

# LEBANON 2012 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Lebanon is a parliamentary republic, with a Maronite Christian president, Sunni Muslim prime minister, and Shia Muslim speaker of the chamber of deputies, based on the 1943 National Pact. Parliamentary elections in 2009 were considered free and fair. Government security forces reported to civilian authorities, although the terrorist group Hizballah and Palestinian security and militia forces were outside the direction of government officials.

The most significant human rights abuses during the year were torture and abuse by government and other security forces, harsh prison and detention center conditions, and limitations on freedom of movement for Palestinian refugees.

Other human rights abuses included reports of harassment of Syrian political activists and other refugees; arbitrary arrest and detention; lengthy pretrial detention; a judiciary subject to political pressure and long delays in trials; violation of citizens' privacy rights; restrictions on freedoms of speech and press, including intimidation of journalists; some restrictions on freedom of assembly; restrictions on citizens' right to change their government; official corruption and lack of transparency; widespread violence against women; societal, legal, and economic discrimination against women; trafficking in persons; discrimination against persons with disabilities; systematic discrimination against Palestinian refugees and minority groups; discrimination based on sexual orientation; killings related to societal violence; restricted labor rights for and abuse of migrant domestic workers; and child labor.

Although the legal structure provides for prosecution and punishment, government officials enjoyed a measure of de facto impunity for human rights violations.

Despite the presence of Lebanese and UN security forces, Hizballah retained significant influence over parts of the country, and the government made no tangible progress toward disbanding and disarming armed militia groups, including Hizballah. Palestinian refugee camps continued to act as self-governed entities and maintained security and militia forces not under the direction of government officials.

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

### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings during the year.

On April 4, Samir Geagea, leader of the Lebanese Forces and a member of the March 14 coalition, escaped an attempt to kill him at his residence in Maarab, Keserwan. Investigations into the incident reportedly stalled, and no suspects were identified by year's end.

On July 5, two detonators were found on top of the elevator of an office building in Beirut used by Boutros Harb, a member of parliament (MP). Investigations into what was viewed as an attempt to kill Harb reportedly stalled, and no warrants were issued by year's end.

On October 19, Internal Security Forces (ISF) Information Branch Chief Wissam al-Hassan was killed by a car bomb in the Beirut neighborhood of Achrafieh. Two other persons were killed and many were injured. Investigations continued at year's end.

In July 2011 the UN-appointed Special Tribunal for Lebanon (STL) indicted four individuals, Mustafa Amine Badreddine, Hussein Hassan Oneissi, Salim Jamil Ayyash, and Assad Hassan Sabra, all Hizballah operatives suspected of collaborating in the 2005 killing of former prime minister Rafik Hariri and 22 other individuals. The STL also established its jurisdiction over the killing of former Communist Party leader George Hawi and attacks on former ministers Elias Murr and Marwan Hamadeh, due to the similar nature and gravity of the attacks. Authorities notified the STL that they were unable to serve the accused with the indictments or arrest them.

There were no developments in the 2008 killing of ISF intelligence officer Captain Wissam Eid and three others. Captain Eid's 2006 report to the UN commission investigating the Hariri assassination implicated Hizballah operatives, and Eid met with UN investigators eight days before he was killed. The STL's four indictments of Hizballah operatives in 2011 relied on evidence originally developed by Eid.

The recurring conflict between the generally pro-Syrian regime Alawite residents of Jabal Mohsen and the nearby generally pro-Syrian opposition Sunni district of Bab al-Tabbaneh in the northern Lebanese city of Tripoli continued during the year, with severe clashes in May, June, August, and December. Press reports put

the toll for the May clashes at 12 persons killed and more than 100 wounded, 15 persons killed and more than 60 wounded in June, seven killed and more than 100 wounded in August, and 13 killed and more than 60 injured in December. The Lebanese Armed Forces (LAF) intervened to impose order and end the clashes. Fighting in August resulted in the destruction of downtown shops and businesses of Alawites in the Sunni neighborhoods of Tripoli.

