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Lebanon

Country Reports on Human Rights Practices - [2005](#)

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Lebanon is a parliamentary republic of 4.5 million citizens in which the president is a Maronite Christian, the prime minister a Sunni Muslim, and the speaker of the chamber of deputies a Shi'a Muslim. President Emile Lahoud was elected in 1998 and his term was due to expire in November 2004; however, in September 2004, the Syrian regime pressured parliamentarians to pass a constitutional amendment that extended President Lahoud's term until November 2007. That coerced decision set off a chain of political events that led to massive demonstrations following former prime minister Rafiq al-Hariri's February 14 assassination, the eventual withdrawal of Syrian military forces from the country in April, parliamentary elections in May and June, and in July the first Lebanese government formed without Syrian control in nearly 30 years. The chamber of deputies (Majlis al-Nuwwab) consists of 128 deputies, equally divided between Christian and Muslim representatives. According to international observers, the May-June elections for the chamber of deputies were considered generally free and fair, although most political observers considered the boundaries of the electoral districts to be unfair. The elections resulted in a new, pro-independence majority in the parliament opposed to Syrian interference in the country. That majority used Lebanon's constitutional process to select Fouad Siniora as prime minister in July, reflecting the growing support for Lebanese freedom and democracy.

Despite the end of the Syrian military occupation of Lebanon, some Syrian interference in the country continued. Palestinian and Lebanese militias, particularly the terrorist organization Hizballah, often acted as Syrian proxies and retained significant influence over parts of the country. UN Security Council (UNSC) resolutions 1559 and 1614 require the government to take effective control of all Lebanese territory and disarm militia groups operating in Lebanese territory. The government had begun by the end of the year taking steps to isolate and limit Palestinian arms; however, citing the need for an internal dialogue, the government had not taken steps to disarm extra-legal armed groups or to disarm Hizballah.

There was significant improvement in some areas, but the government's overall human rights record remained problematic. The following human rights problems were reported:

- limitations on the right of citizens to peacefully change their government
- arbitrary or unlawful deprivation of life
- incidents of excessive use of force and torture prior to April
- poor prison conditions
- lengthy pretrial detention and long delays in trials
- lack of judicial independence
- infringement on citizens' privacy rights
- restriction on freedoms of speech, press, and assembly prior to April
- targeting of journalists
- limitations on freedom of movement for unregistered refugees
- government corruption and lack of transparency
- domestic violence and societal discrimination against women
- violence against children
- widespread, systematic discrimination against Palestinians
- child labor

Throughout the year but particularly after April when Syrian military forces departed the country following a 29-year period of control, the country made significant progress with respect to human rights under a democratically elected parliament and a reform-oriented government. With the end of the Syrian occupation, press and media self-censorship decreased considerably, with most political taboos broken by year's end. Government attempts to restrict freedom of assembly during mass demonstrations also dissipated after the first few months of the year.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

After the April Syrian withdrawal, there were no reports of arbitrary or unlawful deprivation of life by the government or its agents. However, prior to April, four government intelligence and security officials, working in conjunction with the Syrian government, were reportedly implicated in high-profile arbitrary and unlawful deprivation of life. These four security chiefs were arrested and remained imprisoned at year's end after being declared suspects in the al-Hariri assassination by the UN International Independent Investigation Commission (UNIIC).

On February 14, a massive explosion in central Beirut killed 22 persons: former prime minister Rafiq al-Hariri, members of his security detail, and innocent bystanders. Also as a result of the blast, former minister Bassel Fulayhan suffered severe burns and died on April 18, and another 220 people were injured.

On February 18, at the request of UN Secretary General Kofi Annan, a fact-finding mission headed by Peter Fitzgerald, a deputy commissioner of the Irish police, was sent to the country to gather facts about the assassination. On March 24, Fitzgerald submitted his report recommending a broad follow-up investigation.

On April 7, the Security Council passed resolution 1595 calling for establishment of the UNIIC. German prosecutor Detlev Mehlis assumed his duties as Chief Investigator on June 15, and after four months' work, Judge Mehlis reported on October 19 to the UN secretary general. The report concluded that although more investigative work was needed, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without the knowledge of the Syrian and Lebanese intelligence services.

Based on the initial recommendations of Judge Mehlis, Lebanese judicial authorities issued arrest warrants for four senior generals who had been closely associated with the Syrian occupation of the country. The Lebanese judge in charge of investigating the case formally charged the security figures on four counts: premeditated murder, premeditated attempt of murder, terrorist activities, and possession of weapons and explosives. In October authorities arrested six additional Lebanese suspects. At year's end the UN investigation was continuing under the direction of a new chief investigator, Serge Brammertz, who had previously served as the deputy prosecutor at the International Criminal Court. The UNIIC, under the leadership of Brammertz, was also authorized by the UNSC to provide technical assistance to the Lebanese judiciary in its continuing investigation of other acts of political violence that had been committed in the country since October 2004. The UNSC also requested that the UN consult with the government on the extent of international assistance needed for the eventual trial of the al-Hariri suspects.

The assassination of al-Hariri was followed by a number of terrorist attacks on prodemocracy politicians and journalists, as well as a number of residential and commercial centers. While no arrests were made in these cases, it was widely believed that these attacks were carried out by elements directed by the Syrian regime.

Numerous bomb attacks killed and injured political figures, as well as ordinary citizens, during the year. Investigations continued at year's end, but only in the al-Hariri case had any arrests been made. For example on June 2, Samir Kassir, a prominent anti-Syrian journalist, was killed in Beirut when a bomb placed under his car seat exploded. Kassir was a founding member of the Democratic Left Movement and played an important role in organizing the massive March 14 demonstration in Beirut that called for the withdrawal of Syrian troops from Lebanon, as well as for putting an end to Syrian control of the country's security services.

