



Lebanon

Country Reports on Human Rights Practices - [2006](#)

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Lebanon, with a population of approximately 4 million, is a parliamentary republic 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, who is the head of state, was elected in 1998 for a six year term; however, in September 2004 the Syrian regime pressured parliamentarians to pass a constitutional amendment that extended President Lahoud's term until November 2007. The latest legislative elections took place in four phases between May 29 and June 19, 2005. According to international observers, the elections 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 majority in the parliament opposed to Syrian interference in the country.

The July-August conflict involving Israel and the terrorist organization Hizballah erupted on July 12, when Hizballah entered Israel from Lebanese territory and kidnapped and killed Israeli soldiers. Israeli military forces responded by entering Lebanese territory. Both Hizballah fighters and Lebanese civilians died during the conflict. The conflict ended with a UN-sponsored cessation of hostilities on August 14.

Despite the cessation in hostilities and the deployment of Lebanon Armed Forces (LAF) and United Nations Interim Forces in Lebanon (UNIFIL) in the south, Hizballah retained significant influence over parts of the country, and Palestinian militias retained control of refugee camps, beyond the reach of state authorities. UN Security Council (UNSC) resolutions 1559, 1614, and 1701 call upon the government to take effective control of all Lebanese territory and disarm militia groups operating in Lebanese territory. Due to several factors, including internal political differences and lack of capacity on the part of its security forces, the government has not taken the necessary steps to disarm extralegal armed groups, including Hizballah.

There were limitations on the right of citizens to peacefully change their government. In a climate of impunity, there were instances of arbitrary or unlawful deprivation of life, torture, and other abuse. Security forces arbitrarily arrested and detained individuals, while poor prison conditions, lengthy pretrial detention and long delays in trials remained serious problems. The government violated citizens' privacy rights in an atmosphere of government corruption and lack of transparency. There were some restrictions on freedoms of speech and press, including intimidation of journalists. There were limitations on freedom of movement for unregistered refugees, while widespread, systematic discrimination against Palestinian refugees continued. Domestic violence and societal discrimination against women continued. Violence against children and child labor were also problems.

During the year before the conflict broke out, the government took significant steps to increase freedom of assembly and association at mass demonstrations and by facilitating the formation of new political associations and parties. The government also took concrete measures to prevent unauthorized eavesdropping on private citizens.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

Excluding the period of conflict between Hizballah and Israel, there were no reports of arbitrary or unlawful deprivation of life by the government or its agents.

On July 12, Hizballah killed three and abducted two Israeli Defense Force (IDF) soldiers during a cross-border attack from southern Lebanon, resulting in a conflict that lasted until August 14. According to the UN, Israel's air and ground operations in Lebanon killed 1,191 persons, and injured 4,409 persons. Hizballah group leaders unofficially indicated that more than 250 of their fighters were killed during the conflict.

During the year the UN International Independent Investigation Commission (UNIIC), established under UNSC resolution 1595, continued its investigation into the February 2005 assassination of former Prime Minister Rafiq Hariri. While preliminary reports over the last year have pointed to possible linkages to Syrian intelligence services, no firm conclusion was reached by year's end.

The following deaths by car bombings were reported during the year: On May 26, Islamic Jihad member Mahmoud Majzoub and his brother were killed in Sidon by a bomb placed in his car. The cabinet condemned the killing asserting that it had "the fingerprints of the Israeli occupation."

On September 5, two roadside bombs exploded in Rmeileh injuring Internal Security Forces (ISF) Lieutenant Colonel Samir Shehade and killing four of his bodyguards. Shehade was deputy head of the information department in the ISF; Shehade handled many sensitive cases including the investigation into the late Prime Minister Hariri's assassination. The explosion came on the eve of the arrival of UN Undersecretary for Legal Affairs Michel to Beirut to discuss the formation of an international tribunal to try suspects in the Hariri assassination. Investigations into the incident continued at year's end.

On November 21, a team of gunmen killed industry minister and prominent anti-Syrian Christian politician Pierre Gemayel while driving his car in a northern suburb of Beirut. Although a group called the "Fighters for the Unity of Al-Sham (Greater Syria) and its Liberty" claimed responsibility, the identity of the gunmen remained unknown at year's end. The UN approved the expansion of the UNIIC probe to include Gemayel's murder. Investigations into the incident continued at year's end.

