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U.S. Department of State

Lebanon Country Report on Human Rights Practices for 1996

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LEBANON

Lebanon is a parliamentary republic in which the President is by tradition a Maronite Christian, the Prime Minister a Sunni Muslim, and the speaker of the Chamber of Deputies a Shi'a Muslim. The Parliament consists of 128 deputies, equally divided between Christian and Muslim representatives. The judiciary is generally independent, but is subject to political pressure.

Non-Lebanese military forces control much of Lebanon. These include about 30,000 Syrian troops; a contingent of Israeli army regulars; an Israeli-supported militia in southern Lebanon, and several armed Palestinian factions. All undermine the authority of the central Government and prevent the application of law in the patchwork of areas not under the Government's control. In 1991 the governments of Lebanon and Syria concluded a security agreement that provides a framework for cooperation between their armed forces. However, Syrian military intelligence units in Lebanon conduct their activities independently of the agreement.

In 1989 the Arab League brokered a peace settlement at Taif, Saudi Arabia, to end the civil war in Lebanon. According to the Taif Accord, Syrian troops were scheduled to be redeployed from their positions in Lebanon's coastal population areas to the Biqa' valley, with full withdrawal contingent upon fulfillment of other aspects of the Taif Accord and subsequent agreement by both the Lebanese and Syrian governments. Although the Syrian Government has refused to carry out this withdrawal from the coastal areas, it made some partial redeployments from Beirut and the Metn in the latter part of the year. One Syrian official cited the increased ability of Lebanese forces to fulfill security functions as a factor in the redeployment. However, strong Syrian influence over Lebanese politics and decisionmakers make

Lebanese officials unwilling to press for a complete withdrawal. This relationship with Syria does not reflect the will of most Lebanese citizens.

Israel exerts control in and near its self-proclaimed "security zone" in south Lebanon through its surrogate, the South Lebanon Army (SLA), and the presence of about 1,000 Israeli regular troops. Also in south Lebanon, the Iranian-backed Shi'a Muslim militia, Hizballah, and allied Palestinian guerrillas continue to be locked in a cycle of attack and counterattack with Israeli forces and the SLA. Palestinian groups operate autonomously in refugee camps throughout the country. During the year, the Government continued to consolidate its authority in the parts of the country under its control, but made little effort to disarm Hizballah, Hizballah's allies, and the SLA, or to reassert state control over the Palestinian refugee camps.

The security forces comprise the Lebanese Armed Forces (LAF), which may arrest and detain suspects on national security grounds; the Internal Security Forces (ISF), which enforce laws, conduct searches and arrests, and refer cases to the judiciary; and the State Security Apparatus and the Surete General, both of which collect information on groups that may jeopardize state security. The Surete General is also responsible for the issuance of passports and residency permits and for the censorship of foreign periodicals and movies that treat national security issues. The security forces committed serious human rights abuses.

Before the 1975-90 hostilities, Lebanon was an important regional financial and commercial center. The war weakened its commercial leadership and inflicted massive damage on the economic infrastructure. In 1996 the economy continued to recover as the Government took steps to restore confidence and implement an ambitious reconstruction program.

Since the end of hostilities, the Government has made no substantial effort to improve human rights conditions, and serious problems remain in several areas. Members of the security forces used excessive force and tortured some detainees. Prison conditions remained poor. Government abuses also included the arbitrary arrest and detention of persons who opposed government policies. The Government infringed on citizens' privacy rights. The Government continued to restrict freedom of assembly and ban demonstrations. The Government also partially limited press freedom, particularly by passing a new media law to restrict radio and television broadcasting. The right of citizens to change their government has deteriorated in recent years. Although the August-September parliamentary elections represented a step forward, the electoral process was flawed by various shortcomings, as the elections were not prepared or carried out impartially. Discrimination against women and Palestinians, and violence against women are problems.

Although the overall level of armed conflict has declined in recent years, heavy fighting occurred in April, provoked by two lethal incidents in the south. Life and property, especially in the south, are still threatened by artillery and aerial attacks by the various contending forces. These forces continue to commit abuses, including killings, terrorist bombings and abductions.

The SLA maintains a separate and arbitrary system of justice in the zone, which is independent of Lebanese central authority. During the year, SLA officials reportedly arbitrarily arrested and detained persons, mistreated detainees, deported some alleged criminals to Israel to face legal charges, and expelled some local residents from their homes in the zone. Palestinian groups in refugee camps maintain a separate arbitrary system of justice for other Palestinians. Members of the various Palestinian groups that control the camps tortured and detained their Palestinian rivals.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

During the year, political killings declined as the Government further consolidated its authority over the country. Various factions and unknown persons committed extrajudicial killings. On August 9, unidentified assailants shot and killed Ibrahim 'Abdallah Bou-Hamdan, an official in the Shi'a Amal Movement in the Biqa' valley. One Iraqi national, Idriss Daoud Shayeh, was arrested as a suspect in the crime. On August 18, three members of the Druze Progressive Socialist Party (PSP) were accused of responsibility for the death of 'Akram Arbeed. They allegedly beat him while he was accompanying a candidate for parliamentary elections. The Government claimed that Arbeed died of a heart attack while being transported to the hospital for treatment. The three suspects were interrogated by the judiciary but released on bail. A trial is pending.