On June 21, former head of the Lebanese Communist Party George Hawi, was killed by a bomb that destroyed his car in West Beirut.

On July 12, a car bomb blasted the motorcade of Lebanon's defense minister and incoming deputy prime minister, Elias Murr, injuring him and killing one person. On September 16, an explosion in Jeitawi, Beirut killed one person and injured 23 others.

On September 25, an explosive device planted under the car of proreform journalist May Chidiac seriously injured her (see section 2.a.).

On December 12, the popular prodemocracy journalist and politician Gibran Tueni was assassinated, along with a bodyguard and a bystander, in a massive car bomb explosion as he was being driven to work. The outpouring of national grief in this instance led to a series of events that, by year's end, resulted in a political stalemate, with Hizballah and Amal ministers boycotting the Siniora government.

There were no developments in the July 2004 car bombing that killed Hizballah member Ghalib Awwali in the southern suburbs of Beirut.

There were no new developments in the 2003 car bombing that killed Hizballah member Ali Hussein Saleh in Beirut's southern suburbs. Some government officials accused Israel of carrying out the killing.

During the year violent cross-border attacks by Hizballah, Palestinian, and other unidentified armed elements against the Israel Defense Forces (IDF) continued.

With the departure of the Syrian troops in late April, the government began an investigation into the October 2004 assassination attempt against Druze politician Marwan Hamadeh. No arrests had been made by year's end.

The country's landmine and unexploded ordinance (UXO) problem was estimated by the National Demining Office at more than 550 thousand landmines and UXO throughout the country, with as many as 400 thousand of these in the former Israeli-occupied security zone in the south. From the late 1990s to the end of the year, approximately 150 thousand landmines and 80 thousand UXO had been destroyed. One million square meters of land were cleared during the year, much of it returned to productive use. According to the National Demining Office, there have been 2,813 landmine victims in the country since 1990. During the year there were 20 landmine victims, 2 of whom were deminers. Foreign governments continued to support these demining efforts.

On December 3, security forces discovered a mass grave at the site of a former Syrian intelligence headquarters in the town of Anjar. More than 20 bodies were found. In addition to the grave in Anjar, remains of Lebanese soldiers were also discovered in another mass grave in November at al-Yarze, next to the Ministry of Defense.

b. Disappearance

There were no reports of politically motivated disappearances.

In January 2004 Hizballah and Israel carried out the first phase of a prisoner exchange involving 21 Lebanese civilian prisoners, the remains of 59 Hizballah fighters, the remains of 3 Israeli soldiers and [released] IDF reservist Elhanan Tannenbaum. A second phase, a promised Hizballah investigation into the fate of Israeli airman Ron Arad and the release of additional Lebanese prisoners by Israel, had not materialized at year's end.

The government had not disclosed the findings of a 2000 report investigating cases of disappearance during the 1975-89 civil war. Beginning in April, hundreds of friends and relatives of disappeared persons participated in a sit-in in front of UN offices in the country, calling on the UN Security Council to establish an international commission of inquiry into the cases of the disappeared. In August the government appointed a security/judicial committee to follow up with Syrian authorities on the cases of those Lebanese believed to have been detained in Syrian jails.

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

The law does not specifically prohibit torture, and security forces abused detainees and in some instances used torture. Human rights groups, including Amnesty International and Human Rights Watch, reported that torture was a common practice.

During the period of Syrian control prior to April, former detainees at the Lebanese Ministry of Defense Detention Center and in Syrian jails stated that they were routinely tortured during interrogation. Methods of torture frequently included severe beating, food and sleep deprivation, and hanging by the wrists which were tied behind the back.

In September 2004 Ismail al-Khatib died in custody a week after being arrested as a suspected leader of al-Qa'ida. The government coroner reported al-Khatib, who was 31 years old, died of a massive heart attack, but speculation attributed his death to torture. An independent investigation was undertaken by local human rights organizations, but no findings had been released by year's end.

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

In its October report, the UNHCR investigation of the assassination of former prime minister Rafiq al-Hariri noted that some unidentified security personnel had abused witnesses in the aftermath of al-Hariri's assassination.

Abuses also occurred in areas outside the government's control, including in Palestinian refugee camps. During the year there were reports that members of the various groups that controlled specific camps detained their Palestinian rivals (see section 1.d.). Rival groups, such as Fatah and Asbat al-Nur, regularly clashed over territorial control in the various camps, sometimes leading to exchanges of gunfire and the detention of rival members.

Prison and Detention Center Conditions

Prison conditions were poor and did not meet minimum international standards. Prisons were overcrowded, and sanitary conditions in the women's prison, in particular, were very poor. There were no serious threats to health, but indirect threats were noted, such as physical and mental stress; the latter was especially noteworthy in Yarze prison, southeast of Beirut. The government did not consider prison reform a high priority. The number of inmates was estimated to be five thousand, of whom one third had yet to be tried or convicted. The government made a modest effort to rehabilitate some inmates through education and training programs.

Although there was some effort to keep pretrial detainees separate from convicted prisoners, overcrowding often prevented such separation. The government held security detainees and prisoners in regular prisons. The four senior security officials arrested in the al-Hariri investigation were initially held in substandard conditions in the facilities of the Internal Security Forces, but after complaints were filed by their families and inquiries made by diplomatic missions, these prisoners were transferred to regular facilities.

The police institution in charge of border posts and internal security, the Surete General (SG), operated a detention facility for detainees, mostly Egyptians and Sri Lankans, pending deportation. Their detention was supposed to be for one to two months, pending the regularization of their status. However, some persons, primarily asylum seekers, were detained for more than a year and eventually deported.