Investigation into 2005 bombings continued, but there were no further developments in the following cases: The June 2005 killings of Samir Kassir, a prominent anti-Syrian journalist, and George Hawi, former head of the Lebanese Communist Party, who were killed in Beirut when bombs placed under their cars exploded; the July 2005 car bomb which blasted the motorcade of Lebanon's defense minister and incoming Deputy Prime Minister, Elias Murr, injuring him and killing one person; the September 2005 explosive planted under the car of proreform journalist May Chidiac which seriously injured her; and the December 2005 car bomb that killed the popular prodemocracy journalist and politician Gibran Tueni, along with a bodyguard and a bystander.

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

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

Before the July-August conflict, the country's landmine and unexploded ordinance (UXO) problem was estimated by the National Demining Office (NDO) at more than 550,000 landmines and UXO throughout the country. During the portion of the year prior to the conflict there were seven deaths attributable to landmines, and after the conflict an additional 19. Eight of those killed were deminers. After the conflict an additional 800 cluster bomb strike locations had been identified in the south. The United Nations Mine Action Coordination Center in Southern Lebanon estimated in November that 40 percent of Israeli cluster munitions fired during the conflict failed to explode, leaving an estimated 560,000 to 1.1 million unexploded submunitions in southern Lebanon. According to UN figures, between August 14 and December 19, 18 Lebanese civilians were killed and 145 were wounded by unexploded submunitions.

After further investigation, the potential mass grave discovered in December 2005 at the site of a former Syrian Intelligence headquarters in the town of Anjar turned out to be a 600-year-old communalburial site.

b. Disappearance

There were no reports of politically motivated disappearances caused by government forces.

On July 12, Hizballah kidnapped two Israeli soldiers on Israeli territory. Hizballah had yet to allow access or communications with the two soldiers at years end.

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 (AI) and Human Rights Watch (HRW), reported that torture was a common practice.

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. For example, on February 5, according to international human rights organizations, authorities arrested 42 Syrian nationals in the wake of violent protests outside the Danish Embassy in Beirut (see section 2.b.) and allegedly beat some of them in an apparent attempt to force confessions about their involvement in the protests. On February 10, a military court in Beirut ordered their release. No investigations into the abuse were carried out by year's end.

In its October 2005 report, the UNIIC investigation of the assassination of former Prime Minister Rafiq Hariri noted that some unidentified security personnel had abused witnesses in the aftermath of 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 were 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 5,971, including pretrial detainees and remand prisoners. The government made a modest effort to rehabilitate some inmates through education and training programs.

During the year there were no reports of men and women being held together in the same prison facility. While there were no government reports on juveniles being held in the same prison facilities as adults during the year, it could not be confirmed that the situation did not occasionally happen due to limited prison facilities.

Although there was some effort to keep pretrial detainees separate from convicted prisoners, overcrowding often prevented such separation. Unlike in the previous year there were no reports of political detainees or prisoners held in regular prisons.

The police institution in charge of border posts and internal security, the Surete Generale (SG), operated a detention facility for detainees pending deportation. 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.

The government permitted independent monitoring of prison conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC). However, due to the July-August conflict, many human rights groups focused their priorities on providing humanitarian assistance rather than monitoring prison conditions.

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 LAF under the Ministry of Defense, which may arrest and detain suspects on national security grounds; ISF under the Ministry of the Interior (MOI), which enforces laws, conducts searches and arrests, and refers cases to the judiciary; the State Security Apparatus, which reports to the prime minister; and the SG under the MOI. Both of the latter two collect information on groups deemed a possible threat to state security.

Laws against bribery and extortion by government security officials and agencies also apply to the police force. In practice, however, due to a lack of strong enforcement, their effectiveness was limited. The government acknowledged the need to reform law enforcement, but security issues and lack of political stability hampered these efforts. The ISF maintained a hotline for complaints.

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 over 5,000 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 detainee 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.

There were no new developments in the 2005 arrest of four security chiefs. In August 2005 authorities arrested four Lebanese security chiefs with the rank of general after the UNIIIC declared them suspects in the assassination of former Prime Minister Rafiq al-Hariri. In April President Lahoud called for their release unless they are formally charged with involvement in the assassination in a timely manner. The suspects remained imprisoned at year's end.

Protesters were also arbitrarily detained and arrested. On February 5 and 6, according to an international human rights organization, authorities arrested and detained more than 400 individuals in the wake of violent protests outside the Danish Embassy in Beirut (see section 2.b.). Six days following their arrest, approximately 250 of these individuals were brought before the Military Court in Beirut and were ordered released. The whereabouts of the remaining detainees was unknown at year's end.

