Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR’s Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the Knowledge and Information Management Unit.

LBN105403.E

Lebanon: Whether a Lebanese citizen who did not fulfill his military service prior to the abolition of compulsory military service faces any consequences; whether a conscientious objector could be considered a reservist who could be called to serve (2010-2015)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Failure to Complete Compulsory Military Service

Information on the treatment of individuals who failed to complete military service before the abolition of compulsory military service was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. In correspondence with the Research Directorate, a senior fellow with the Arleigh A. Burke Chair in Strategy at the Center for Strategic & International Studies (CSIS), whose research focuses on the Lebanese Armed Forces, stated that "Article 8 of Law number 655," issued in 2005, abolishing mandatory military service beginning two years after the issuance of the legislation, "stipulates that the prosecution against the defaulters of ... military service will stop and all sanctions and judgements will be dropped immediately upon the issuance of the present law and the defaulters will be rehabilitated" (Senior Fellow 15 Jan. 2016).

In correspondence with the Research Directorate, a senior analyst with the Middle East/Mediterranean Program at the European Union Institute for Security Studies, who has a research specialization in Arab military structures and the Lebanese army, stated that individuals who "avoided" service prior to 2007 "need to be legalized with the military justice system" and to her knowledge, "simply returning to Lebanon without clarifying the situation could lead to legal repercussions" (Senior Analyst 18 Jan. 2016). The same source expressed however, that to her knowledge, there is no formalized system for doing so, but that the Lebanese Embassy should be made aware of the individuals' status before returning to Lebanon (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

For further information on the treatment of individuals who failed to complete military service before the abolition of compulsory military service, see Response to Information Request LBN103353.

2. Conscientious Objection and Reservists

Information on conscientious objection and reservists in the Lebanese Armed Forces was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. In correspondence with the Research Directorate, a professor of political science at the University of Otago, who specializes in the politics of the Middle East, including publications on the history of Lebanon, stated that to his knowledge, there was no right to conscientious objection during the mandatory military service period (Professor 7 Jan. 2016). Sources similarly state that there is no legal provision for conscientious objection in
Lebanon (WRI 1 Apr. 1998; Senior Analyst 18 Jan. 2016). A 2012 report published by the UN Office of the High Commissioner for Human Rights (OHCHR) on conscientious objection to military service states that in 2002, 16 Member States, including Lebanon, stated that "they did not recognize the universal applicability of conscientious objection to military service" (UN 2012, 17). The Senior Fellow similarly indicated that Lebanon "does not recognize the right of conscientious objection to military service" (15 Jan. 2016). The same source further stated that, prior to the abolition of military service, "the only restriction ... was a gender restriction ... Lebanese women were not included in the mandatory military service" (ibid.).

According to the Professor, to his knowledge, a conscientious objector could not be considered a reservist if he never completed any compulsory service (Professor 7 Jan. 2016). The Senior Analyst similarly stated that those who avoided service prior to 2007, or the "post-2007 generation" that did not serve, "are not part of the reservists" (18 Jan. 2016). The source further indicated that individuals that had served "are reservists until they are 40" and that "professional soldiers and warrant officers leave at 53 and officers at 64" (ibid.). According to the Senior Fellow, an individual "cannot be compelled" to join the current Lebanese Armed Forces reserves as "service is voluntary" (15 Jan. 2016). Further and corroborating information on reservists could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Professor of political science, University of Otago. 7 January 2016. Correspondence with the Research Directorate.

Senior Analyst, Middle East/Mediterranean Program, European Union Institute for Security Studies. 18 January 2016. Correspondence with the Research Directorate.

Senior Fellow, Arleigh A. Burke Chair in Strategy, Center for Strategic & International Studies (CSIS). 15 January 2016. Correspondence with the Research Directorate.


Additional Sources Consulted

Oral sources: Fares Center for Eastern Mediterranean Studies; Lebanese Center for Human Rights; Lebanon – Embassy in Ottawa; Middle East Center, Carnegie Endowment for International Peace; Professor of politics and international studies, SOAS University of London.

Internet sites, including: Al-akhbar; Al-monitor; Amnesty International; Carnegie Endowment for International Peace; Center for Strategic & International Studies; Chr. Michelsen Institute; Conflict Studies Research Centre; Conscience and Peace Tax International; The Daily Star Lebanon; ecoi.net; Factiva; Freedom House; Human Rights Watch; International Crisis Group; Jane's Intelligence Review; Lebanese Center for Human Rights; Lebanon – Lebanese Armed Forces; Middle East Eye; Naharnet; The New York Times; Small Arms Survey; Strategic Studies Institute; United Nations – Refworld; US – Department of State, The Law Library of Congress.

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