Unlike in previous years, the government permitted independent monitoring of prison conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC).

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 security forces consist of the Lebanese Armed Forces (LAF) under the Ministry of Defense, which may arrest and detain suspects on national security grounds; the Internal Security Forces (ISF) under the Ministry of the Interior (MOI), which enforce laws, conduct searches and arrests, and refer cases to the judiciary; and the State Security Apparatus, which reports to the prime minister and the SG under the MOI, both of which collect information on groups deemed a possible threat to state security.

In April Syria formally withdrew its approximately 15 thousand troops from the country. Syrian sympathizers and intelligence agents continued to exercise some influence in the country.

During the uncertain times preceding Syrian withdrawal, and in the months thereafter, the security services demonstrated respect for the rights of antigovernment and proindependence demonstrators in Beirut. These security forces nonetheless committed numerous serious human rights abuses, sometimes acting independently and other times on instruction of senior government officials. Since October 2004, there were 15 politically motivated violent incidents, including assassinations, assassination attempts and fatal bombings (see section 1.a.). These incidents were under investigation, although it was generally believed that either Syria or its allies in the country were responsible.

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 (see Section 1.e.). The 2004 report by the Parliamentary Commission for Human Rights estimated that of the approximately five thousand persons being held in prison, one third had not been convicted of crime.

The law provides the right to a lawyer, to a medical examination, and referral to a prosecutor within 48 hours of arrest. If a suspect is held more 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 hot pursuit 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. Many provisions of the code were not observed in practice.

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.

Security forces continued the practice of arbitrary arrest and detention. On several occasions during the year, security forces detained and arrested citizens on grounds of national security.

There were credible reports that security force personnel detained individuals on the instruction of Syrian intelligence agencies, a situation that was essentially eliminated with the departure of the Syrian forces in April.

Protesters were also arbitrarily detained and arrested (see section 2.b.). Since the withdrawal of Syrian forces there appears to be no indication that the government detained, interrogated, or harassed journalists (see Section 2.a.).

Palestinian refugees were subject to arrest, detention, and harassment by state security forces and rival Palestinian factions. For example Palestinian refugees living in camps were not allowed for most of the year to bring in construction material to repair damaged houses. Security services used this circumstance as leverage to recruit informers and buy their allegiance.

Unlike in previous years, there were no allegations that the government transferred citizens to Syria. Human rights activists believed that there were numerous Lebanese, Palestinians, and Jordanians in prolonged and often secret detention in Syria. According to credible reports, Syrian forces operating in the country carried out searches, arrests, and detentions of citizens outside any legal framework, until their departure from the country in late April.

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. With the support of the UNIIIC, however, the judiciary began judicial proceedings against once-powerful security and intelligence chiefs who had cooperated with Syria's occupation. The law provides for a fair public trial and for an independent judiciary; however, influential politicians as well as Syrian and Lebanese intelligence officers at times intervened and protected their supporters from prosecution. The judiciary still suffers from intimidation generated by a series of unresolved political assassinations committed by unidentified assailants beginning in October 2004. Despite this intimidation, the judiciary took steps toward independence, including the incarceration of previously powerful security and intelligence officers, continuing investigations into other acts of political violence, and close cooperation with the UNIIIC.

The judicial system consists of a Constitutional Council to determine the constitutionality of newly adopted laws upon the request of 10 members of parliament; the regular 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. Additionally, there are tribunals of the various religious affiliations, which adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody (see section 5). The religious Shari'a courts are often used by both the Shi'a and Sunni religious communities to determine family legal matters. There are also religious courts in the various Christian sects, Druze, and Jewish communities, but these tribunals are restricted to family legal matters.

The aftermath of the February 14 assassination of Rafiq al-Hariri led to significant progress in eliminating political and security influence over the judiciary. Civil rights groups were encouraged by the September appointment of respected, qualified judges to the Higher Judicial Council, which has primary responsibility for disciplining judges and ensuring judicial independence.

The judicial council is a permanent tribunal of five senior judges that adjudicates threats to national security. Upon the recommendation of the minister of justice, the cabinet decides whether to try a case before this tribunal. During the year the cabinet referred several high-profile cases to this tribunal, including the assassination of former prime minister Rafiq al-Hariri and the October 2004 attempt on the life of then Telecommunications Minister Marwan Hamadeh. Verdicts from this tribunal may not be appealed.

The Ministry of Justice appoints all other judges based on 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 12 Palestinian-controlled refugee camps throughout 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. Defendants 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.

Defendants on trial for security cases, which were heard before the judicial council, have the same procedural rights as other defendants; however, there was no right to appeal in such cases. As in civil cases, trials for security cases were generally public; however, judges had the discretion to order a closed court session.

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.

Unlike in previous years, there were no reports that Hizballah subjected former Southern Lebanese Army (SLA) soldiers who returned to their villages to harassment.

In cases stemming from the civil war, the country's courts postponed action for years related to 77 military personnel and civilians who were associated with former Christian militia leader Samir Ja'ja and former Lebanese Armed Forces Commander Michel Aoun. In October the investigative judge dropped all charges against these individuals, including defamation charges against Nadim Lteif and Hikmat Deeb. With legal proceedings against him cancelled, Michel Aoun returned to the country in May after a 15-year exile in Paris. Samir Ja'ja was released from prison in July as part of a parliamentary amnesty bill.

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 solve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally used their good offices to hand over the perpetrator to Lebanese authorities for trial.

Political Prisoners

There were no reports of political prisoners. However, throughout the year, there were reports of political detainees (see section 1.d.).

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 (see section 2.b.). Despite a law regulating eavesdropping, security services continued to eavesdrop without prior authorization.