Since the withdrawal of Syrian forces in April 2005, there appeared 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 (see section 2.d.).

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. In 2005 a number of human rights organizations estimated that there were between 25 and 250 remaining Lebanese prisoners in Syria. Unlike in the previous year there were no reports of Syrian forces operating in the country carrying out searches, arrests, or detentions of citizens outside any legal

framework.

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 suffered from intimidation generated by a series of unresolved political assassinations committed by unidentified assailants beginning in 2004. Despite this intimidation, the aftermath of the February 2005 assassination of Rafiq al-Hariri led to significant progress in eliminating political and security influence over the judiciary. Unlike in the previous year authorities did not harass critics of the judicial system.

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. There are also 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 resolve family legal matters. There are also religious courts in the various Christian sects and Druze communities; these tribunals were also restricted to family legal matters.

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. In 2005 the cabinet referred several high-profile cases to this tribunal, including the 2005 assassination of former Prime Minister Rafiq al-Hariri and the 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, taking into account 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. 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 soldiers who returned to their villages to harassment.

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 and Detainees

During the year there were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

While there is an independent judiciary in civil matters, in practice it was seldom used for bringing civil lawsuits for seeking damages for human rights violations committed by the government. During the year there were no examples of a civil court awarding an individual compensation for human rights violations committed against them by the government.

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 monitoring of telephones to obtain information regarding their perceived adversaries.

The Siniora government took steps to roll back the violation of privacy rights. In September 2005 the government passed two implementation decrees. The first decree called for creating an independent judicial committee chaired by the chairman of the Judicial Council. This committee would receive complaints from parties who believed that their phones were tapped. The committee would also give permission for security services to monitor the telephones of criminals. The committee members were appointed by the Siniora government in December 2005 but did not start their duties by year's end.

The second decree concerned the operations of security intelligence and called 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. The ministry would review the procedure regularly and eventually bring all phone tapping into this centralized unit. This centralized unit had not been put into effect by year's end.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. The law limited materials that can be censored to pornography, political opinion, and religion when they are a threat to national security. Since the 2005 withdrawal of Syrian forces from the country, journalists operated in a more free media environment. However, due to the tense political atmosphere and a weak judiciary, journalists continued to exercise self-censorship, although to a far lesser degree than in previous years. The 2005 killings of prominent journalists and the failure to apprehend those responsible created a climate of intimidation. There were no reported killings of journalists during the year.

The government arrested observers who expressed their criticism of the judicial system. For example, on April 13, an international human rights group reported on the 2003 detention of human rights lawyer Mohammad Mugarby, charged in 2003 with slandering the "military establishment and its officers." The charge related to a statement he made to the European Parliament in Brussels in 2003 in which he criticized the military court system in Lebanon, including the inadequate legal training of the courts' judges, and for the torture suffered by suspects tried before military courts to extract confessions. Mugarby was released in August 2003 and was still awaiting trial at year's end.

The government retained and utilized several legal mechanisms at its disposal to control freedom of expression. The SG reviews and censors all foreign newspapers, magazines, and books before they enter the country. The SG must also approve all plays and films. 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, however, 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 and were financed by and reflected the views of various local, sectarian, and foreign interest groups.

On February 28, according to the Committee to Protect Journalists (CPJ), Beirut prosecutor Joseph Me'mari filed criminal charges against the daily Lebanese newspaper *Al-Mustaqbal*, its editor in chief Tawfiq Khattab, and staff reporter Fares Khashan for defaming President Lahoud. The charges were filed four days after *Al-Mustaqbal* published an interview with former Lebanese ambassador to France and former army intelligence chief Johnny Abdo, who criticized Lahoud's performance. Their cases had not yet gone to trial by year's end.

On June 1, the Lebanese Broadcasting Corporation (LBCI) broadcast an episode of weekly political satire *Basmat Wattan* that ridiculed Hizballah Secretary General Hassan Nasrallah. The program prompted violent demonstrations in Beirut. On June 2, the National Media Council, under the Ministry of Information and responsible for monitoring television programs, ruled that LBCI was guilty of broadcasting offensive material and forwarded the case to the cabinet. No action was taken by the cabinet by year's end.

In October the minister of justice filed a complaint in the Publications Court against *Al-Akhbar* daily for alleging that two members of the Judicial Council had met with the head of the ISF Intelligence Department to discuss judicial appointments. The complaint named reporter Antoine El-Khoury Harb and the *Al-Akhbar* director Ibrahim Awad. The case continued at year's end.