### **b. Disappearance**

There were no confirmed reports that security forces were responsible for disappearances during the year.

No further information was available at year's end regarding the February 2011 disappearance of several members of the Syrian Jasem family, allegedly at the hands of members of the ISF.

Syrians, including political activists and other refugees, who fled to Lebanon faced the risk of targeting, harassment, and kidnapping by Syrian and Lebanese security services, as well as by others. For example, on August 14, the "military wing" of the Shia al-Maqdad clan kidnapped more than 20 persons it claimed were affiliated with the Free Syrian Army from various areas of Lebanon, as well as a Turkish national. The clan claimed the individuals were collateral for the release of the allegedly kidnapped Lebanese national Hassan al-Maqdad in Syria. On September 10, four Syrian hostages and the Turkish national were released following a raid the LAF intelligence force conducted in the southern suburbs of Beirut. The other Syrian hostages reportedly were released earlier as a sign of goodwill. On September 18, Government Commissioner to the Military Court Judge Saqr Saqr charged eight detainees belonging to the al-Maqdad clan with "forming an armed group to carry out terrorist activities." They were all accused of abducting and intimidating persons using weapons, threatening military personnel, and possessing unlicensed arms. Judge Saqr requested that the detainees be transferred to the First Military Investigative Judge, and he also demanded that arrest warrants be issued in their names to further detain them. The investigation remained pending at year's end.

On August 16, unknown assailants kidnapped a second Turkish national in the Choueifat area; he was released on September 13 following negotiations by Minister of Interior Marwan Charbel, General Directorate for General Security apparatus (DGS) head Abbas Ibrahim, and the Turkish ambassador to Lebanon.

There were no further developments in the case of Shibli Alayasami, one of the founders of the Arab Baath Socialist Party and a former vice president of Syria, who was reported kidnapped from Aley in May 2011. Interior Minister Marwan Charbel told the press that investigations continued; at year's end Alayasami's daughter told the press that the family believed he was imprisoned in Syria.

Syrian opposition activists said that they had been targeted by Syrian agents in Lebanon and were forced to operate clandestinely for their protection.

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

The law does not specifically prohibit all forms of torture or cruel, inhuman, or degrading treatment or punishment, and there were reports that government officials employed such practices. The penal code prohibits using acts of violence to obtain a confession or information about a crime, but the judiciary rarely investigated or prosecuted such allegations. According to domestic and international human rights groups, security forces abused detainees and used torture to obtain confessions or encourage suspects to implicate other individuals.

Human rights organizations reported that torture occurred in certain police stations, the Ministry of Defense's detention facilities, and in the Information Branch of the Ministry of Interior's ISF. The government continued to deny the use of torture, although authorities acknowledged that violent abuse sometimes occurred during preliminary investigations at police stations or military installations where suspects were interrogated without an attorney. Such abuse occurred despite national laws that prohibit judges from accepting confessions extracted under duress.

Former prisoners, detainees, and reputable local human rights groups reported that methods of torture and abuse included hanging by the wrists tied behind the back, violent beatings, blows to the soles of the feet, electric shocks, sexual abuse, immersion in cold water, extended periods of sleep deprivation, being forced to stand for extended periods, threats of violence against relatives, deprivation of clothing, withholding of food, being deprived of toilet facilities, and continuous blindfolding.

For example, on May 23, a foreign citizen reported that LAF military intelligence members severely beat him, deprived him of his clothing, and forced him to stand in stress positions at the LAF detention facility in Yarze. The LAF reported that it investigated the allegations.