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

Under the direction of the Siniora cabinet, the government began to take steps to roll back the violation of privacy rights. On September 15, the government passed the two required implementation decrees. The first decree calls for creating an independent judicial committee chaired by the chairman of the judicial council and assisted by two other judges as well as a judge from the audit court. This committee would receive complaints from parties who believe that their phones are tapped, and the committee has three days to resolve the issue. The committee would also give permission for security services to monitor the telephones of criminals. The committee members were appointed by the Siniora government on December 16 and were scheduled to commence their duties in 2006.

The second decree concerns the operations of security intelligence and calls for the creation of a centralized unit that would have supervision over tapping phones related to military personnel only. The committee would report to the minister of interior and the prime minister.

All tapes of recorded conversations would be destroyed after three months unless they were used in legal cases brought before the courts. The ministry would review the procedure regularly and eventually bring all phone tapping into this centralized unit. This unit was scheduled to commence operations in early 2006.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government limited the exercise of these rights prior to the withdrawal of Syrian military forces in April. Syrian security services in the country intimidated journalists. Journalists were victims of violence during the year. The reduction of Syrian interference lessened the desire and ability of authorities to censor the press; however, journalists continued to exercise self-censorship, although to a far lesser degree than in previous years. The killings of prominent journalists and the failure to apprehend those responsible created a climate of intimidation.

The government retained and utilized several legal mechanisms at its disposal to control freedom of expression. The SG was authorized to censor foreign magazines and nonperiodical works, including plays, books, and films before they were distributed. The law 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 withdrawal of Syrian troops and a decrease in Syrian influence encouraged Lebanese journalists to be open in their criticism of Syrian and Lebanese authorities alike.

Dozens of newspapers and hundreds of periodicals were published throughout the country that were financed by and reflected the views of various local, sectarian, and foreign interest groups.

In April the editor-in-chief of *Ad-Diyar* newspaper, Charles Ayoub, was charged with defaming President Lahoud. If convicted, Ayoub could serve up to 2 years' imprisonment or/and pay a fine up to approximately \$65 thousand (97.7 million pounds). Public interest groups pressured the government to drop the charges, and the repeated postponements indicated this option was being considered. The case was still pending in the investigative phase at year's end.

In June pro-Hariri *Al-Mustaqbal* newspaper reporter and Future TV anchor Zahi Wehbe was also charged with defaming the president after writing an article against him. The case was still pending in court at year's end.

Following the departure of Syrian troops, the government did not restrict radio and television broadcasts. In August parliament overwhelmingly passed a bill ending a nearly three-year ban against Murr Television (MTV). However, the Publication Appeals Court ruled on October 21 that MTV should cease its broadcasts because the station had harmed relations with Syria and the dignity of the head of state, as well as violated the electoral law. In November, the station won a decision on appeal and recommenced its broadcasting services.

There were 7 television stations and 33 radio stations. The government owned one television and one radio station; the remaining stations were owned privately. Inexpensive satellite television was widely available.

There were a growing number of attacks on journalists during the year by unidentified, antidemocratic forces (see section 1.a.). Samir Kassir, a columnist for the Arabic-language daily *An-Nahar* and a correspondent for the French television station TV5, was killed by a car bomb on June 2. May Chidiac, the star presenter of the Lebanese Broadcasting Corp (LBC), was critically injured in a bomb attack on her car on September 25 in northeastern Beirut. On December 12, a car bomb in a Beirut suburb killed Gibran Tueni, the CEO of *An-Nahar* and a member of parliament. Despite an accelerating investigation by the judiciary, assisted by the UNIIIC, those responsible were not identified by year's end.

Judicial cases launched in previous years against journalists were not pursued during the year. There were no developments in the 2003 defamation case against journalist Adonis Akra.

The government did not restrict Internet access, and it was used widely. Internet usage and access was reportedly restricted in Hizballah-controlled areas in south Lebanon and in the Palestinian-controlled refugee camps.

The government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government restricted this right. The prior approval of rallies by the MOI was required, and groups opposing government positions sometimes were denied permits.

The assassination of al-Hariri sparked a series of protests against Syria. Following the assassination in February, large demonstrations at al-Hariri's funeral and in subsequent weeks were held in Beirut calling

for Syria's withdrawal from the country. On March 8, Hizballah and a coalition of pro-Syrian parties held a rally attended by a crowd estimated by most observers to be between approximately 500 thousand to 700 thousand. In response, on March 14, to coincide with the one-month anniversary of the assassination of al-Hariri, approximately 1.2 million protesters held the largest rally in the country's history to intensify pressure on Syria to immediately withdraw its troops from the country.

Unlike in previous years, military personnel did not use force to disperse protesters on March 14, and according to observers, defied orders and allowed the demonstrations to proceed peacefully.

In early April, army troops and riot police used batons against irate families and relatives of Lebanese prisoners held in Syria. Protesters were clubbed and, in some photographed examples, troops used rifle butts to subdue the demonstrators. While no one was arrested, the clash touched off popular criticism, prompting the speaker of parliament to call for leniency with the protesters.

Unlike in previous years, politicians opposed to Syria's occupation of the country were allowed to assemble freely in public.

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. In addition to what is provided by law, the MOI imposed on organizations further restrictions and requirements that were not enforced consistently. The ministry in some cases sent notification of formation papers to the security forces, which then conducted inquiries regarding an organization's founding members. The ministry may use the results in deciding whether to approve the group. The ministry at times withheld the receipt, essentially transforming a notification procedure into an approval process.

In August the government changed the policy such that the formation of any association no longer required licensing. According to civil rights organizations, the time needed for registration had in some cases dropped to as little as 10 working days.

