



January 2011

country summary

## Lebanon

Lebanese officials showed increased willingness to discuss human rights concerns in 2010, but failed to implement many of the reforms needed to improve the country's record.

The authorities rejected a proposed law that would grant women the right to pass nationality to their husbands and children, and despite promises to the contrary, made no efforts to shed light on the fate of people who disappeared during the 1975-1990 civil war. In August parliament enacted a long-awaited amendment to ease Palestinian refugees' access to the labor market, but the reform fell short of expectations.

Tension increased in the second half of the year over the United Nations tribunal tasked with investigating the killing in 2005 of former Prime Minister Rafik Hariri, amid fears the country would again plunge into turmoil.

### Torture, Ill-Treatment, and Prison Conditions

Lebanese law prohibits torture, but accountability for torture remains elusive. A number of detainees, especially suspected spies for Israel and armed Jihadists, told Human Rights Watch that their interrogators tortured them in a number of detention facilities, including the Ministry of Defense and the Information Branch of the Internal Security Forces. Lebanon has not yet established a national preventive mechanism to visit and monitor places of detention, as required under the Optional Protocol to the Convention against Torture (OPCAT), which it ratified in 2008.

Conditions in prisons remain poor, with overcrowding and lack of proper medical care a persistent problem. According to the Internal Security Forces, pretrial detainees represent around two-thirds of the total number of detainees.

Lebanon maintained its de facto moratorium on executions, but at least five death sentences were passed in 2010. Many political leaders called for the death penalty against persons convicted of spying for Israel. In July President Michel Suleiman, who under Lebanese law must approve every death sentence, said that he would approve death penalties issued by military tribunals.

## Freedom of Expression

Despite Lebanon's vibrant media, 2010 saw increased harassment of bloggers and journalists who criticize the army and certain high-ranking officials. In March Military Intelligence briefly detained and interrogated a blogger, Khodor Saleme, for posting a series of articles critical of the army and the three heads of state. In June security forces detained Na'im Hanna, Antoine Ramia, and Shibel Kassab for posting comments critical of the president on Facebook. An investigative judge charged them with libel, defamation, and insulting the president, but released them on bail on July 2. In August Military Intelligence summoned Hassan Oleik, a journalist with *al-Akhbar* newspaper, for writing about an alleged conversation between Defense Minister Elias Murr and the country's army commander, Jean Kahwaji, concerning a suspected Israeli spy. They released him a few hours later. In August Military Intelligence also briefly detained Ismael Sheikh Hassan, an urban planner, over an article he published criticizing public authorities and the army for their handling of the reconstruction of the Nahr al-Bared refugee camp.

## Refugees

The estimated 300,000 Palestinian refugees in Lebanon live in appalling social and economic conditions. In August Lebanon's parliament amended its labor law to facilitate the ability of Palestinian refugees to obtain work permits by exempting them from reciprocity requirements, eliminating work permit fees, and giving them limited social security benefits. However, the reform did nothing to remove restrictions that bar Palestinians from working in at least 25 professions requiring syndicate membership, including law, medicine, and engineering. It also leaves in place a work permit system that relies on employer cooperation, a system that has previously relegated most Palestinians to black market labor. Palestinian refugees are still subject to a discriminatory law introduced in 2001 preventing them from registering property.

Palestinians from the Nahr al-Bared refugee camp—destroyed in the 2007 battle between Lebanon's army and the armed Fatah al-Islam group—continue to live in dire conditions. Reconstruction efforts have been delayed, and UN Relief and Work Agency reported the first set of rebuilt houses will not be delivered before March 2011. The Lebanese army restricts movement to the camp by maintaining checkpoints around it.

According to government sources, the Ministry of Interior resumed issuing temporary identification papers to Palestinians in Lebanon who are without legal documentation as part of a plan to improve the legal status of at least 3,000 non-ID Palestinians who had

previously lived in constant fear of arrest. The ministry had stopped the process in early 2009, citing fraudulent applications.