On August 30, Reporters without Borders (RSF) stated that Rami Aysha, a journalist who had worked for several major international media publications, was kidnapped by armed men in south Beirut who beat him, put a pistol to his head, broke his camera over his head, and broke his finger. RSF stated that he later was turned over to the military intelligence services, which also reportedly beat him and then transferred him to military police custody, where the mistreatment continued. He was charged with weapons smuggling and held in prison for nearly a month before he was released on September 27. Aysha said that he was reporting on arms trafficking at the time he was detained. The Committee to Protect Journalists reported that Aysha was first captured by Hizballah in the southern suburbs of Beirut, near the airport. The LAF reported that it was investigating the allegations.

In 2010 plainclothes ISF information branch officers arrested and detained Mohammad Osman Zayat. According to a report from Alkarama, an international human rights nongovernmental organization (NGO), security officials put Zayat in stress positions, beat him, and used electric shocks to force a confession. Zayat was transferred to a military court where he and eight others were charged with being members of al-Qaida. Of the eight, four were arrested. Before a September 2011 hearing, Zayat was released but no compensation was paid for his detention and torture. His next hearing was scheduled for March 23, 2013.

Local human rights organizations published a study in January 2011, *Torture and Arbitrary Detention: the Bitter Reality of Lebanon*, with interviews of 20 individuals who claimed to have been tortured between 2007 and 2010. Generally, the study found that individuals were more likely to report they were tortured during the course of an investigation than when they were arrested on an outstanding warrant. Individuals suspected of involvement in espionage or terrorism were also more likely to report torture (see section 1.d.). More than two-thirds had complained to the investigating judge that they were tortured to obtain a confession. They reported that the judges did not take their complaints into consideration and pursued their investigations based on confessions alleged to have been obtained through torture. Several individuals reported that the judges threatened them with reprisals if they retracted their confessions.

On January 12, the ISF issued its code of conduct. The purpose of the code is to define the obligations of members of the ISF and the legal and ethical standards they must abide by in performing their duties. The code governs their relationship with individuals, groups, and authorities and seeks to ensure respect of human

rights and protection of public freedoms according to the constitution and international standards.

In February 2011 the ISF established the Committee to Monitor Against the Use of Torture and Other Inhuman Practices in Prisons and Detention Centers. This committee aims to protect and rehabilitate victims of torture and is managed by the ISF and the NGO Association for Justice and Mercy. The committee is authorized to visit prisons and detention centers without prior notification, and it conducted 50 visits during the year. ISF officials stated that the monitoring committee did not have the jurisdiction to investigate cases, but it could propose cases to the General Directorate to follow up on specific findings.

### **Prison and Detention Center Conditions**

Prison and detention center conditions were harsh and in some prisons, such as the central prison in Roumieh, life threatening.

Prison Conditions: As of December 13, there were 5,094 prisoners and detainees, including pretrial detainees and remand prisoners, in facilities built to hold 3,500 inmates. The central prison in Roumieh, with a capacity of 1,500, held approximately 2,450 persons. Pretrial detainees often were held together with convicted prisoners. Men and women were held separately in similar conditions, and according to ISF statistics, 122 minors and 229 women were incarcerated.

Prisons were overcrowded in part due to lengthy pretrial detention. Sanitary conditions were poor and worsened in Roumieh following the destruction of much of the infrastructure, including plumbing and central air, during a violent riot in 2011. According to a government official, most prisons lacked adequate sanitation, ventilation, and lighting, and temperatures were not regulated consistently. Prisoners did not have consistent access to potable water. Many of the prisons were damp, and some, such as the Zahle men's prison, did not provide beds for the inmates. Roumieh prisoners slept on bedrolls, often 10 to a room that originally was built to accommodate two prisoners in beds. Officials admitted that they regularly received complaints regarding the lack of access to basic and emergency medical care, as well as the extreme overcrowding.

According to ISF statistics, as of December 13, a total of 13 prisoners died during the year--11 died due to medical reasons, one committed suicide, and one was killed in prison. The ISF also reported four cases of prisoner-on-prisoner rape and one case of guard-on-prisoner rape during the year. Some NGOs complained of

authorities' negligence and failure to provide appropriate medical care, which may have contributed to some of the deaths. In August and September, a prisoner sexually molested a foreign citizen prisoner at Roumieh. After it was brought to the attention of prison authorities, they took immediate action.