Organizations must invite MOI representatives to any general assembly where votes are held for by-law amendments or elections are held for positions on the board of directors. The ministry also required every association to obtain its approval for any change in by-laws; failure to do so could result in the dissolution of the association.

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 (see section 1.f.).

Under popular pressure, following the April withdrawal of Syrian military and security forces, the government ceased to monitor groups critical of Syrian policies, and the government stopped harassing members of such groups.

c. Freedom of Religion

The law provides for freedom of religion and the government respected this right with some limitations. The law does not provide for freedom to have no religion. Discrimination based on religion is built into the system of government. The government subsidized all religions and appointed and paid the salaries of Muslim and Druze judges.

Although there is no state religion, politics were based on the principle of religious representation, which has been applied to nearly every aspect of public life.

A group seeking official recognition must submit its principles for government review to ensure that such principles did not contradict "popular values" and the constitution. 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 (see section 1.e.). State recognition is not a legal requirement for religious worship or practice. For example, although Baha'is, Buddhists, Hindus, and some evangelical denominations were not recognized officially, 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 administering to adherents in accordance with their beliefs. The last group registered was the Coptic Church in 1997. 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.

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 Shi'a 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. The LAF, through universal conscription and an emphasis on professionalism, significantly reduced the role of confessionalism (or religious sectarianism) in the armed forces. Christians and Muslims were represented equally in the parliament. Seats in the parliament, cabinet, and desirable posts in the civil service were distributed proportionally among the 18 recognized groups (see section 3).

The government required that religious affiliation be indicated on civil status registry and on national identity cards, but not on passports.

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. 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. Religious authorities appointed the clerical establishments to which they are affiliated.

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

Societal Abuses and Discrimination

Sectarian rhetoric was intense, and five bombs detonated in predominantly Christian neighborhoods in the run-up to parliamentary elections. Leaders of all religious denominations condemned the bombings.

The Arab-Israeli conflict and Israel's past occupation of the southern part of the country nurtured a strong antipathy toward Israelis, and Lebanese media often reflected that sentiment. Hizballah, through its media outlets, regularly directed strong rhetoric against Israel and its Jewish population and commonly characterized events in the region as part of a "Zionist conspiracy."

Writing a new curriculum for the public schools was one of the requirements included in the Taif Accord of 1989. The new curriculum, which began to be implemented in 2004, included antibias and tolerance education. There is no specific reference to or designation of crimes as hate crimes in legislation.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the government generally respected them with some limitations. The law prohibits direct travel to Israel. Until their withdrawal from Lebanon on April 26, Syrian troops maintained checkpoints throughout much of the country. LAF troops also maintained similar checkpoints. All men between 18 and 21 years of age are required to obtain a travel authorization document from the government before leaving the country.

The law prohibits forced exile and it was not used.

There were no legal restrictions on the right of citizens to return to the country. The government encouraged the return to their homes of over 600 thousand persons internally displaced during the civil war. Although some persons began to reclaim homes abandoned or damaged during the war, the vast majority had not attempted to reclaim and rebuild their property due to concerns about physical security and a hazardous social and economic situation in some areas.

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. Although the law does not provide for granting refugee status, the government has found mechanisms to provide assistance. In practice the government provided some protection against *refoulement*, the return of persons to a country where they feared persecution, and granted refugee status to a limited number of Sudanese. The government cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/1967 protocol to approximately three thousand persons during the year. In 2003 the SG signed an agreement with the UNHCR recognizing and granting protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status do so within two months of arriving in the country. The SG issues residence permits, valid for three months, during which time UNHCR must make a refugee status determination. The SG extended residency permits for up to 12 months for those accorded refugee status by UNHCR. The government granted admission and temporary (six months) refuge to asylum seekers, but not permanent asylum.

Most refugees were Palestinians. The UN Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in the country registered with the UNRWA was approximately 402 thousand. This figure, which represented refugees who arrived in 1948 and their descendents, was presumed to include many thousands who resided outside of the country. Credible sources estimated that the actual number in the country was between 250 thousand and 300 thousand. According to SG records, the number of registered Palestinian refugees was approximately 427 thousand. Most Palestinian refugees were unable to obtain citizenship and were subject to governmental and societal discrimination, particularly in the area of employment; however, Palestinian women who married Lebanese men could obtain citizenship (see section 5). In 2003 the State Consultative Council invalidated the 1994 naturalization decree in which several thousand Palestinian nationals were naturalized. As a result, approximately four thousand cases, some of which are families including several siblings, may lose their Lebanese citizenship. The council referred the issue to the MOI to review the files and decide their legal status. The ministry continued to review the files, but it had not issued a decision by year's end.

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.

On several occasions, Hizballah operatives interfered with the freedom of movement of UN Interim Forces in Lebanon (UNIFIL) personnel. According to the UN secretary general's 2004 report, no action had been taken against the 15 Hizballah operatives who injured 3 UNIFIL observers in 2002, despite government assurances that the perpetrators would be arrested and brought to trial.

According to the UNHCR, there were 2,541 non-Palestinian refugees, primarily Iraqis, Somalis, and Sudanese, registered with the UN and residing in the country. However, this number did not include a substantial number of refugees from Iraq who entered the country illegally in search of jobs, education, and security. The UNHCR commissioned a study during the year to estimate the illegal non-Palestinian refugee population, and as a result of its findings, estimated approximately 12 thousand to 20 thousand non-Palestinian refugees in the country. Most lived on the fringes of the economy and were vulnerable to exploitation and immediate expulsion by authorities. The SG detained approximately 200 Iraqi refugees during the year for return to Iraq. The UNHCR was granted access to them.