In February Lebanese army intelligence abducted Ahmad Al-Hallaq from inside the Israeli-defined security zone. Hallaq was convicted in absentia by a military court in June 1995 for the 1994 death of Hizballah figure Fua'd Mughniyah and two others in a car-bomb explosion. Tawfiq Nasser, who was also sentenced to death in the same case, surrendered to the Lebanese embassy in Argentina and was brought back to Lebanon for trial. In August the military court found Ahmad Al-Hallaq and Tawfiq Nasser guilty, and sentenced Hallaq to death and Nasser to 10 years' imprisonment at hard labor. Hallaq's death sentence was carried out on September 21, after President Hrawi refused his appeal for clemency.

In May the Criminal Court of Beirut found former Lebanese Forces commander Samir Ja'Ja' and codefendant Rafiq Saadah guilty of the 1990 murder of former Kata'ib Party member Dr. 'Ilyas Al-Zayek. Ja'Ja' and Saadah were sentenced to death, but the sentence was subsequently commuted by the President to life at hard labor. The court also sentenced in absentia Ghassan Touma and Antonios Ilyas Ilyas (alias Tony Obayd) to death for the same murder but commuted their sentences to life imprisonment at hard labor. Neither is in custody.

On March 14, in a setback for government efforts to bring those responsible for terrorist acts during the war years to justice, the Court of Cassation found Bassem Al-Firikh and Nameq Kamal not guilty of murder for their roles in the 1976 assassination of U.S. Ambassador Francis Meloy, embassy officer Robert Waring, and their driver Muhammad Meghrabi. The two men were found guilty of the lesser crime of kidnaping, which the court ruled made them eligible for amnesty under the 1991 Amnesty Law.

There were no developments in the 1994 death of Tariq Hasaniyah, who was allegedly beaten to death by authorities at the Bayt Al-Din Prison, nor in the 1994 death of Fawzi Al-Rasi, who died while in the custody of the Ministry of Defense.

In 1994 security forces arrested four Iraqi diplomats assigned to Beirut and charged them with the murder of an Iraqi dissident. According to press reports the suspects have admitted their guilt, but as of year's end no trial had yet been held. One suspect died in custody in 1995, reportedly of natural causes.

b. Disappearance

There were no reports of politically motivated disappearances.

The Government has taken no judicial action against groups known to be responsible for the kidnapings of thousands of people during the unrest between 1975 and 1990. In May 1995, Parliament approved a

law that allows those who disappeared during the civil war to be officially declared dead. The law stipulates that interested parties may declare as dead any Lebanese or foreigner who has disappeared in Lebanon or abroad and for whose disappearance death was the most probable explanation. Petitioners may apply for a court certification 4 years after a declaration of disappearance and may not benefit from any properties inherited until 6 years after such a court certification. The law facilitates the resolution of inheritance claims and second marriages.

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

There continued to be credible reports that Lebanese security forces used torture on some detainees. In January some members of Parliament accused the ISF of torturing detainees by beating them, especially during interrogation, and called on the Ministers of Justice and Interior to investigate. At least one prisoner reportedly suffered paralysis as a result of security force violence during interrogation. Authorities charged three policemen, but the case was still pending at year's end.

Abuses also occurred in areas outside the State's authority, especially in the Palestinian refugee camps. There were credible reports that members of the various Palestinian groups that control the camps detained and tortured their Palestinian rivals.

Prison conditions are poor and do not meet internationally recognized minimum standards. There are only 18 operating prisons with a total capacity of 2,000 inmates. However, prisons are overcrowded, and the total number of prisoners is nearly 5,000. According to a study prepared jointly by the Association for the Protection of Human Rights and the Ministry of Social Affairs, overcrowding is the main problem. Inmates also lack heat and adequate toilet and shower facilities. For example, the Zahle Prison for males consists of 4 rooms with a total of 194 prisoners. The same study also shows that of the 142 juveniles detained in prisons, only 9 were charged; the others are awaiting trial. The prison system is regulated by law. Although the Interior Minister requested \$50 million at the end of 1995 to rehabilitate the prison system, the requested amount was subsequently turned down by the Government for lack of funds.

In addition to the regular prisons, the Surete Generale, which mans border posts, operates a detention facility. Hundreds of foreigners, mostly Egyptians and Sri Lankans, have been detained pending deportation. They are reportedly held in small, poorly ventilated cells.

The Government does not permit prison visits by human rights monitors.

The South Lebanon Army operates its own detention facility in Al-Khiyam Prison, and there are frequent allegations of mistreatment of detainees. The SLA permitted relatives to visit detainees since October 1995. Hizballah also detains SLA members and suspected agents at unknown locations. Hizballah reportedly mistreats them. Both groups occasionally release prisoners. Hizballah, for example, unilaterally released some prisoners in February and July. A German-brokered exchange of prisoners and prisoner remains involving Hizballah, Israel, and the SLA also took place in July.