Administration: Recordkeeping was not adequate. In many prisons inmates who completed their sentences remained in custody due to poor recordkeeping. Some juveniles benefitted from alternative sentencing. Although there is a legal means to impose a sentence of probation or supervised release for adults in lieu of incarceration, it was not applied in practice. A person sentenced to a term of imprisonment of more than six months may obtain a sentence reduction upon demonstrating good behavior, that he does not pose a threat to himself or others, and that he has met certain conditions depending on the category of crime and the release order. Sentence reduction requests are considered by the Commission on the Reduction of Sentences. The commission's recommendations are reviewed by a chamber of the Court of Appeal, which makes the final decision on whether to reduce a sentence.

According to one government official, there was no uniform, formal channel for prisoners and detainees to submit complaints to judicial authorities; however, the ISF posted signs stating detainees' rights and has an inspection unit. The minister of interior has assigned a general-rank official as the commander of the inspection unit and a colonel-rank official as the commander of the medical and human rights unit. The units are instructed to follow up on every claim. After an investigation is completed, the claim is transferred to the inspector general for his action in case of a disciplinary act, or to the military investigation judge for additional investigation. If physical abuse is found, the military investigator assigns a medical team to confirm the abuse, and the judge rules at the end. No statistics about the number of claims, investigations, and disciplinary or judicial actions were available at year's end.

Families of prisoners normally contacted the Ministry of Interior to report complaints, although prison directors could also initiate investigations. Investigations tended to be conducted by NGOs, not the ministry, and according to a government official, prison directors often protected officers under investigation. A 2005 law establishing an ombudsman to serve on behalf of citizens was not implemented.

Inmates could receive visitors once or twice per week, with the frequency of visits varying depending on the severity of the inmate's crime. Religious observance was allowed.

There is a human rights department in the Ministry of Interior to monitor and improve prison conditions. The department is staffed with two officers, two sergeants, and an information technology individual in addition to the head of the department. The parliamentary human rights committee is responsible for monitoring the Ministry of Defense detention center.

Monitoring: The government permitted independent monitoring of prison and detention conditions by local and international human rights groups and the International Committee of the Red Cross (ICRC), and such monitoring took place. During the year the ICRC visited 5,183 prisoners in 16 prisons and detention centers.

Nongovernmental entities such as Hizballah and Palestinian militias also operated detention facilities; no information about these was available.

Improvements: In an effort to reduce prison overcrowding, on March 21, parliament amended article 112 of the criminal code to define one year of a prison sentence as nine months, effectively reducing all fixed-term prison sentences by 25 percent. Persons serving life imprisonment, sentenced to death, or previously convicted of the same crime were not eligible. This measure was not considered early release; rather, prisoners eligible for the reduction would be considered to have completed their sentence.

#### **d. Arbitrary Arrest or Detention**

The law requires judicial warrants before arrest, except in immediate pursuit, but the government arbitrarily arrested and detained persons.

#### **Role of the Police and Security Apparatus**

The ISF, under the Ministry of Interior, enforces laws, conducts searches and arrests, and refers cases to the judiciary. The General Directorate for State Security, reporting to the prime minister, and the DGS, under the Ministry of Interior, are responsible for border control. The LAF, under the Ministry of Defense, is responsible for external security but also may arrest and detain suspects on national security grounds. Both the security directorate and the DGS collect

information on groups deemed possible threats to state security. De facto impunity reportedly existed for security force officials.