Section 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

On February 28, Prime Minister Omar Karami submitted his cabinet's resignation under significant public pressure, including massive street demonstrations. In a constitutional consultative process supported by politicians across the political spectrum, Najib Mikati was selected as interim prime minister to replace Karami. The Mikati cabinet, composed of technocrats, adopted as its primary objective the overseeing of legislative elections within the constitutional timeframe. With the departure of the Syrian troops and closure of Syrian intelligence offices in April, the major constraints on the ability of Lebanese citizens to change their government were removed.

The law provides that elections for the parliament must be held every four years. In turn 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 Shi'a Muslim (see section 2.c.).

During May and June parliamentary elections were held for the first time in three decades without Syrian interference. International observers were invited to monitor these elections and reported fewer incidents of voter fraud and tampering with ballots than previous elections. According to the EU monitoring team, the elections were well managed and took place in a peaceful manner within the existing framework for elections. The process was, however, flawed, particularly because the elections were carried out according to the 2000 electoral law, which reflected Syrian government influence.

During September 2004, amid evidence of heavy Syrian manipulation and coercion, parliament voted for a constitutional amendment extending the term of President Lahoud for three years. Many citizens considered this amendment to violate the constitution.

There are four major political parties and numerous smaller ones. The parliamentary majority party is the Future Movement, led by Saad al-Hariri. It was predominantly a Sunni party, but there were many members who belonged to the Christian Maronite community. The Progressive Socialist Party, led by Walid Jumblatt, predominately 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, but the party's leadership decided to remain outside the cabinet, despite their sizable representation in the parliament. Two smaller Christian parties were the Lebanese Forces, led by Samir Ja'ja', and the Phalange party, led by former president Amin Gemeyal. The largest party representing the Shi'a community was Hizballah, led by Hassan Nasrallah. A smaller Shi'a party, the Amal, was led by Speaker of Parliament Nabih Berri. A number of smaller parties existed, or were in the process of forming, but the larger, sectarian-based parties still maintained the greatest influence in the country's political system.

There were significant cultural barriers to women's participation in politics. Prior to October, no woman had held a cabinet position; however, at year's end there was one woman in the cabinet. In the parliamentary elections, women's representation increased from three members to five members. Since the political system is based on confessionalism, all parliamentary seats are primarily allotted on a sectarian basis. The smallest recognized confessions are allotted at least one seat in parliament.

Palestinian refugees had no political rights (see section 5). 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

There was a widespread perception of corruption at all levels of government. By year's end parliament had begun to hold sessions on public accountability and transparency. The government had not adopted a comprehensive approach or undertaken broad efforts to end corruption.

There are no laws regarding public access to government documents, either allowing or denying access. In practice the government did not respond to requests.

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

A number of local and international human rights groups generally operated freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, the National Association for the Rights of the Disabled, ICRC, and Amnesty International, investigating and publishing their findings. Government officials generally were cooperative, except when some of these groups sought to publicize the alleged detention in Syria of hundreds of Lebanese citizens. The bar association and other private organizations regularly held public events that included discussions of human rights issues. Some human rights groups reported harassment and intimidation by the government or Hizballah.

Section 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, there were few accommodations made for them. Discrimination based on race, language, or social status is illegal and was not widespread among citizens; however, foreign domestic servants often were

mistreated. Foreign domestic servants 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 does not specifically prohibit domestic violence, and domestic violence against women was a problem. There were no authoritative statistics on the extent of spousal abuse; however, most experts noted that it was a problem. 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 had no separate program to provide medical assistance to battered women; however, it provided legal assistance to victims who could not afford it regardless of their gender. In most cases police ignored complaints submitted by battered or abused women. A local NGO, the Lebanese Council to Resist Violence against Women, worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence.

Foreign domestic servants often were mistreated, abused, and in some cases, raped or placed in slavery-like conditions (see section 5, Trafficking). Asian and African female workers had no practical legal recourse available to them because of their low status, isolation from society, and because labor laws did not protect them (see section 6.e.). Because 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 law prohibits rape, and the minimum prison sentence for a person convicted of rape is five years in prison. The minimum sentence for a person convicted of raping a minor is seven years. The law was effectively enforced.

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 one to seven years' imprisonment. While several honor crimes were reported in the media, no person was convicted in a case legally considered an honor crime.

Although the law on prostitution requires that brothels be licensed and that sex workers be tested regularly for disease, government policy has been to stop issuing new licenses for brothels in an attempt to gradually eliminate legal prostitution in the country. In practice most prostitution was unlicensed and illegal. The SG reported issuing 4,405 visas in 2004 to eastern European women to work in adult clubs as "artistes." Although prostitution is illegal, virtually all of these women engaged in voluntary prostitution with the implicit consent of the government. The country was a destination for trafficked persons, primarily women (see section 5, Trafficking).

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 of the home or their contact with friends and relatives. 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.

Only men may confer citizenship on their spouses and children. Accordingly children born to citizen mothers and foreign fathers are not eligible for citizenship. Citizen widows may confer citizenship on their minor children.

Children

The plight of children was a growing concern for the government. Education was free in public schools and compulsory until the completion of the elementary level at age 12. However, implementation decrees were not issued. Public schools generally were inadequate, lacking proper facilities, equipment and trained staff. Although private schools are widespread in the country, the cost of private education was a significant problem for the middle and lower classes. The UN Children's Fund reported that in the 2000 school year, approximately 85 percent of children between the ages of 3 and 5, and approximately 98 percent of children between the ages of 7 to 11 were enrolled in school. In some families with limited incomes, boys received more education than girls.

During the year the Higher Council for Childhood (administered by the Ministry of Social Affairs), in cooperation with several NGOs, organized five regional workshops to discuss the right to education and the obstacles that hinder the application of the law on compulsory education and ways to overcome them.

