authorities to prevent their wives from leaving Lebanon.

3.67 Many of Lebanon's religiously-administered personal status laws discriminate against women. Women are often discriminated against in relation to child custody arrangements while Sunni inheritance laws provide a son with twice the inheritance of a daughter.

3.68 Women are generally able to participate in electoral processes although, unlike men, they are required to show proof of primary education to enrol to vote. Only 3.1 per cent of parliamentarians are women, well below regional and world averages.

3.69 DFAT is unaware of any reliable statistics of women's economic empowerment, but anecdotal evidence suggests that it is more difficult for women to secure employment – in-country contacts suggested the employment rate for women was 23 per cent in the mid-2000s.

3.70 No official statistics on the prevalence of violence against women exist, although it is reportedly widespread. In April 2014, the Law of the Protection of Women and Family Members from Domestic Violence was passed. Critics have argued that the new legislation: defines domestic violence too narrowly; does not criminalise marital rape; has inadequate provisions for the issuing of restraining orders; and preferences discriminatory religiously-administered personal status laws. Cases of domestic violence are sometimes considered a social rather than a criminal issue and charges have been dropped in rape cases where a victim has agreed to marry the perpetrator. Displaced communities face particularly high levels of domestic violence.

3.71 Child, early and forced marriage does occur. In-country contacts suggest Shi'a girls as young as nine and Sunni girls as young as 12 have been forced into arranged marriages. In-country contacts stated that arranged marriages are common in low-income families as well as high-income families.

3.72 On 16 August 2017, Lebanon's Parliament repealed a law under which rapists were absolved of any criminal charge if they married their victims. Marital rape and child marriage remain legal in Lebanon.

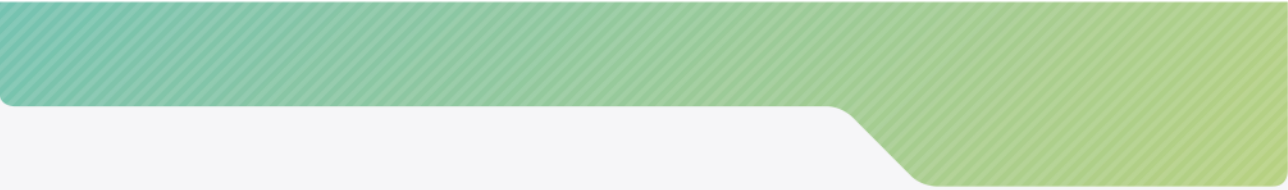
3.73 Overall, DFAT assesses that women in Lebanon face a high risk of societal and official discrimination, and a high risk of societal violence.

Sexual Orientation and Gender Identity

3.74 Article 534 states that 'Any sexual intercourse contrary to the order of nature is punishable by up to one year in prison', although the US State Department's Country Report on Human Rights Practices for 2016 suggest that a fine is a more common punishment. Enforcement of Article 534 varies throughout Lebanon. It has been used to prosecute individuals suspected of homosexuality. Since 2009, four judges have ruled against Article 534, the most recent ruling that 'homosexuality is a personal choice, not a criminal offence' thereby questioning the interpretation of Article 534.

3.75 Beirut enjoys a reputation as an open, relatively LGBTI-accepting environment and provides a degree of anonymity compared to other more conservative areas of Lebanon and the region more broadly. According to in-country contacts, the situation for LGBTI individuals has improved over the last decade. Lesbian and gay clubs exist in Beirut. Specific support groups for LGBTI individuals also exist although normally keep a low-profile in an effort to avoid negative attention (see [Civil Society](#)).

3.76 Despite this, studies of societal attitudes indicate that significant opposition, particularly to homosexuals and transgender women, remains. LGBTI individuals have been subjected to harsh treatment,



including arbitrary arrest and detention, as well as rape while in detention. In 2012, the Minister for Justice issued a statement calling for an end to invasive medical tests undertaken to 'prove' that a homosexual act had taken place, but reports indicate such tests are still used as a threat. Incidents of mistreatment are likely underreported due to a fear of additional stigmatisation.