### **Arrest Procedures and Treatment While in Detention**

The law generally requires a warrant for arrest and provides the right to a lawyer, a medical examination, and referral to a prosecutor within 48 hours of arrest. If authorities hold a detainee longer than 48 hours without formal charges, the arrest is considered arbitrary, and the detainee must be released or a formal extension must be requested. In such cases officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom, but charges rarely were filed. The law requires authorities to inform detainees what charges have been filed against them. A suspect caught in the act of committing a crime must be referred to an examining judge, who decides whether to issue an indictment or order the release of the suspect. By law bail is available in all cases regardless of the charges, although the amounts demanded may be prohibitively high.

The law provides detainees prompt access to a lawyer and to family members. The state does not provide legal assistance, but the Beirut Bar Association and Tripoli Bar Association provided lawyers for indigent defendants.

Authorities failed to observe many provisions of the law, and government security forces--as well as extralegal armed groups such as Hizballah--continued the practice of arbitrary arrest and detention, including incommunicado detention. In addition the law permits military intelligence personnel to make arrests without warrants in cases involving military personnel or involving civilians suspected of espionage, treason, or weapons possession.

Arbitrary Arrest: According to the Lebanese Center for Human Rights (CLDH), there were clear cases of arbitrary detention and torture. Civil society groups reported that authorities frequently detained citizens and foreign nationals arbitrarily.

A local journalist published accounts from tortured detainees on the Web site Zinzana (“cell”).

Pretrial Detention: According to ISF statistics, 3,149 of the more than 5,000 persons in prison were in pretrial detention as of December 13. The Office of the UN High Commissioner for Human Rights expressed concern about arbitrary pretrial detention without access to legal representation and refused to support

construction of new prisons until the serious issue of arbitrary pretrial detention was resolved. According to a study by the CLDH, detainees spent one year on average in pretrial detention prior to their sentence. Individuals accused of murder spent on average 3.5 years in pretrial detention.

Palestinian refugees were subject to arbitrary arrest and detention by state security forces and rival Palestinian factions. No statistics on the number of such cases were available at year's end.

In June 2011 Hizballah announced that it had detained several individuals it suspected of spying for foreign intelligence agencies. Hizballah did not release the names of the detained individuals, and no further information was available regarding their status at year's end.

Human rights activists believed that as of 2009 Syrian authorities were holding at least 575 Lebanese and Palestinians from Lebanon in prolonged and often secret detention in Syria. In 2008 then Lebanese minister of justice Ibrahim Najjar stated in a televised interview that there were 745 citizens missing in Syria, some of whom were convicted criminals and some victims of "enforced disappearances." Najjar was the first government official to classify the detainees publicly. The Syrian government released 130 detainees in 2010, all of whom had been convicted as criminals. On August 28, press outlets reported on the release of Yaacoub Chamoun from Syrian detention. He had spent 27 years imprisoned in Syrian jails. On September 2, Minister of Justice Shakib Qortbawi called for the formation of the Independent National Commission that would investigate the fate of other missing Lebanese citizens.

#### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary; however, the judiciary was subject to political pressure, particularly in the appointment of key prosecutors and investigating magistrates. Influential politicians and intelligence officers intervened at times and used their influence and connections to protect supporters from prosecution. For example, on June 25, gunmen attacked al-Jadeed television station in Beirut, hurling Molotov cocktails and setting tires on fire. Wissam Alaeddine, one of the gunmen arrested at the scene, was released on bail on August 29. Press reports suggested that Hizballah officials visited Alaeddine in custody and possibly intervened on his behalf. Seven persons detained in Roumieh Prison for suspicion of membership in Fateh al-Islam also were released in June, reportedly in response to the intervention of government officials. Other Fateh al-

Islam suspects had been held since 2007 without trial. Persons involved in routine civil and criminal proceedings sometimes sought to solicit the assistance of prominent individuals to influence the outcome of their cases.

### **Trial Procedures**

Defendants are presumed innocent until proven guilty. There is no trial by jury. Trials are generally public, but judges have the discretion to order a closed court session. Defendants have the right to be present at trial, to consult with an attorney in a timely manner, and to question witnesses against them. Defendants may present witnesses and evidence, and their attorneys have access to government-held evidence relevant to their cases. Defendants have the right of appeal.