Neither the SLA nor Hizballah permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Government resorts to arbitrary arrests and detention. The law requires security forces to obtain warrants of arrest before making arrests. However, military prosecutors, who are responsible for cases including the military as well as those involving espionage, treason, weapons possession, and draft

evasion, reportedly issue blank warrants of arrest to be completed after a suspect has been arrested. Arresting officers must refer a suspect to a prosecutor within 24 hours of arrest, but frequently do not do so.

The law requires the authorities to release suspects after 48 hours of arrest if they do not bring formal charges against them. Some prosecutors flout this requirement and detain suspects for long periods in pretrial confinement without a court order. The law authorizes judges to remand suspects to incommunicado detention of 10 days with a possible extension of an additional 10 days. Bail is only available to those accused of petty crimes, not to those accused of felonies. Defendants have the right to legal counsel, but there is no public defender's office. The Bar Association has an office to assist those who cannot afford a lawyer.

Security forces continued the practice of arbitrary arrest, detaining mainly the opponents of the Government. In March security forces arrested five persons for distribution of antigovernment leaflets. The five, who were members of the Lebanese Popular Convention, were charged and later acquitted for lack of evidence.

In April the Lebanese army arrested members of the dissolved Lebanese Forces militia and some 'Awnist groups, who had gathered in the Maronite Patriarchate in Bkirki to protest government policies and practices on the occasion of the visit of French President Jacques Chirac. Most of those arrested were released a few hours later, after President Chirac had left the area.

On July 13, the Lebanese army arrested 88 supporters of the former commander of the Lebanese Forces, Samir Ja'Ja', in the village of Bsharre, in north Lebanon. Ja'Ja's supporters had been shooting into the air to celebrate Ja'Ja's acquittal on charges of bombing a church in February 1994. Several persons were reportedly beaten by LAF, including the priest of the village. The military court sentenced 65 of the 88 to from

5 to 20 days' imprisonment and acquitted the others.

After the December 18 rifle attack on a Syrian bus, security forces detained and interrogated scores of citizens, predominately Christians. These detentions and searches of homes reportedly took place without warrants, and detainees were not given access to lawyers. Although most were released after brief periods, some, including a prominent human rights activist and a journalist, were held for 10 days or more without charge. The journalist was subsequently charged with distributing leaflets that disturb Lebanon's relations with friendly nations and having friendly contacts with Israeli agents, and released on bail. The law allows for detention without charge for 24 hours and an additional 24 hours with court permission.

Human rights groups credibly allege that detained persons are sometimes transferred to Syrian custody and imprisoned in Syria. The number of such persons cannot be accurately determined, but on November 24, Prime Minister Hariri stated that 210 Lebanese were in Syrian custody.

The authorities often detain for short periods and without charges political opponents of the Syrian and Lebanese governments.

Local militias and non-Lebanese forces continued to conduct arbitrary arrests in areas outside central government control. The SLA detains an estimated 100 to 200 Lebanese citizens and an undetermined number of Palestinians at Al-Khiyam prison in south Lebanon. During the year, the SLA continued to allow the families of detainees to visit their relatives in the prison. It also released 82 detainees, most of

whom were Lebanese citizens.

In July the SLA abducted the son of a parliamentarian from his home in Jazzine, in response to the abduction by Hizballah of an SLA member. The parliamentarian's son was released shortly thereafter. The SLA member is still believed to be held. In January press reports indicated that 3 Swedes were arrested by Hizballah forces in the southern suburbs of Beirut while they were taking photographs of a mosque. Hizballah denied the report.

Syrian forces reportedly detained persons.

Israel is known to hold several Lebanese citizens, including Shaykh Abd Al-Karim Obaid and Mustafa Dirani, figures associated with the Islamic Resistance (IR).

Palestinian refugees are subject to arrest, detention, and harassment by the state security forces, Syrian forces, the various militias, and rival Palestinians.

In the recent past, the Government resorted to exile as a means of punishment. In 1991 it pardoned former army commander General Michel 'Awn and two of his aides on the condition that they depart the country and remain in exile for 5 years. 'Awn was accused of usurping power. The 5-year period ended on August 29, but 'Awn still remains in France.

e. Denial of Fair Public Trial

The judiciary is generally impartial and independent. However, influential politicians and Syrian intelligence officers sometimes intervene to protect their supporters from prosecution.

The judicial system is composed of the regular civilian courts, the military court, which tries cases involving military personnel and military-related issues, the Judicial Council, which tries national security offenses, and the religious tribunals of the various denominations, which adjudicate disputes including marriage, inheritance, and personal status.

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security. On the recommendation of the Minister of Justice, the Cabinet decides whether to try a case before this tribunal.