Judicial cases launched in previous years against journalists were not pursued during the year. Investigations into the killings of Samir Kassir in June 2005 and Gibran Tuani in December 2005, and into the attack on May Chidiac in September 2005 continued at year's end. There were no developments in the June 2005 case against *Al-Mustaqbal* reporter and Future TV anchor Zahi Wehbe. Likewise, the 2003 defamation case against *Ad-Diyar* newspaper's editor in chief Charles Ayoub for defaming President Lahoud was pending at year's end.

Films that offended religious or social sensitivities are often blacklisted. In May the SG prohibited the film "The Da Vinci Code" from being shown in the country because of religious sensitivities.

Also in May the SG obliged Lebanese playwright Lina Khoury to make numerous revisions to her adaptation of the play "Hakeh Niswan" ("Women's Talk") inspired by the "Vagina Monologues" before it could be performed in Beirut.

Throughout the year the film "Naked Gun" was prohibited from being shown on Lebanese television because it included a brief scene mocking Ayatollah Khomeini. There were seven 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.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms, and the government promoted Internet usage. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail and internet discussion groups, such as Naharnet. However, Internet usage and access was reportedly restricted by Hizballah in areas that it controlled in southern Lebanon.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government sometimes restricted this right. The prior approval of rallies by the MOI was required, and groups opposing government positions sometimes were not granted permits.

Demonstrations occurred during the year without government approval, and there were instances where military personnel used force to disperse the protesters. On February 5, in response to the September 2005 publication in a Danish newspaper of a series of cartoons that caricatured the Prophet Muhammed, thousands of demonstrators rallied outside Beirut's Danish embassy and set the building on fire. According to media reports, approximately 2,000 riot police and army troops fired tear gas and water cannons to disperse the crowd and fired their weapons into the air. According to an international human rights organization, authorities arrested and detained more than 400 individuals in the wake of the violent protests (see section 1.d.).

Beginning on December 1 and continuing to the end of the year, a few thousand demonstrators, composed of Shiites loyal to Hizballah and to the allied Amal movement, and Christian supporters of Michel Aoun, maintained a "sit-in" punctuated by a few larger rallies in central Beirut outside the government office of Prime Minister Fouad Siniora, calling for the resignation of his government. Army and police forces closed off the prime minister's office and other key buildings with a police cordon, physical obstacles, and security force vehicles. Isolated violence between Sunnis and Shi'a occurred during the period of the demonstration; one incident resulted in the death of protester Ahmad Mahmoud on December 3. The opposition called for the protests in an attempt to force the government to resign or expand the number of cabinet seats belonging to Amal, Hizballah, and Michel Aoun's Free Patriotic Movement to a one-third-plus-one minority, sufficient to block legislation or force the cabinet's dissolution.

Coinciding with the protests, a number of progovernment rallies were held in several areas around the country. For example, on December 10, according to the press, hundreds of thousands of peaceful demonstrators rallied in Tripoli in solidarity with the Siniora government. There were no reports of violence, police brutality, or use of force.

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 2005 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 2005 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 constitution provides for absolute freedom of belief and guarantees the freedom to practice all religious rites provided that the public order is not disturbed. The constitution declares equality of rights and duties for all citizens without discrimination or preference but stipulates a balance of power distributed among the major religious groups. The government generally respected these rights; however, there were some restrictions. The law does not provide for freedom to have no religion. 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'i, Buddhists, Hindus, and some protestant Christian groups 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 ministering 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 years 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.

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 increased in intensity during the year. Lebanese 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. Moreover, anti-Semitic literature was published and distributed with the cooperation of Hizballah. Hizballah also controlled and operated Al-Manar TV. On October 20, Al-Manar broadcast an interview with the head of the Lebanese Islamic Action Front in which he stated that the resistance and Lebanon were victorious, and that defeat was the lot of Israel and this accursed Israeli people - this accursed nation, the offspring of apes and pigs.

In addition the pan Arab satellite station, New TV, aired several anti-Semitic programs and interviews, including an interview on June 21 with a known Holocaust denier whose interview was introduced by the narrator with never has there been an issue subject to as many contradictions, lies, and exaggerations regarding the number of victims as the issue of the Jewish Holocaust.

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 [2006 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. 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 government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to conduct warrantless searches for smuggled goods, weapons, narcotics, and subversive literature.