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. Human rights groups expressed concerns over the trial of civilians in military courts, the extent to which they are afforded full due process, and a lack of review of verdicts by ordinary courts.

Palestinian groups in refugee camps operated an autonomous and arbitrary system of justice outside the control of the state. For example, local popular committees in the camps attempted to resolve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally transferred the accused to state authorities for trial.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is an independent judiciary in civil matters. In practice it seldom was used to bring civil lawsuits seeking damages for government human rights violations. During the year there were no examples of a civil court awarding an individual compensation for such violations.

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

The law prohibits such actions, but authorities frequently interfered with the privacy of persons regarded as enemies of the government.

Although the law provides for the interception of telephone calls with prior authorization from the prime minister upon a request made by either the minister of interior or minister of defense, at times security services and the military reportedly intercepted calls without such authorization.

Militias and non-Lebanese forces operating outside the area of central government authority also frequently violated citizens' privacy rights. Various factions used informer networks and telephone monitoring to obtain information regarding their perceived adversaries.

Personal status is legally handled by religious courts, which occasionally interfered in family matters.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The law provides for freedom of speech and press and stipulates that restrictions may be imposed only under exceptional circumstances. The government generally respected these rights, but there were some restrictions, particularly regarding political and social issues.

Freedom of Speech: Individuals are free to criticize the government but are legally prohibited from publicly criticizing the president and foreign leaders. Authorities also hindered the expression of certain views. Activists promoting democratic reform in Syria complained of harassment and the lack of protection offered by the government. NGOs that advocated for women's rights, particularly those focused on combating domestic violence, organized protests and media campaigns that met with some interference by the security forces. One women's rights activist said that she was forced to change some language in her organization's February advertisements about the country's lack of laws protecting women from domestic abuse because security services deemed the initial language "too inflammatory."

Freedom of Press: The independent media were active and expressed a wide variety of views. The majority of media outlets had political affiliations, which hampered their ability to operate freely in areas dominated by other political groups and affected their reporting. Most media outlets were financed by and reflected the views of local, sectarian, and foreign interest groups. The law restricts the freedom to issue, publish, and sell newspapers. Publishers must apply for and receive a license from the minister of information in consultation with the press union.

The law governing the audiovisual media bans live broadcasts of unauthorized political gatherings and certain religious events and prohibits the broadcast of “any matter of commentary seeking to affect directly or indirectly the well-being of the nation’s economy and finances, material that is propagandistic and promotional, or promotes a relationship with Israel.” Media outlets must receive a license from the Council of Ministers based on a suggestion by the minister of information to broadcast direct and indirect political news and programs. The law also prohibits broadcasting programs that seek to affect the general system, harm the state or its relations with Arab and foreign countries, or have an impact on the well-being of such states. In addition it prohibits the broadcast of programs that seek to harm public morals or programs that ignite sectarian strife or insult religious beliefs.

In August the Ministry of Information, through the National Audiovisual Media Council, criticized the Lebanese Broadcasting Corporation International (LBCI) and al-Jadeed television stations over their August 15 coverage of security incidents related to the kidnapping of Lebanese in Syria and Syrians in Lebanon, which the government said were provocative and caused civil instability in the country. The government threatened to temporarily take both stations off the air.

In March 2011 the Criminal Investigation Service in Beirut opened a criminal investigation against CLDH staff members Marie Daunay and Wadih Al-Asmar on the charge of inciting sectarian strife, related to the February 2011 publication of the CLDH report entitled *Arbitrary Detention and Torture: The Bitter Reality of Lebanon*. The investigation continued at year’s end.