The Ministry of Justice appoints judges according to a formula based on the confessional, i.e., the religious affiliation of the prospective judge. The shortage of judges has impeded efforts to adjudicate cases backlogged during the years of internal conflicts. Trial delays are also caused by the Government's inability to conduct investigations in areas outside its control. Defendants have the right to examine evidence against them. The testimony of a woman is equal to that of a man.

In May the Judicial Council started to try 17 persons charged with the August 31, 1995 killing of Shaykh Nizar Al-Halabi, a Sunni cleric who headed an Islamist socio-political organization. The 17 publicly admitted their guilt. The trial is ongoing. The leader of the 17, Ahmad Abd Al-Karim Al-Sa'di (alias Abu Muhjin) is still hiding in the 'Ayn Al-Hilweh Palestinian refugee camp near Sidon. Several arrest warrants were issued, but the authorities have not apprehended him, declining to enter the refugee camp because to do so might provoke unnecessary bloodshed.

In July the Judicial Council issued its verdict in the 1994 Al-Zuq church bombing. The tribunal acquitted Samir Ja'Ja' of charges of bombing the church but sentenced him to 10 years' imprisonment for

creating illegal military cells. Ja'Ja' is still on trial for the 1991 assassination attempt against then-Minister of Defense Michel Al-Murr.

The SLA maintains a separate and arbitrary system of justice. Palestinian groups in refugee camps operate an autonomous and arbitrary system of justice. Hizballah applies Islamic law in areas under its control.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

While the authorities generally show little interest in controlling the personal lives of citizens, they readily interfere with the privacy of persons regarded as foes of the Government. Laws require that prosecutors obtain warrants before entering houses, except when the army is in hot pursuit of an armed attacker.

The Government uses informer networks and monitors telephones to gather information on its adversaries. In May the Salvation Bloc, headed by former Prime Minister Salim Al-Huss, issued a communique asking the Government to stop telephone tapping. There were numerous reports that members of government security forces visited the homes of politicians in the Metn region on the eve of elections for purposes of intimidation.

Militias and non-Lebanese forces operating outside areas of central government authority have frequently violated rights of privacy. Various factions also use informer networks and monitor telephones to obtain information on their adversaries.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

An undetermined member of civilians continue to be killed in south Lebanon, as Lebanese and Palestinian militias on the one hand, and Israeli forces and SLA on the other, engage in a cycle of violence. The former organizations attacked SLA and Israeli troops deployed in Lebanon, and also launched rocket attacks against northern Israel. Israeli forces conducted repeated air strikes and artillery barrages on populated areas and on guerrilla and terrorist targets inside Lebanon.

There were numerous incidents in the cycle of attack and reprisals. For example, in April after Israeli aircraft raided several villages in both the western and central sectors of Lebanon and two Lebanese civilians were killed in two other incidents, Hizballah began firing Katyusha rockets at settlements in northern Israel. Israel conducted a large-scale military operation dubbed "Grapes of Wrath," in response to Hizballah's refusal to cease launching these rockets.

During the 16-day operation, hundreds of thousands of civilians in southern Lebanon fled their homes and sought refuge in safer parts of the country. About 164 Lebanese, primarily civilian noncombatants, were killed. Israeli planes hit two Beirut civilian power stations. During the operation, Katyusha attacks against northern Israel intensified.

On April 18, Hizballah fired mortar rounds at an Israeli military unit from a position very near the U.N. compound at Qana, and the Israeli Defense Forces (IDF) responded with artillery fire. A number of Israeli shells struck the compound, killing 102 civilians who had sought shelter there and wounding others. The government of Israel expressed regret for these casualties, but insisted that the U.N. compound had not been targeted intentionally. A U.N. report concluded, however, that it was unlikely

the shelling was due to technical or procedural error.

Negotiations to end the fighting resulted in an April 26 understanding under which the two parties committed not to target civilians nor to use civilian-populated areas or nonmilitary public installations as launching grounds for attacks. An international monitoring group was established to monitor application of the understanding and to (deal with) (hear) (review) complaints of violations of the understanding. This group, the Israel-Lebanon Monitoring Group (ILMG), continued to function throughout the remainder of the year, with the participation of the United States, France, Syria, Israel, and Lebanon.

In February the Israeli Navy detained three fishermen off the coast of Tyre in south Lebanon. On June 13, the IDF seized journalist Ali Daya, the Agence France Press (AFP) correspondent in the security zone. An Israel army spokesman said that Daya was arrested on suspicion of collaboration with Hizballah. Daya was released on July 18.

In August the Israeli air force raided Ba'labakk and damaged the building of The Voice of the Oppressed, the radio voice of Hizballah.

On September 21, the SLA expelled a family of 12 from the village of Mayss-Al-Jabal (Bint Jubayl province), allegedly due to the desertion from the SLA of one member of the family. The Israeli forces and the SLA reportedly expelled 18 additional persons from the security zone during the year, including 7 members of the Abdallah family and 8 members of Ali Khalil Nasrallah's extended family from Hula village, a husband and wife from the village of Markaba, and one individual from Tair Harfa.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of the press, but the Government partially limits this right in practice. Freedom of the press declined significantly during the year as the Government prosecuted newspapers, passed a new media law to restrict radio and television broadcasting, and intimidated journalists and broadcasters into practicing self-censorship. The Government also imposes direct censorship on satellite broadcasts originating in Lebanon.