Boys and girls had equal access to medical care. The government provided vaccination and other pediatric health services in dispensaries operated by the Ministry of Health and the Ministry of Social Affairs. Access to hospitals was provided to all free of gender discrimination.

Children of poor families often sought employment and took jobs that jeopardized their safety (see section 6.d.).

No statistics were available on prostitution, but 97 minors were reported victims of sexual crimes in 2002.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons, and although the government made significant progress stemming some forms of trafficking in persons, it remained a problem. The Penal Code stipulates that, "any person who deprives another of freedom either by abduction or any other means shall be sentenced to temporary hard labor." The country was a destination for East European and Russian women, contracted as dancers in adult clubs. Most of these women engaged in voluntary illegal prostitution and were at risk as targets of abuse.

The country was also a destination for women from Africa and Asia, usually contracted as household workers. Women are required by law to have good faith work contracts and sponsors, but often found themselves in coercive work situations with little practical legal recourse.

If forced prostitution or forced rendering of sexual services occurred as a result of abduction, the Penal Code stipulates that the abductor be sentenced to at least one year in prison; however, this law was applied inconsistently. Many women became illegal workers because their employers did not renew their work and residency permits or because they ran away from their employers' house, therefore becoming subject to detention and deportation. Unscrupulous employers sometimes falsely accused the employee of theft to relinquish responsibility for the employee as well as the taxes and return airline ticket (see section 6.e.).

Restrictions of movement and withholding of passports were common practice. A small number of exploited foreign workers won cases against their employers. Nonjudicial action resolved the majority of these cases. As a result of that process, 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.

Six Filipinas who were working as migrants died in 2004, three of whom were believed to be attempting to flee abusive work environments when they died. The deaths of Perla Dizon, Rechel Del Pen, and Luz Pacuan were ruled accidents. The government closed the case of Catherine Bautista, finding no evidence that her employer sexually abused her. In the case of Herra Olandres, 2 medical reports acknowledged signs of rape 24 hours prior to her death. At year's end the case was under police investigation, as was the case of Luella Montenegro.

In November 2004 Filipina worker Helen Ganzon was reportedly tortured at a police station to confess that she stole money from her employer. The court that looked into the theft case accepted a settlement between Ganzon and her employer, but failed to pursue the alleged actions of torture at the police station. Ganzon was repatriated to the Philippines at her own request.

During the year the SG took some administrative measures against 16 places of frequented prostitution and against 3 employment agencies because they hired workers under fictitious sponsors.

Since July 2004 the SG stopped issuing visas to migrant workers from Ethiopia because Ethiopian authorities could not guarantee that adequate safeguards against fraud in the recruitment of these women for work in Lebanon were being taken.

Unlike in previous years, there were no reports during the year of any attempt to smuggle persons into the country.

The country made some progress in protecting victims of trafficking. The government did not provide foreign workers with relief from deportation, shelter, or access to legal, medical, or psychological services. However, in January the SG signed a Memorandum of Understanding (MOU) with two NGOs that set up a safe house for migrant worker victims of significant abuse and began referring trafficking victims to the safe house. The MOU allowed social workers to accompany victims during interviews by immigration authorities. It also granted out-of-visa status for workers who were victims of abuse and permission to stay up to two months to assist in the investigation of their cases and the prosecution of their abusers and implemented screening and referral procedures for trafficking cases. NGOs indicated that the government still did not have a zero-tolerance policy for physical abuse of domestic workers.

In January in the wake of the Asian tsunami, the SG granted amnesty and waived penalties for up to 1,700 South Asians who did not hold valid visas, thereby permitting them to return to their countries without administrative

complications or penalties by Lebanese authorities.

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

Pamphlets published by the government in 2004, which defined trafficking and informed potential victims on how to contact embassies, the ISF, the Red Cross, and NGOs for assistance were no longer being distributed to migrant workers upon arrival at Beirut International Airport.

Persons with Disabilities

Discrimination against persons with disabilities continued. For example, the Civil Service Board, which is in charge of recruiting government employees, refused to receive applications from disabled persons. The law mandates disabled access to buildings; however, the government failed to take steps to amend building codes to conform to this law. Approximately 100 thousand persons were disabled during the civil war. Families generally cared for their own family members with disabilities. Most efforts to assist persons with disabilities were made by approximately 100 private organizations. These organizations were relatively active, although poorly funded.

The law on persons with disabilities stipulates that at least 3 percent of all government and private sector positions should 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.

In 2002 the Ministry of Finance informed all firms and companies that it would not settle obligations with them unless they proved that 3 percent of their workforce was composed of persons with disabilities. However, the ministry failed to enforce this decision.

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

National/Racial/Ethnic Minorities

According to the UNRWA, an estimated 402 thousand Palestinian refugees were registered in the country (see section 2.d.); however, credible sources believed that approximately 250 thousand to 300 thousand Palestinians actually resided in the country. Most Palestinian refugees lived in overpopulated camps that suffered repeated heavy damage as a result of fighting during the civil war, during the Israeli invasion of the country, and during on-going camp feuds. 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. 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. The law prohibited Palestinian refugees from working in 72 professions. However, on June 7, 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.

Palestinian refugees do not have the right to own property in the country. Palestinians no longer may purchase property and those who owned property prior to 2001 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. Other foreigners may own a limited-size plot of land, but only after obtaining the approval of five different district offices. The law applies to all foreigners, but it was applied in a manner disadvantageous to the 25 thousand Kurds in the country. The government did not provide health services or education to Palestinian refugees, who relied on UNRWA for these services.

Many Palestinian children reportedly were forced to leave school at an early age to help earn income. Other reasons for dropouts were marriage (especially for minor girls), frustration, and hopelessness. Poverty, drug addiction, prostitution, and crime reportedly prevailed in the camps, although reliable statistics were not available.

