

HUMAN RIGHTS WATCH

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To whom it may concern,

I'm writing to you on behalf of Human Rights Watch ahead of the May 6 parliamentary elections to urge you to commit to taking concrete action on human rights priorities in Lebanon.

Prior to the elections, Human Rights Watch will issue a report on the human rights commitments that candidates and political parties have made. Human Rights Watch is an independent and impartial nongovernmental organization that reports on human rights conditions in some 90 countries around the world.

Lebanese voters deserve a substantive debate during the campaign about issues that affect them, particularly with respect to human rights. Now is the time to make a public commitment for reforms that will strengthen Lebanon's human rights record. Set forth below are 10 main human rights priorities that candidates and political parties should address. Please let us know which positions you will support.

We hope that you will adopt these commitments as part of your own political platform and ensure that the next parliament and government implements these important recommendations.

If you or your political party are willing to commit to some or all of the recommendations laid out below, please let us know by **April 14** so that we can include you in our upcoming report. We can be reached at [REDACTED], by phone at [REDACTED], or by fax at [REDACTED].

Sincerely,
Lama Fakih
Beirut Director
Deputy Middle East Director
Human Rights Watch

Freedom of Expression and Assembly

Human Rights Watch has documented a troubling pattern of arrests and prosecutions for criticizing Lebanese officials or government bodies. Criminal defamation laws and laws criminalizing criticism of public officials and symbols stifle freedom of expression. Security personnel also appear to have used unlawful force against protesters.

- Will you commit to repealing laws that criminalize criticism of state officials, government institutions, and national symbols?
- Will you commit to repealing criminal defamation laws and ensuring that defamation is only a civil offense?

Torture

Human Rights Watch and Lebanese human rights organizations routinely document credible reports of torture and cruel, inhuman, or degrading treatment of people in government custody. Authorities have failed to properly investigate allegations of torture and ill-treatment by security services, and accountability remains elusive. In 2016, parliament passed legislation creating a national preventive mechanism to monitor and investigate the use of torture. However, Lebanon has still not established the mechanism, allocated funding, or announced its members.

- Will you commit to amending article 49 of the Code of Criminal Procedure to explicitly guarantee suspects the right to a lawyer from the start of any form of detention, including during police questioning?
- Will you commit to supporting the establishment of the National Human Rights Institute and National Preventative Mechanism against torture?

The Waste Crisis

Lebanon's ongoing waste management crisis threatens the right to a healthy environment. There are 941 open, unregulated dumps across the country, with dangerous open burning of waste at more than 150 dumps every week. Parliament has not passed the national waste management law approved by Cabinet in 2012.

- Will you commit to passing and implementing a national waste management law that respects the right to health and a clean environment?

Military Courts

Lebanon tries civilians, including children, in military courts, violating their due process rights and international law. Those who have stood trial in the military courts describe incommunicado detention, the use of confessions extracted under torture, decisions issued without an explanation, seemingly arbitrary sentences, and a limited ability to appeal.

- Will you commit to amending article 24 of the Code of Military Justice of 1968 to remove civilians and all children from military court jurisdiction?

Women's rights

Women face discrimination under 15 religion-based **personal status laws**, including inequality in access to divorce, child custody, and property rights. Lebanese women cannot pass on their **nationality** to their children and foreign husbands and are subject to discriminatory inheritance laws. Lebanon has **no minimum age for marriage** for all its citizens, and some religious courts allow girls younger than 15 to marry.

A 2014 Law on the Protection of Women and Family from **Domestic Violence** established important protections and reforms, but failed to criminalize all forms of domestic violence, including marital rape. A lack of coordination in the government's response to **sex trafficking** puts women and girls at risk. An estimated 250,000 **migrant domestic workers**, are excluded from labor law protections. The *kafala* (sponsorship) system subjects them to restrictive immigration rules and places them at risk of exploitation and abuse.

- Will you commit to passing an optional civil personal status code that would ensure equal rights for all Lebanese?
- Will you commit to amending Lebanon's nationality law to ensure that Lebanese women can pass on their citizenship to their children.

- Will you commit to requiring government oversight of religious courts and authorities to ensure compliance with human rights obligations, and require that religious confessions submit their laws to parliament for review?
- Will you commit to passing a law to set the national minimum marriage age at 18?
- Will you commit to passing a law to end all forms of domestic violence and ensuring that the legal definition of rape is comprehensive, with no exceptions for marital rape?
- Will you commit to removing obstacles to reporting human trafficking and providing support to survivors?
- Will you commit to reforming the *kafala* sponsorship system so that workers' visas are no longer tied to individual sponsors, and they can terminate employment without sponsor consent?
- Will you commit to extending labor law protections to domestic workers and to introduce additional protections to monitor working conditions and investigate abuse?

Disability Rights

Public and private schools often deny admission to children with disabilities despite a legal prohibition against such discrimination. Most schools do not take reasonable steps to provide the few children with disabilities who manage to enroll with a quality education on an equal basis with other children.

- Will you commit to amending Law 220/2000 or pass new legislation that would require schools to take all necessary steps to include children with disabilities and ensure that they have reasonable accommodations to access a quality education?

Sexual Orientation and Gender Identity

Adultery is criminalized under Lebanon's penal code, and article 534 punishes "any sexual intercourse contrary to the order of nature" with up to one year in prison. In recent years, authorities have conducted raids to arrest people allegedly

involved in same-sex conduct, some of whom were subjected to torture, including forced anal examinations.

- Will you commit to abolishing article 534 of Lebanon's penal code and other provisions that criminalize consensual adult sexual relations?

Refugees

Lebanon imposes residency restrictions on the estimated 1.5 million Syrian refugees in the country, making it difficult for them to maintain legal status. An estimated 74 percent of Syrians now lack legal residency and cannot move freely for fear of arrest at checkpoint. This impedes their ability to support their families and send their children to school, while leading to an increase in child marriage and child labor. Certain municipalities have also unlawfully evicted and expelled Syrian refugees, and many have imposed arbitrary curfews and other restrictions on Syrians. Palestinians also face restrictions, including on their right to work.

- Will you support easing restrictions on temporary legal status for Syrians until it is safe for them to return to Syria?
- Will you publicly oppose municipalities' unlawful eviction or expulsion of refugees?
- Will you commit to abolishing legislative restrictions on hiring Palestinians?

Justice and Accountability

Lebanon has failed to advance justice or accountability for the families of the estimated 17,000 people kidnapped or "disappeared" during the 1975-1990 civil war.

- Will you commit to establishing an independent national commission to advance justice and accountability for people forcibly disappeared during the civil war?
- Will you publicly support accountability for abuses by security forces, including torture, ill treatment, and the use of unlawful force against protesters?

Privacy

Privacy and surveillance researchers released a report in January alleging that a malware campaign responsible for stealing large amounts of personal data was tied to a building owned by Lebanon's General Security agency, raising serious privacy and other rights concerns.

- Will you commit to amending Law 140 of 1999 to ensure that it makes clear to the public the circumstances in which the monitoring or surveillance may take place?
- Will you commit to disclosing the malware activities the government has undertaken or believes it is entitled to undertake, and require review by a court or other qualified independent body to ensure that all surveillance techniques are lawful, non-arbitrary, and non-discriminatory?