3.77 In-country contacts suggest that many LGBTI individuals either do not identify or keep a low profile to avoid societal and official discrimination and, potentially, violence. In-country contacts highlighted examples of LGBTI individuals moving frequently to ensure their protection. While in-country contacts noted that individuals can move to other areas in order to seek safety, it was largely dependent on the individual's financial ability to move from one area to another.

3.78 Overall, DFAT assesses that lesbian, gay, bisexual, transgender and intersex people face a moderate risk of societal and official discrimination and violence. DFAT further assesses that, particularly in Beirut, an individual would be able to lead a relatively open life but would still need to keep a low profile and would be at risk of societal and familial ostracism.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extra-Judicial Killings

4.1 The US State Department's Country Report on Human Rights Practices for 2016 states that there were no extra-judicial killings by authorities during 2016. DFAT is unaware of any other reports of recent extra-judicial killings within Lebanon.

Enforced or Involuntary Disappearances

4.2 Lebanon has signed the Convention for the Protection of All Persons from Enforced Disappearance but has not ratified it. In July 2016, the Human Rights Council's Working Group on Enforced or Involuntary Disappearances reported it had transmitted 321 cases of enforced disappearance to Lebanese authorities since its establishment in 1980. Of these, 313 remained outstanding.

4.3 The majority of historical cases of enforced or involuntary disappearances occurred during the civil war or prior to Syria's 2005 withdrawal. Human Rights Watch estimates that 17,000 Lebanese were kidnapped or disappeared during the civil war, and that a number of Palestinians were kidnapped or disappeared prior to the withdrawal of Syria. Attempts to investigate such disappearances have been criticised as incomplete and narrowly focused by the families of those who disappeared during this time.

4.4 The US State Department's Country Report on Human Rights Practices for 2016 states that there were no politically motivated disappearances by authorities during 2016. However, it does state that displaced Syrians face a risk of kidnap by the authorities, as well as other actors. Some displaced Syrian activists who oppose the Syrian regime claim to be at risk of kidnap by Syrian forces while seeking refuge in Lebanon. Human Rights Watch has documented a handful of cases of Syrians who were forcibly disappeared since the outbreak of conflict in Syria.

Deaths in Custody

4.5 DFAT is unaware of any recent deaths in custody due to negligence. According to the Internal Security Forces (ISF), 10 people died in custody in 2015 due to natural causes. More recent information is not available. Four Syrian refugees died in the custody of the Lebanese Armed Forces (LAF) in late June 2017. The LAF said they died from 'chronic health issues'; Human Rights Watch claimed their bodies showed signs of torture.

DEATH PENALTY

4.6 Lebanon has not signed the Second Optional Protocol to the International Covenant on Civil and Political Rights on the Abolition of the Death Penalty. Eleven crimes, including murder, aggravated assault, treason and espionage, still carry the death penalty by hanging or firing squad. The death penalty is not mandatory for these crimes.

4.7 Since 1998, Lebanon has upheld an unofficial moratorium on executions, with the exception of three simultaneous executions of individuals convicted of multiple murders in 2004. Despite an unofficial moratorium on the death penalty following these simultaneous executions, judges continue to hand down death sentences. Amnesty International recorded significantly higher numbers of death sentences in 2016, with 126 Lebanese and Syrians sentenced to death in Lebanon for terrorism related offences, as well as murder and attacking the army.

TORTURE

4.8 Lebanon has acceded to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and has ratified the Optional Protocol to the Convention Against Torture. Article 401 of the Penal Code criminalises the use of violence to extract confessions, but does not specifically criminalise all forms of torture. The National Commission on Human Rights mandate provided for the establishment of a Committee for the Prevention of Torture that would have the authority to enter and inspect all places of detention, without prior announcement or permission, and to submit findings and recommendations. The Government is yet to appoint Committee members. The Human Rights Committee and the Justice and Administration Committee of the Lebanese Parliament have approved draft legislation criminalising torture, which is awaiting consideration.

4.9 There are credible reports of the authorities using torture, particularly during preliminary investigations (despite legislation prohibiting the use of confessions extracted under duress). The US State Department's Country Report on Human Rights Practices for 2016 stated that both domestic and international human rights groups had raised serious concerns regarding the abuse of detainees, including the use of torture to extract confessions and to encourage suspects to implicate other individuals. Allegations of such acts are rarely investigated. Reports suggest that continuous blindfolding, hanging detainees by their wrists tied behind their backs, violent beatings, blows to the soles of the feet, electric shocks, sexual abuse, psychological abuse, immersion in cold water, extended periods of sleep deprivation, being forced to stand for extended periods, threats of violence against relatives, and deprivation of clothing, food and toilet facilities are used.