Lebanon has a long history of freedom of opinion, speech, and the press. Although there were repeated attempts to restrict these freedoms during the year, daily criticism of government policies and leaders continues. Dozens of newspapers and magazines are published throughout Lebanon, financed by various Lebanese and foreign groups. While the press is normally independent, press content often reflects the opinions of these financial backers.

The Government uses several tools at its disposal to control the freedom of expression. The Surete Generale is authorized to approve all foreign magazines and nonperiodical works including plays, books, and films before they are distributed in the market. 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, a special court empowered to try such matters.

Moreover, the 1991 security agreement between Lebanon and Syria contains a provision that effectively prohibits the publication of any information deemed harmful to the security of either state. Under the risk of prosecution, Lebanese journalists censor themselves on matters related to Syria.

During the year, the Government severely attacked press freedoms by filing charges against several

newspapers. In one 10-day period, three dailies (Ad-Diyar, Al-Liwa' and Nida' Al-Watan), and two weeklies (Al-Kifah Al-Arabi and Al-Massira) were charged with defaming the President and the Prime Minister, and for publishing materials deemed provocative to one religious sect. The daily Ad-Diyar alone was indicted five times and both the owner and editor-in-chief faced sentences of between 2 months' and 2 years' imprisonment and fines of \$30,000 to \$60,000 if found guilty.

In September the Government provoked widespread protest when it moved suddenly to implement its controversial Media Law. The stated purpose of the law is to impose order on the largely unregulated airwaves and to reduce religious and political tensions by forcing the country's many small, sectarian oriented stations to combine into a much smaller number of pluralist stations.

Most citizens, however, view the implementation of the law as political in nature. It would reduce 52 television stations to 4 stations, and approximately 100 radio stations to 11, only 3 of which would be permitted to broadcast news programs. All four television stations approved so far are owned by, or closely associated with, important government figures. Some of the approved stations are not yet operational, while a number of popular stations associated with opposition to the Government have been refused licenses, ostensibly for failing to comply with the law. As of year's end, the Government had not enforced the November 30 closure of unlicensed stations. It had stated that it would continue to consider new applications. Hizballah's radio and television stations were allowed to continue to broadcast without a license, including news related to "resistance" activities.

In May the Surete Generale confiscated all issues of the book entitled "Remove Peter's Mask from the Face of Christ," by the Saudi Arabian author Ahmad Zaki. The book was determined by the Surete Generale to defame Christianity.

In November the Interior Ministry's Public Security Department reportedly twice censored the scenes from the foreign movie "Independence Day" to remove scenes with Jewish characters, and Hizballah later demanded a complete ban on the film because one of its heroes is a Jew. In September a public prosecutor charged a singer, Marcel Khalife, with demeaning religious rituals. The same prosecutor also charged Andre Yussef Haddad with demeaning religious rituals in his book "The Entrance to Arab Unity." However, on September 21, facing rising criticism from various factions, the Prime Minister asked the Justice Minister to drop the charges brought against Khalife. The charges against Haddad were dropped by an investigating judge on January 8, 1997.

Lebanon has a strong tradition of academic freedom and a flourishing private educational system born of inadequate public schools and a preference for sectarian affiliation. Students exercise the right to form campus associations and the Government usually does not interfere with student groups.

b. Freedom of Peaceful Assembly and Association

Although the Constitution provides for freedom of assembly, the Government restricts this right. Any group wishing to organize a rally must obtain the prior approval of the Interior Ministry, which does not render decisions uniformly. The Government banned all rallies again in 1996 but made an exception during the parliamentary elections. Various political factions, such as oppositionist Amal, Hizballah, 'Awnists, and supporters of the Prime Minister held rallies without obtaining government permission.

In February the General Confederation of Labor (CGTL) submitted a request to hold demonstrations on February 29. The Government refused to grant permission, and called on the LAF to control the situation. The LAF was accorded a 90-day grant of exceptional powers necessary to maintain public order. Under this authority it imposed a nationwide curfew on February 29, which lasted 16 hours. The

LAF also imposed a temporary ban on the public display of weapons by those licensed to carry arms. Several persons were arrested for violating the curfew, including three journalists. The three were accused of photographing a military installation but were released after 24 hours. The others, about 30 persons, were sentenced to 5 to 10 days in jail.

On April 4, the Government prevented the CGTL from staging a sit-in in front of Parliament during the visit of French President Jacques Chirac. The Lebanese army encircled CGTL headquarters and prevented CGTL leaders from leaving their offices, keeping them under provisional arrest for about 6 hours.