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

The law prohibits forced exile and it was not used.

Internally Displaced Persons (IDPs)

Following the August 14 cease-fire between Israel and Hizballah, the government encouraged the return to their homes of hundreds of thousands of internally displaced persons. According to the Internal Displacement Monitoring Center, at the height of the conflict, up to one million persons fled their homes; approximately 735,000 were internally displaced while some 230,000 fled to neighboring countries. In addition, some 16,000 Palestinian refugees were secondarily displaced. According to the governments Higher Relief Council, more than 700,000 displaced persons and refugees had returned to their homes. However, the office of the UN High Commissioner for Refugees (UNHCR) estimated that 550,000 displaced had returned to their preconflict residences and that up to 200,000 persons remained displaced at years end. UNHCR reported on November 1 that many of the displaced had been unable to return because of unexploded ordinance (see section 1.a.) and because of the lack of basic infrastructure, such as water and electricity, in some areas.

The government continued to encourage the return of IDPs displaced during the 1975-90 civil war to reclaim their property and rebuild their homes. During the year there were no substantiated reports that the government deliberately attacked IDPs or made efforts to obstruct access of international humanitarian organizations from assisting IDPs in returning to their residence. Also, there were no reports that the government forcibly resettled IDP's.

According to international humanitarian organizations, a significant number of people still remain displaced from the 1975-90 civil war and as a result of the Israeli invasions and occupation of part of south Lebanon that ended in 2000. No updated reliable survey exists to determine the current number, and estimates varied hugely, ranging between 16,750 and 600,000. While the government has encouraged the return of IDPs to their homes, many have not attempted to reclaim and rebuild their property due to the 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, but 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 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 3,000 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 394,532. This figure, which represented refugees who arrived in 1948 and their descendants, was presumed to include many thousands who resided outside of the country. During the year there were 223,956 Palestinian refugees in UNRWAs 12 refugee camps throughout the country. Credible sources estimated that the actual number in the country was between 250,000 and 300,000. According to SG records, the number of registered Palestinian refugees was approximately 427,000.

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). According to a credible international human rights group, Palestinian refugees faced severe restrictions in their access to work opportunities and diminished protection of their rights at work. 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, in June 2005 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.

The law does not explicitly target Palestinian refugees, but bars those who are not bearers of nationality of a recognized state from owning property. 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 25,000 Kurds 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 1980s Israeli invasion of the country, during continuing camp feuds, and during the July-August conflict between Israel and Hizballah. 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.

Children of Palestinian refugees faced discrimination in their access to adequate housing, social security, education, and in their right to be registered. The government did not provide health services or education to Palestinian refugees, who relied on UNRWA for these services. Many Palestinian children reportedly had 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.

In 2003 the State Consultative Council invalidated the 1994 naturalization decree in which several thousand Palestinian nationals were naturalized. As a result, approximately 4,000 persons, 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 years 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.

In October 2005 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.

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. According to the UNan estimated 20,000 to 40,000 Iraqis were living in the country. During the year the government provided very limited services for them and no process for regularizing their status. At years end the government failed to institute a temporary protection regime for Iraqi asylum seekers, as advocated by UNHCR, and it regularly deported Iraqis who may well have had valid persecution claims.

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

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 2005 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 European Union monitoring team, the elections were well managed and took place in a peaceful manner within the existing framework for elections. The process was flawed, particularly because the elections were carried out according to the 2000 electoral law, which reflected Syrian government influence.

The last presidential election was conducted in 1998. In 2004 amid evidence of heavy Syrian manipulation and coercion, parliament voted for a constitutional amendment extending the term of President Lahoud to November 2007. Many citizens considered this amendment to violate the constitution.

Individual citizens and parties can freely declare their candidacy and stand for election. Parties may organize, seek votes, and publicize their views with limited government restriction. The political system is based on confessional lines, and all parliamentary seats are primarily allotted on a sectarian basis. The smallest recognized confessions are allotted at least one seat in parliament.

There are four major political parties and numerous smaller ones. The largest party in the parliamentary majority is the Future Movement, led by Saad Hariri. Its membership is predominantly Sunni, but Hariri's parliamentary bloc includes a number of members from other sects. The Progressive Socialist Party, led by Walid Jumblatt, predominantly 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. The party's leadership decided to remain outside the cabinet. 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, 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 2005 no woman had held a cabinet position; however, at years end there was one woman in the cabinet.