4.10 The ISF reportedly threatened, mistreated and tortured drug users, individuals involved in prostitution and lesbian, gay, bisexual, transgender and intersex people. Suspects arrested in relation to sectarian violence or extremism as well as refugees face a particularly high risk of torture at the hands of authorities.

CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Arbitrary Arrest and Detention

4.11 The Lebanese Constitution provides protections against arbitrary arrest and detention. Legislation requires a judicial warrant for arrest, and provides the right to a medical examination and referral to a prosecutor within 48 hours of arrest. After 48 hours, authorities must either lodge a formal charge, release the detainee or seek an extension. Some prosecutors do not respect this requirement and detain suspects for long periods of pre-trial detention without a court order. Military prosecutors are responsible for cases involving the military as well as those involving espionage, treason, weapons possessions and draft evasion are able to make arrests without warrants.

4.12 Despite these protections, authorities continue to arbitrarily arrest and detain individuals. Most victims chose not to report such violations. Most cases of arbitrary arrest and detention involve vulnerable groups such as the displaced, migrant workers, drug users or lesbian, gay, bisexual and transgender individuals. DFAT is aware of reports of security forces arresting and detaining political opponents without charge for short periods. Foreign nationals are also reportedly frequently detained without charge. Other groups, such as Hizballah and Palestinian factions, also continue to arrest and detain individuals.

Corporal Punishment

4.13 Corporal punishment is unlawful as a sentence for crime and is prohibited as a disciplinary measure in penal institutions. Corporal punishment is permitted in the home, schools or alternate care settings. Save the Children reports that corporal punishment is used in unofficial settings throughout Lebanon and is widely used as a method of discipline, particularly in educating and bringing up children.

5. OTHER CONSIDERATIONS

STATE PROTECTION

5.1 The ability of Lebanese authorities to provide effective protection depends on the area concerned. Several areas in Lebanon are not under effective state control, owing to the broader security situation. These include areas of effective Hizballah control and Palestinian camps, from which Lebanese authorities are largely absent. The level of state protection varies considerably in areas where Hizballah predominates, including a significant proportion of southern Lebanon, some areas of southern Beirut and parts of northern Beka'a governorate. Areas where Hizballah's control has led to the effective exclusion of the state include Hizballah training camps and sensitive installations in the southern suburbs of Beirut.

Lebanese Armed Forces (LAF)

5.2 The LAF are responsible for defending Lebanon against external aggression and maintaining internal stability and security, among other functions. The LAF have approximately 70,000 personnel and their reach extends across Lebanon, except for areas outlined above (see [State Protection](#)). A six-member Military Council, whose membership reflects the sectarian lines enshrined in the 1979 New Defence Law, is responsible for most decisions relating to the LAF.

5.3 While the LAF have traditionally been non-sectarian, difficulties in attracting recruits along balanced sectarian lines is leading to an increasingly Sunni-dominated LAF, with the number of Shi'a and Christian recruits falling considerably. An estimated 80 to 85 per cent of new recruits are now Sunni. Shi'a are increasingly joining Hizballah rather than the LAF, whereas Christians are reportedly more interested in seeking employment in different sectors or abroad. Within the Sunni community, the LAF are seen as a reasonable employment option and competition amongst Sunnis to join the LAF is reportedly fierce. Recruitment to the Officer Corps is roughly evenly distributed between Muslims and Christians, representative of the population. Some elements within the Sunni community argue the LAF have a partisan bias towards Shi'a and Christians, although this is due to a large number of detention of Sunnis (especially displaced Syrians) for various offences, including terrorism.

5.4 Reports suggest that the LAF are currently overstretched and, although they have the capacity to respond to localised security incidents, they would struggle to respond to security incidents across multiple cities or multi-pronged cross-border incursions. Despite this, the LAF have implemented a number of successful security plans throughout Lebanon that have limited the number of incidents of violence, including the arrest of a number of individuals suspected of planning terrorist attacks.