The Constitution provides for freedom of association. The Government generally respects this right; however, there were exceptions during the year. In general, the Government does not interfere with the establishment of private organizations. The law requires that persons forming organizations notify the Interior Ministry, which in turn issues permits for the formation of associations. The Interior Ministry refused to grant a permit to the Lebanese Association for the Democratization of Elections, declaring it nonexistent.

The Ministry of Interior also scrutinizes requests to establish political movements or parties, and to extent monitors their activities. The Army Intelligence Service monitors the movement and activities of members of opposition groups.

Neither Israel nor Syria allows groups openly hostile to them to operate in areas under their control.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice.

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

The Constitution provides for these rights, and the Government generally respects them in practice. However, there are some limitations. Travel to Israel is prohibited by law, but many do so through Israeli-occupied territory in southern Lebanon. All male citizens between 18 and 21 years of age are subject to compulsory military service and are required to register at a recruitment office and obtain a travel authorization document before leaving the country. Husbands may block foreign travel by their wives and minor children.

Lebanese Armed Forces and Syrian troops maintain checkpoints in areas under their control. In south Lebanon, the Lebanese army, the Israeli army, and the SLA all maintain tight restrictions on the movement of people and goods into and out of Israel's self-declared security zone.

There are no legal restrictions on the right of all citizens to return. Many emigres, however, are reluctant to return for a variety of political, economic, and social reasons. After years of internal conflict, the recent increased legitimacy of government authority has removed barriers that previously hindered domestic travel. The Government has encouraged the return to their homes of over 600,000 persons displaced during the civil war. Although some people have begun to reclaim their homes abandoned or damaged during the war, the vast majority of displaced persons have not attempted to reclaim and rehabilitate their property. The resettlement process is slowed by tight budgetary constraints, shattered infrastructure, the lack of schools and economic opportunities, and the fear that physical security is still incomplete in some parts of the country.

Most non-Lebanese refugees are Palestinians. The United Nations Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in Lebanon registered with UNRWA was 352,668 as of June 30. The Government estimates the number of Palestinian refugees at 361,000, but this figure includes only the families of refugees who arrived in 1948.

The Government issues laissez-passers (travel documents) to Palestinian refugees to enable them to travel and work abroad. However, after the government of Libya announced in September 1995 its intention to expel Palestinians working in that country, the Lebanese Government moved to prohibit the return of Palestinians living abroad unless they obtain an entry visa. The Government maintained that the visa requirement is necessary to ensure the validity of Lebanese laissez-passers, as a large number of those documents were forged during the years of strife. The effect has been to discourage foreign travel by Palestinians resident in Lebanon.

The Government seeks to prevent the entry of asylum seekers and undocumented refugees. There have been no known asylum requests since 1975. There are legal provisions for granting asylum or refugee status in accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Relief and Works Agency.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution states that citizens have the right to change their government in periodic free and fair elections. However, while the August-September parliamentary elections represented a small step forward, the electoral process was flawed by significant shortcomings, as the elections were not prepared or carried out impartially.

According to the Constitution, elections for the Parliament must be held every 4 years. The Parliament, in turn, elects the President every 6 years. The President and Parliament nominate the Prime Minister, who with the President chooses the Cabinet. According to the unwritten "National Pact of 1943," the president is a Maronite Christian, the Prime Minister a Sunni Muslim, and the speaker of Parliament a Shi'a Muslim. Until 1990, seats in Parliament were divided on a 6 to 5 ratio of Christians to Muslims. Positions in the Government were allocated on a similar basis between Christians and Muslims. Under the National Reconciliation Agreement reached in Taif, Saudi Arabia in 1989, members of Parliament agreed to alter the National Pact to create a 50-50 balance between Christian and Muslim members of Parliament. The Taif Accord also increased the number of seats in Parliament and transferred some powers from the President to the Prime Minister and Cabinet.

In August and September, Lebanon held its second parliamentary elections since 1972. On balance they constituted a small step forward for the restoration of democracy in Lebanon, with significantly higher voter turnout than the last election in 1992. (The turnout reached about 45 percent; the historical average is near 50 percent.) Nonetheless, the elections were flawed by a variety of shortcomings. A call by Christian oppositionists to boycott the polling led to a result that did not entirely reflect the will of the entire populace. Moreover, the elections were not prepared and carried out in a manner that ensured broad national confidence in their fairness. For example, many citizens complained that the Electoral Law was tailored to favor some political groups over others by enhancing their electoral influence since the districting was not uniformly applied. There were also credible reports of Syrian government involvement in the formation of candidate lists and alliances, as well as numerous reports of irregularities in the process of voting and counting of ballots, including the failure to provide adequate privacy for voting at some polling places, restrictions on observers, the use of forged identification papers, buying of votes, stuffing of "misplaced" ballot boxes, and, according to some reports, the existence of officially sealed envelopes with the competing lists inside. The electoral rolls were

themselves in many instances considered unreliable, among other reasons, because of the destruction of records. It is not clear how such acts may have influenced the outcome of individual races.