On October 13, according to the government, a new office in the Ministry of Foreign Affairs was established to address the Palestinian refugee issue in a more comprehensive and just manner. One of the principal objectives of this office was to approve and increase the number of humanitarian projects designed to assist the Palestinian refugee population, with an emphasis on health and education. This office will seek additional donor assistance and cooperation from the international community and NGOs.

There were reports that Syrian workers, usually employed in manual labor occupations, suffered discrimination following the withdrawal of Syrian forces in April. Many Syrian laborers also reportedly left Lebanon out of fear of harassment. There were no data collected on this situation; therefore the true extent of the problem was unknown.

Other Societal Abuses and Discrimination

Discrimination against homosexuals existed during the year. The law prohibits unnatural sexual intercourse, which is punishable by up to one year in prison. The law was sometimes applied to homosexuals. Citizens' sexual preferences reflected societal norms, not legal rulings. There are no discriminatory laws against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, except government employees, may establish and join unions, and workers exercised this right in practice. The General Confederation of Labor (GCL) estimated that there were 900 thousand 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. Most unions belonged to federations. At year's end 43 federations were voting members of the GCL. However, some unionists continued to claim that some of these federations were "virtual," that is, created by political interest groups to offset the votes of the 13 established labor confederations that actually represented workers. The GCL remained the only organization recognized by the government as an interlocutor that represented workers.

Antiunion discrimination was a common practice. In October 2004, two labor leaders were fired from the Lebanese Postal Service for union activities. The GCL interceded on numerous occasions to address the firing of unionists from companies but failed to reverse the decision.

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participated actively in trade unions.

b. The Right to Organize and Bargain Collectively

The right of workers to organize and to bargain collectively exists in law and practice. Most worker groups engaged in some form of collective bargaining with their employers. Stronger federations obtained significant gains for their members and on occasion assisted nonunion workers. No government mechanisms promoted voluntary labor-management negotiations, and workers had no protection against antiunion discrimination.

The law provides for the right to strike, but unlike in previous years, the GCL did not organize any demonstrations.

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 (see sections 5 and 6.e.).

d. Prohibition of Child Labor and Minimum Age for Employment

Child labor was a problem. The minimum age for child employment is 14 years. Under the law juveniles are defined as children between 14 and 18 years of age. The law prohibits the employment of juveniles 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 6 hours per day, and requires 1 hour of rest if work is more than 4 hours. The law entitles them to 21 days of paid annual leave.

Juveniles are prohibited from working between the hours of 7 p.m. and 7 a.m. The law prohibits juveniles under the age of 17 from working in jobs that jeopardize their health, safety, or morals. It also prohibits the employment of juveniles under 16 in industrial jobs or jobs that are physically demanding or harmful to their health. The Ministry of Labor (MOL) was responsible for enforcing these requirements; however, it did not enforce the law effectively. In cooperation with the UN Office for Drug Control and Crime Prevention, the government inaugurated the Center for Juvenile Victims of Physical Abuse. As such, juveniles would no longer be interrogated at police stations but rather at the center, which was equipped according to international norms, in the presence of a social worker.

Children worked in predominantly trade-related jobs. The percentage of working children between the ages of 10 and 14 was estimated at 1.8 percent. The percentage of working children between the ages of 15 and 18 was 11.3 percent. There were no recent reliable statistics on the number of child workers.

In December 2004 the MOL completed a study on working street children, which provided a snapshot of the condition and nature of street children in the country. The report showed that the average street child was a boy (9 percent were girls), foreign (only 15 percent were citizens, the others were most often Palestinian and Syrian), 12 years of age, and poorly educated or illiterate. Street children were concentrated in large urban centers where approximately 47 percent of them were forced to work long hours on the streets by adults. The most common types of work were selling goods, including lottery tickets, shoe polishing, and washing car windshields. The children earned between \$2 and \$15 (3 thousand to 25 thousand pounds) per day. Only 19 percent of the children interviewed said they kept their income.

e. Acceptable Conditions of Work

The government sets a legal minimum wage; during the year it was approximately \$200 (300 thousand pounds) per month, but it was not enforced effectively in the private sector. The minimum wage did not provide a decent standard of living for a worker and family. Trade unions attempted to ensure the payment of minimum wages in both the public sector and the large-scale private sector.

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 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 continued 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. 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 Labor Ministry and the National Social Security Fund. In most cases, however, they preferred to remain silent fearing arbitrary dismissal.

Foreign domestic workers, mostly of Asian and African origin, were mistreated, abused, raped, or placed in situations of coerced labor or slavery-like conditions (see section 5). Recruitment agencies and employers are 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 until the end of the contract, which was usually two years. Government regulations prohibit employment agencies from withholding foreign workers' passports for any reason. However, in practice it continued to be common for employment agencies and household employers to withhold maids' passports. These measures were used to control the outside activities of the workers, specifically, to keep them from running away.

The law does not protect foreign domestic workers. 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. Although official contracts stipulate a wage ranging from \$100 to \$300 (150 thousand to 450 thousand pounds) per month, depending on the nationality of the worker, the actual salary was much less. Victims of trafficking or abusive labor situations 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.

In 2004 the MOL, which regulates the activities of employment agencies, closed 11 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. The MOL, which also has jurisdiction in cases where the labor contract has been violated, reported adjudicating 35 such cases in 2004, deciding 23 in favor of the worker. An unknown number of other cases of nonpayment of wages were settled through negotiation. Nevertheless, there was evidence that the majority of such cases were not resolved, and the worker was repatriated without having received wages due. According to source country embassies and consulates, many workers did not report violations of their labor contracts until after returning to their countries.



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