5.5 A person can resign from the LAF at any stage with the approval of their Commanding Officer. While DFAT understands that this frequently occurs without difficulty, some in-country contacts have noted that this is difficult in practice. DFAT assesses that someone can formally resign from the LAF with relative ease, but this may lead to low levels of official and societal discrimination, such as difficulty securing alternative employment.

Internal Security Forces (ISF)

5.6 The ISF are Lebanon's police and security body, tasked with maintaining public order and counter-terrorism, among other functions. They have approximately 30,000 personnel and their reach extends across Lebanon, with the exception of the areas outlined above (see [State Protection](#)).

5.7 The head of the ISF is Sunni and some Shi'a allege that the ISF have a partisan bias towards Lebanon's Sunni community. They have a record of quick and thorough investigations into political crimes, particularly where those crimes affect a Sunni. For example, the ISF's investigations into the killing of the former leader of the ISF Information Branch, Wissam al-Hassan, and into the bombings of a Sunni mosque in Tripoli in August 2013, made rapid progress.

5.8 DFAT understands that the ISF generally require broad political support to intervene in sectarian violence and that their ability to investigate incidents linked to the Syrian regime, Hizballah or other regime allies is limited.

General Directorate of General Security

5.9 The Lebanese General Security was established in 1921 and has a general intelligence function. It is responsible for implementing media censorship laws. It also issues visas and residence permits to foreigners in Lebanon, and coordinates relations with foreign missions in Lebanon.

Judiciary

5.10 Lebanon's legal system developed largely during the French mandate. It retains substantial influences from French civil law. Notably, religious sects remain generally free to administer personal status and family laws on behalf of their own communities. Lebanon's court system is divided into civil (including criminal), administrative, military and religious courts. Each has independently appointed judges and appellate courts. A Constitutional Council, established under the Taef Accord, hears cases relating to the constitutionality of laws. Judges are required to hold a legal degree, and to undertake formal judicial studies. The Minister for Justice, currently a Sunni, appoints judges with the intention of ensuring roughly equal representation from different sectarian and religious groups.

5.11 DFAT understands individuals can access legal representation and, if unable to fund this representation, are entitled to court-appointed representation if the case goes to trial. The Bar Association provides legal aid but will provide legal assistance before trial only in extreme circumstances. As with other aspects of Lebanese life, DFAT understands *wasta* can influence judicial proceedings. A lawyer can request the removal of a judge where questions of impartiality arise. Given the prominence of politics and religion in Lebanese society, however, impartiality can be difficult to obtain.

5.12 The Military Court, which has broad jurisdiction, has tried civilians. According to Human Rights Watch, the Military Court has tried civilians in cases involving espionage, treason, draft evasion, unlawful contact with the enemy (Israel), weapons possession, crimes against the interests of the military, the ISF, or the General Directorate of General Security. The Military Court also has jurisdiction over cases of conflict between civilians and military or security personnel, or the civilian employees of the Ministry of National Defense, army, security services, or military courts. In practice, the Military Court exercises jurisdiction over all cases of interaction between civilians and the security services. Civil society groups have raised concerns regarding the operations of the Military Court, including in cases where human rights lawyers and activists have had charges brought against them under the Military Court for speaking out against the LAF's use of torture. Unlike other judicial organs, the Minister for Defense directly appoints Military Court judges, who

are not required to hold a law degree or any legal training. Access to proceedings in the Military Court is restricted. Military and intelligence officers often enjoy de facto immunity from criminal prosecution.

5.13 Hizballah and Palestinian camps run autonomous, informal legal systems, including prisons, in areas under their control. There is little information available in relation to the independence, legitimacy or equity of legal processes under these systems.

Detention and Prison

5.14 The International Committee for the Red Cross has raised serious concerns about conditions in custody, which fall short of international standards. The Ministry of Interior and Municipalities operates 18 prisons with a total capacity of 2,000 inmates. Prisons are overcrowded, with a total population of nearly 5,000. Prisoners often lack adequate food or medical care. Access to visits and lawyers is sporadic and not always guaranteed. DFAT understands that the General Security Retention Centre, mainly used for foreign nationals, and Roumieh Prison have particularly poor conditions. DFAT is also aware of frequent claims of torture in detention and prison (see [Torture](#)).