Government officials have acknowledged some electoral shortcomings and pledged to correct them in future elections. Moreover, unlike in the 1992 elections, losing candidates can challenge results through the Constitutional Council. Several candidates have submitted such challenges, and the Council has 2 months in which to issue its irrevocable decisions. There were no decisions by year's end.

The right of citizens to change their government also was undermined by a decision taken by Parliament in May 1995 to extend the term in office of the country's municipal officials to December 31, 1996. Municipal elections have not been held since 1963. Many serving officials are elderly or have been appointed by the central government. The Government has not announced any firm plans for new elections.

Women have the right to vote and there are no legal barriers to their participation in politics. No women hold Cabinet positions. Three women were elected to Parliament in 1996.

Palestinian refugees have no political rights. An estimated 17 Palestinian factions operate in Lebanon, generally organized around prominent individuals. Most Palestinians live in refugee camps controlled by one or more factions. The leaders of the refugees are not elected, nor are there any democratically organized institutions in the camps.

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

Several human rights groups operate freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, and the National Association for the Rights of the Disabled. Some of these groups have sought to publicize the detention in Syria of hundreds of Lebanese citizens. The Government has made no public comment on the issue. The number of such persons cannot be accurately determined, but on November 24, President Hrawi stated that 210 Lebanese were in Syrian custody. Some human rights groups have reported harassment and intimidation by government, Syrian, and militia forces.

In April the Government granted an entry visa to a delegation from Amnesty International (AI), to allow its members to investigate the Qana incident (see Section 1.g.).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution calls for "social justice and equality of duties and rights among all citizens without prejudice or favoritism." In practice, aspects of the law and traditional mores discriminate against women. Religious discrimination is built into the electoral system. Discrimination based on the other listed factors is illegal.

Women

The press reports cases of rape with increasing frequency; what is reported is thought to be only a fraction of the actual level of this abuse. There are no authoritative statistics on the extent of spousal abuse. Most experts agree that the problem affects a significant portion of the adult female population. In general battered or abused women do not talk about their suffering for fear of bringing shame upon their families or accusations of misbehavior upon themselves. Doctors and social workers believe that

most abused women do not seek medical help. The Government has no separate program to provide medical assistance to battered women. It does provide legal assistance to victims of crimes who cannot afford it, regardless of the gender of the victim. The Lebanese Association for Combating Violence Against Women, founded in 1994, has been active in lobbying to improve the socio-economic condition of women and to reduce violence against women.

The legal system is discriminatory in its handling of "crimes of honor." According to the Penal Code, the killer of a spouse may receive a reduced sentence if that partner demonstrates that the crime was in response to an illegitimate sexual relationship conducted by the victim. Since 1991, however, the Government has begun to increase sentences on violent crimes in general and to seek punishment for males who commit "crimes of honor."

Women have employment opportunities in government, medicine, law, academia, the arts, and, to a lesser degree, in business. However, social pressure against women pursuing careers is strong in some parts of society. Males sometimes exercise considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives. Women may own property but often cede effective control of it to male relatives for cultural reasons. In 1994 the Parliament removed a legal stipulation that a woman must obtain her husband's approval to open a business or engage in a trade. Husbands may block foreign travel by their wives (see Section 2.d.).

Only males may confer citizenship on their spouses and children. This means that children born to Lebanese mothers and foreign fathers may not become citizens. In late 1995, the Parliament approved a law allowing Lebanese widows to confer citizenship on their minor children.

Religious groups have their own family and personal status laws administered by religious courts. Each group differs in its treatment of marriage, family property rights, and inheritance. Many of these laws discriminate against women. For example, Sunni inheritance law gives a son twice the share of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands.

Children

The plight of children is a growing concern, but the Government has not allocated funds to protect them. Education is not compulsory, and many children take jobs at a young age to help support their families. In lower income families, boys generally get more education, while girls usually remain at home to do housework.

An undetermined number of children are neglected, abused, exploited, and even sold to adoption agents. There are hundreds of abandoned children in the streets nationwide, some of whom survive by begging, others by working at low wages. According to a U.N. Children's Fund (UNICEF) study, 60 percent of working children are below 13 years of age and 75 percent of them earn wages below two-thirds of the minimum wage. Juvenile delinquency is on the rise; many delinquents wait in ordinary prisons for trial and remain there after sentencing. Although their number is very small, there is no adequate place to hold delinquent girls, and they are currently held in the women's prison in Ba'abda. Limited financial resources have hindered efforts to build adequate facilities to rehabilitate delinquents. However, the Higher Relief Committee allotted some funds to the Association for the Protection of Juveniles to lease two-story building in Ba'asir in order to accommodate 50 juvenile delinquents.

There are neither child welfare programs nor government institutions to oversee the implementation of children's programs. The Committee for Children's Rights, formed 3 years ago by prominent politicians

and private citizens, has been lobbying for legislation to improve the condition of children. The Parliament passed a law to cease use of the word "illegitimate" on the identity cards of children born out of wedlock. The Ministry of Health requires the establishment of health records for every child up to 18 years.