As of September 30 there were 9,768 non-Palestinian refugees and asylum-seekers registered with the United Nations High Commissioner for Refugees (UNHCR), more than 80 percent of them from Iraq. Since Lebanon has not ratified the 1951 Refugee Convention, it does not give legal effect to UNHCR's recognition of refugees and generally treats most as illegal immigrants subject to arrest. As of October 31, 54 recognized refugees or asylum seekers remained in detention solely for not holding proper residency papers.

### **Migrant Workers' Rights**

Migrant domestic workers (MDW) face exploitation and abuse by employers, including excessive work hours, non-payment of wages, confinement in the workplace, and in some cases physical and sexual abuse. MDWs suing their employers for abuse face legal obstacles and risk imprisonment and deportation due to the restrictive visa system. In June the Ministry of Labor instituted a hotline to receive workers' complaints. MDWs continue to die in high numbers, with eight deaths in August alone. Most are classified as suicides.

Male migrant workers—mostly from Syria and Egypt—working in construction and other manual jobs face hazardous working conditions and are regular targets for robbery and violent attack. State authorities have not made any concerted effort to protect them or bring perpetrators to justice.

### **Detention of Foreigners after their Sentence**

According to the Internal Security Forces, around 13 percent of detainees in Lebanese prisons were foreigners who had finished serving their sentence. The group included asylum seekers and refugees who cannot safely return to their countries. Their ongoing detention is illegal. In September 2010 Lebanon's Council of Ministers adopted a decree with the stated purpose of reducing the number of foreigners detained beyond their sentence. However, the decree has not yet been implemented and will not address concerns about the detention of asylum seekers and refugees who do not hold proper residency papers.

### **Women's and Girls' Rights**

Discriminatory provisions continue to exist in personal status laws, nationality laws, and penal laws relating to violence in the family. In May the Council of Ministers issued a decree expanding the right of children and husbands of Lebanese women to reside in Lebanon, but

Lebanese women, unlike Lebanese men, still cannot pass their nationality to foreign husbands and children.

In April the Council of Ministers submitted to parliament a new bill that aims to criminalize domestic violence. The bill requires anyone who witnesses domestic violence to report it and obliges perpetrators to provide the plaintiff with alternative living arrangements, an allowance, and to pay medical expenses.

## **Legacy of Past Conflicts and Wars**

Lebanon deposited its ratification of the Convention on Cluster Munitions with the UN on November 5, 2010. The submunition “duds” left behind by Israel’s 2006 bombardment of southern Lebanon continue to harm civilians: according to the official Lebanon Mine Action Center, such duds have killed at least 45 and wounded more than 300 since 2006.

Despite a 2009 pledge to work to uncover the fate of the Lebanese and other nationals who “disappeared” during and after the 1975-1990 Lebanese civil war and to ratify the International Convention for the Protection of all Persons from Enforced Disappearances, the government took no steps on these issues in 2010.

An official joint Syrian-Lebanese committee established in May 2005 to investigate cases of Lebanese who “disappeared” at the hands of Syrian security forces has not published any findings at this writing.

## **Hariri Tribunal**

Tension over the intention of the UN’s international tribunal to try those responsible for killing former Prime Minister Hariri in 2005 and other politically motivated assassinations increased in anticipation of possible indictments that may implicate members of Hezbollah. Hezbollah called for a boycott of the tribunal, accusing it of being an “Israeli project.”

## **Key International Actors**

Multiple international and regional actors compete for influence in Lebanon. Regionally, Syria, Iran, and Saudi Arabia maintain a strong influence on Lebanese politics through their local allies.

France, the United States, and the European Union provide assistance for a wide range of programs, including armed forces training, torture prevention seminars, and civil society

activities. However these countries have not fully used their leverage to push Lebanon to adopt concrete measures to improve its human rights record, such as investigating specific allegations of torture or adopting laws that respect the rights of refugees or migrant workers.

UN peacekeepers are still present in large numbers at Lebanon's volatile southern border with Israel.