INTERNAL RELOCATION

5.15 The Lebanese Government imposes no limitations on the freedom of movement of its citizens. All Lebanese, with the exception of Palestinian refugees, can legally relocate and resettle. Internal relocation offers a degree of anonymity and the opportunity for an individual to seek refuge from discrimination or violence. In most cases, there are options available for individuals from most ethnic and religious minorities to relocate to areas of relative safety. In particular, Beirut is home to mixed ethnic and religious communities and offers more opportunities for employment, access to services and a greater degree of state protection than other areas of Lebanon. However, in-country contacts consistently stress that internal relocation is highly dependent on an individual's financial constraints and/or connections. Those with financial constraints and/or without connections would find it difficult to relocate internally, whether to an area in which their sectarian group predominates or a mixed area.

5.16 Rental accommodation is available across Lebanon. However, the ongoing influx of Syrian refugees has significantly increased the cost of rental accommodation in many areas. Education is widely available across Lebanon (again, the ongoing influx of Syrian refugees has increased the costs of private education in many areas). Employment is also available and accessible and the Taef Accord expressly consecrated the distribution of public sector employment along sectarian lines.

5.17 DFAT assesses that any individual irrespective of their religious or political affiliation could internally relocate to Beirut, dependent on their personal circumstances (e.g. financial independence and connections within Beirut). An individual would normally relocate to an area where their religious group predominates.

TREATMENT OF RETURNEES

Exit and Entry Procedures

5.18 Lebanese citizens and residents require a Lebanese passport or national identity card, individual civil status record certificate or residency card in order to enter Lebanon. A passport or Lebanese identity card, as well as a valid visa, are required to exit Lebanon.

5.19 Hizballah exercises substantial control over Beirut's Rafic Hariri International Airport (the international airport is located in an area where Hizballah has substantial influence). Hizballah may therefore be aware of citizens who have sought asylum elsewhere returning to Lebanon. Hizballah is unlikely to target a returning individual unless that person presented a direct threat to its authority. Hizballah's influence over Beirut's Rafic Hariri International Airport would therefore create no problems for the majority of returnees. More broadly, airport security screening is not rigorous, due to understaffing.

Conditions for Returnees

5.20 Lebanon has a long history of migration and return. Lebanon's diaspora now numbers an estimated 16 million people worldwide, with many retaining close family or business relationships within Lebanon and therefore returning frequently as a result. Lebanese citizens who have sought protection elsewhere have not committed a crime by doing so. On return, Lebanese authorities would only meet an individual who had committed a crime while abroad of sufficient severity for authorities to request an accompanied transfer.

5.21 An individual would likely return to their home community or resettle in Beirut. The returning asylum seeker would be unlikely to face stigma either in their home community or in Beirut. The Lebanese authorities do not provide support for resettlement, however a range of non-government organisations provide such support. These include the Caritas Lebanon Migrants Centre and the Afro-Asian Migrant Centre, in addition to the International Organization for Migration.

5.22 Overall, DFAT is not aware of any evidence suggesting an asylum seeker returning to Lebanon would be distinguishable from the broader community or susceptible to any form of discrimination or violence based on having sought asylum abroad.

DOCUMENTATION

Birth Certificates

5.23 Following the birth of a child, parents are required to obtain a certificate from the hospital at which the child was born. Parents are then required to obtain a form from their local mayor (usually located in the district where the father is from) to complete the application. The application is sent to the Ministry of Interior and Municipalities for registration and the issuance of the official certificate. In the event a birth occurs outside of a hospital, the birth certificate must be signed by a registered midwife or town doctor, and by the Mukhtar of the village, who registers the birth at the Registrar Office. Birth certificates follow a common template and include a Lebanese government stamp as well as the execution date and number in the bottom left hand corner.

5.24 Lebanese authorities do not permit the registration of births outside of wedlock, or of births outside of a religious marriage, or births resulting from a marriage conducted overseas that has not been properly registered with the responsible Lebanese diplomatic mission (see [Marriage Certificates](#)). DFAT understands that an individual can seek registration of a birth outside of wedlock through the judiciary.