People with Disabilities

Over 100,000 people sustained disabilities during the civil war. Care of the disabled is generally a function performed by families. Most efforts to secure education, independence, health, and shelter for the disabled are made by some 100 private organizations for the disabled. In general, these organizations are poorly funded.

Lebanon's heavily damaged cities make no accommodation for the disabled. Building codes have no requirements for ease of access. The private "Solidere" project for the reconstruction of downtown Beirut has imposed requirements for disabled access. This project is widely considered a model for future construction efforts around the country.

Religious Minorities

Discrimination based on religion is built into the system of government. The amended Constitution of 1990 embraces the principle of abolishing religious affiliation as a criterion for filling all government positions, but few practical steps have been taken to accomplish this. One notable exception is the Lebanese Armed Forces, which through universal conscription and an emphasis on professionalism, has significantly reduced the role of confessionalism (religious sectarianism) in that organization.

National/Racial/Ethnic Minorities

According to the United Nations, an estimated 350,000 Palestinian refugees live in Lebanon, though estimates by other organizations are considerably higher. Most Palestinian refugees live in overpopulated camps that have suffered repeated heavy damage as a result of fighting. The Government has instructed relief workers to suspend reconstruction work in the camps, and refugees fear that in the future the Government will reduce the size of the camps or eliminate them completely.

The Government officially ended its practice of denying work permits to Palestinians in 1991; however, in practice, very few Palestinians receive work permits. Palestinians still encounter job discrimination, and most are funneled into unskilled occupations. They and other aliens may own land of a limited size but only after obtaining the approval of five different district offices. The law applies to all aliens, but for political, cultural, and economic reasons it is applied in a manner disadvantageous to Palestinians and, to a lesser extent, Kurds. The Government does not provide health services to Palestinian refugees, who must rely on UNRWA and UNRWA-contacted private hospitals.

In recent years, Palestinian incomes have declined as the Palestinian Liberation Organization closed many of its offices in Lebanon, which formerly employed as much as 50 percent of the Palestinian work force. Palestinian children have reportedly been forced to leave school at an early age because U.N. relief workers do not have sufficient funds for education programs. The U.N. estimates that 18 percent of street children are Palestinian. Drug addiction and crime reportedly are increasing in the camps, as is prostitution.

Section 6 Worker Rights

a. The Right of Association

All workers, except government employees, may establish and join unions and have a legal right to strike. Worker representatives must be chosen from those employed within the bargaining unit. About 900,000 persons form the active labor force, 42 percent of whom are members of 160 labor unions and associations. Twenty-two of the unions, with about 200,000 workers, are represented in the General Confederation of Labour.

In general the Government does not control or restrict unions, although union leaders allege that the Government has tried to intervene in elections for union officials.

Palestinian refugees may organize their own unions, but restrictions on their right to work make this right more theoretical than real. Few Palestinians participate actively in trade unions.

Unions are free to affiliate with international federations and confederations, and they maintain a variety of such affiliations.

b. The Right to Organize and Bargain Collectively

The right of workers to organize and to bargain exists in law and practice. Most worker groups engage in some form of collective bargaining with their employers. Stronger federations obtain significant gains for their members, and on occasion have assisted nonunionized workers. There is no government mechanism to promote voluntary labor-management negotiations, and workers have no protection against antiunion discrimination. The Government's ban on demonstrations arguably diminishes unions' bargaining power.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Forced labor is not prohibited by law. Children, foreign domestic servants, or other foreign workers are sometimes forced to remain in situations amounting to coerced or bonded labor.

d. Minimum Age for Employment of Children

The 1946 Labor Code stipulates that workers between the ages of 8 and 16 may not work more than 7 hours per day, with 1 hour for rest provided after 4 hours. They are also prohibited from working between the hours of 7 p.m. and 6 a.m. There is a general prohibition against "jobs out of proportion with a worker's age." The Code also prohibits certain types of mechanical work for children of ages 8 to 13, and other types for those of ages 13 to 16. The Labor Ministry is tasked with enforcing these requirements, but the civil war left it with few resources and a demoralized and sometimes corrupt staff. The Ministry does not rigorously apply the law.

e. Acceptable Conditions of Work

The Government sets a legal minimum wage, which was raised in April to about \$200 (300,000 Lebanese pounds) per month. The law is not enforced effectively in the private sector. In theory the courts could be called upon to enforce it, but in practice they are not. The minimum wage is insufficient to provide a decent standard of living for a worker and family. Trade unions actively try to ensure the payment of minimum wages in both the public sector and the large-scale private sector, such as

education and transport.

The Labor Law prescribes a standard 6-day workweek of 48 hours, with a 24-hour rest period per week. In practice workers in the industrial sector work an average of 35 hours per week, and workers in other sectors work an average of 30 hours per week. The law includes specific occupational health and safety regulations. Labor regulations call on employers to take adequate precautions for employee safety. Enforcement, the responsibility of the Labor Ministry, is uneven. Labor organizers report that workers do not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment.

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