Palestinian refugees had no political rights. 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. During the year the NGO Transparency International's composite index of the degree to which corruption is perceived to exist among a country's politicians and public officials indicated a perception that the country had a serious corruption problem.

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

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. In the past, some human rights groups reported harassment and intimidation by the government or Hizballah. During the year there was no known report of a concerted effort of harassment by the government of nongovernmental human rights organizations working in the country.

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.

The government cooperated with international governmental organizations and permitted visits by UN representatives and other organizations such as the ICRC.

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, 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, including regular testing for disease, government policy was not to issue 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 3,744 visas in 2005 to mostly eastern European women to work in adult clubs as artistes. Although prostitution is illegal, virtually all of these women engaged in 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 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

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 were widespread in the country, the cost of private education was a significant problem for the middle and lower classes. In its latest report, the UN Childrens Fund reported that approximately 91 percent of children between the ages of three and five, and approximately 98 percent of children between the ages of six to 11 were enrolled in school. In some families with limited incomes, boys received more education than girls.

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.).

Children of Palestinian refugees were limited in their access to government services (see section 2.d.).

Trafficking in Persons

The law does not specifically prohibit trafficking in persons, and although the government made progress in 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, but some reported facing intimidation or coercion and having their movements restricted while others 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 situations of involuntary servitude 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. Workers' illegal immigration status was also used by abusive sponsors as a tactic to intimidate employees and coerce them into labor. Unscrupulous employers sometimes falsely accused the employee of theft to relinquish responsibility for the employee as well as the taxes and a return airline ticket (see section 6.e.).

Restrictions of movement and withholding of passports were common practices. A small number of exploited foreign workers won cases against their employers, but 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.

There were no new developments in the investigations of the 2004 deaths of Herra Olandres and Luella Montenegro, two Filipinas allegedly attempting to flee abusive work environments when they died.

The Ministry of Labor (MOL) regulates local employment agencies that place migrant workers with sponsors. During the year the MOL closed 10 employment agencies for a specified period and warned a number of others for noncompliance with MOL regulations.

The government's 2004 decision to deny visas to workers from Ethiopia to prevent fraud was suspended, and the government began issuing visas effective February 1 for a trial period.

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. The SG and Caritas/International Catholic Migration Commission (ICMC) cooperated to create a safe house for protection of trafficking victims. Social workers were allowed to accompany victims during the interviews by immigration authorities. The SG 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. The SG also implemented screening and referral procedures for trafficking cases. Social workers from Caritas Lebanon Migrants Center were also allowed unrestricted access to the SG's holding center for foreign persons. These social workers provided detainees with counseling, assistance, and legal protection.

In 2005 the SG began endorsing an alternative for migrant workers who did not wish to be repatriated to their home country to legally change their sponsor. It started allowing migrant workers to change employers, but only if they have a "release paper" from the original employer. A court may order an abusive employer to provide such a release paper as part of a decision, or this may be part of a negotiated out-of-court settlement.

NGOs indicated that the government still did not have a zero-tolerance policy for physical abuse of domestic workers. However, according to Caritas/ICMC, in one case, a judge awarded an Ethiopian migrant worker financial compensation to be paid by her abusive employer. This decision marked the first time a domestic worker in the country was awarded compensation for physical abuse.

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

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 100,000 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

There were reports that Syrian workers, usually employed in manual labor occupations, suffered discrimination following the withdrawal of Syrian forces in April 2005. Many Syrian laborers also reportedly left Lebanon out of fear of harassment. There had been no further data collected on this situation during the year, and the true extent of the problem was unknown.

Other Societal Abuses and Discrimination

Discrimination against homosexuals persisted 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 900,000 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 by private employers was a common practice. While the government does not have a good mechanism for measuring such practices, it appeared prevalent in many sectors of the economy.

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participated actively in trade unions (see section 2.d.).

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. On May 1, the Communist Party held a Labor Day march to protest the deterioration of living conditions, and on May 10 teachers protested government economic reform policies.

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 six hours per day, and requires one hour of rest if work is more than four 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 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 in 2005. 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.

A 2004 MOL study on working street children 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 (3,000 to 25,000 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 (300,000 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 MOL 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 (150,000 to 450,000 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.

During the year the MOL, which regulates the activities of employment agencies, closed 15 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 57 such cases during the year. An unknown number of other cases of nonpayment of wages were settled through negotiation. According to source country embassies and consulates, many workers did not report violations of their labor contracts until after returning to their countries.