Death Certificates

5.25 Following the death of an individual, the family obtains a certificate from the hospital where the individual passed away. This certificate is then taken to the individual's local Civil Status Bureau Office,

usually located in the district where the individual was originally from, where it is officially registered. In the event the death occurs outside of a hospital, a forensic doctor must examine the deceased individual, complete a death report and sign it. The Mukhtar of the village signs the report, and registers the death at the Registrar Office in order to obtain a death certificate. Death certificates include an execution date and number in bottom left hand corner. DFAT understands they are hard to fraudulently obtain or counterfeit.

Marriage Certificates

5.26 Couples are required to obtain a document from the officiator of the marriage, who is usually a religious leader. This document is taken to the Civil Status Bureau office in the husband's home district, where it is officially registered and then sent to the Ministry of Interior and Municipalities for execution. The Ministry of Interior and Municipalities (Vital Statistics and Civil Status General Department) stamps the certificate, which is then certified by the Ministry of Justice, the Ministry of Foreign Affairs and the Notary Public. Marriage certificates include an execution date and number in the bottom left hand corner. DFAT understands they are hard to fraudulently obtain or counterfeit.

5.27 Although Lebanon does not practise civil marriages, a couple undertaking a civil marriage overseas can have the marriage registered in Lebanon through the Lebanese consulate or embassy in the location where they were married.

National Identity Cards

5.28 Lebanese citizens are required to carry national identity cards. They are white and pink in colour with a picture of two cedars in the background. On the front, they include a photo and signature of the cardholder as well as their name, name of father, maiden name of mother, place and date of birth and the cardholder's national identity number. On the back, they include the cardholder's sex, marital status, registry number and the place and date of registry and signature of the registrar.

5.29 To obtain a national identity card, an individual must ask their local mayor to complete a request. The Registry Office in the individual's location of origin takes an electronic signature and fingerprints, and processes the request. From 2009, citizens have been able to request removal of the religion field from their national identity card. DFAT understands that national identity cards are difficult to counterfeit or fraudulently obtain.

Passports

5.30 Lebanese passports are blue in colour and have 'The Lebanese Republic Passport' on the cover in Arabic, French and English. The biographical data page includes a photo of the passport holder, full name, father's name, mother's maiden name, date of birth, place of birth, issuing authority, original issuing date and expiry date. Some passports include the signature and fingerprint of the passport holder, although DFAT understands that this is not included on all passports. If the passport holder is a married woman, she can request that her husband's name be included.

5.31 Lebanese passports are obtained through the General Directorate of General Security and at various embassies and consulates. Lebanese passports can be renewed for between one and five years, on request. DFAT understands that Lebanese passports are unlikely to be fraudulently obtained or tampered with, though the Australian Embassy in Beirut has encountered one fraudulently obtained Lebanese passport.

5.32 The older burgundy coloured Lebanese passports are not machine readable, and are no longer valid.

Travel documents for Palestinians in Lebanon

5.33 The General Directorate of General Security issues travel documents to Palestinian refugees in Lebanon who are registered with UNRWA, as well as the refugee bureau, and who have a General Security authorization. A Palestinian refugee who obtains a foreign nationality is no longer considered a Palestinian refugee applicant, and must follow the procedures applying to all other foreigners residing in Lebanon to obtain a visa and residency permit.

5.34 The Directorate for Political Refugees/ Palestinian Department (DGPR) centrally registers all civil status matters regarding Palestinians. Birth and marriage certificates have the same format as the Lebanese certificates, including reference to the family registration. DFAT understands it can be difficult for foreign governments to obtain DGPR verification of documents.

5.35 Palestinian Refugee Section at the General Directorate of General Security issues Laissez-Passer for Palestinians born in Lebanon. The Laissez-Passer is brown in colour and includes bio data details. In most cases, the Laissez-Passer records only the year of birth. The full date of birth for Palestinians is usually included in birth certificates.

PREVALENCE OF FRAUD

5.36 Different forms of identification have varying levels of security features. DFAT understands that it would be difficult to obtain a fraudulent national identity card or passport, but that other forms of identification are less secure. The validity of these less secure forms of identification can normally be verified with the relevant Lebanese authority.