Violence and Harassment: There were reports of violence and harassment based on press and social media activity. For example, on April 9, al Jadeed cameraman Ali Shaaban was shot and killed in the Wadi Khaled area of northern Lebanon while on assignment. Al Jadeed blamed the Syrian army for Shaaban’s death, saying that the army opened fire at the three-member crew’s vehicle, which was

clearly marked as a press vehicle, while it was in Lebanese territory. According to reports the vehicle was hit by approximately 40 bullets.

On June 25, gunmen attacked al-Jadeed television's headquarters in Beirut, opening fire on the building, hurling Molotov cocktails, and burning tires. The station claimed that the attack was politically motivated, prompted by its broadcast of an interview with controversial Sunni Sheikh Ahmed al Assir.

On August 23, graffiti artist Semaan Khawam was threatened on his Facebook account for supporting the Syrian revolution. Earlier, on April 4, Khawam was tried in court for "disturbing public order" after spray-painting graffiti of soldiers resembling those who took part in the 1975-90 Lebanese civil war.

In July 2011 military intelligence officials interrogated Saadeddine Shatila, the NGO Alkarama's representative in Beirut, for more than seven hours in relation to his work documenting human rights violations in the country--specifically the information submitted in 2010 by Alkarama to the UN special rapporteur on torture concerning allegations of torture committed by military intelligence and other security forces. Shatila was accused of publishing information that could be harmful to the LAF's reputation. The case was referred to the Military Court, which dropped the charges on February 3.

Censorship or Content Restrictions: The law permits, and authorities selectively used, prior censorship of pornographic material, political opinion, and religious material considered a threat to national security or an offense to the dignity of the head of state or foreign leaders. The DGS reviews and censors all foreign newspapers, magazines, and books before they enter the country. Political violence and extralegal intimidation led to self-censorship among journalists.

On May 21, officials banned the film *Tannoura Maxi* following pressure exerted by the Lebanese Catholic Information Center on the DGS. It was put back in theaters only after several scenes were modified or censored.

On October 5, the film *Fatih 1453* was reportedly banned due to falsification of dates and insults to Christianity.

Libel Laws/National Security: The 1991 security agreement between the Lebanese and Syrian governments, still in effect at year's end, contains a provision prohibiting the publication of any information deemed harmful to the security of either state.

Publishing Restrictions: The law includes guidelines regarding materials that are unsuitable for publication in a book, newspaper, or magazine. Any violation of the guidelines may result in the author's imprisonment or a fine. The law includes descriptions of possible violations, such as writing in a way that ignites sectarian strife, defamation, criticizing the president with offensive language, and spreading false rumors.

Authorities of any of the recognized religions may unilaterally request the DGS to ban any book. The government may prosecute offending journalists and publications in the publications court.

Nongovernmental Impact: Opposition groups sometimes sought to inhibit freedom of the press. For example, on June 10, Syrian Socialist National Party (SSNP) MP Asaad Hardan's bodyguard, Hussein Hashem, severely beat al-Jadeed female correspondent Ghadi Francis, al-Jadeed television reported. Francis was in the Dhour el-Shweir area to cover the electoral process run by the SSNP, and Hashem reportedly asked her to leave. When she refused, he punched her in the face, kicked her multiple times, and assaulted her. The party apologized to the television station and criticized the attack against Francis but denied that the MP's bodyguard attacked her. The party added that Hashem was not Hardan's bodyguard but rather a journalist who worked for the SSNP newspaper *Al-Binaa*.

Authors may publish books without prior permission from the DGS, but if the book contains material that violates the law, the DGS can legally confiscate the book immediately and put the author on trial. In some cases the authorities may see the offending material as a threat to national security. Such offenses are not taken to trial based on the Publication Law, but on the basis of criminal law or other statutes. Therefore, publishing a book that has not received prior approval and contains unauthorized material could put the author at risk of a prison sentence, fines, and the confiscation of the published materials.

## **Internet Freedom**

There are no laws restricting access to the Internet. There was a perception among knowledgeable sources, however, that the government monitored e-mail, Facebook, and Internet chat rooms where individuals and groups engaged in the expression of views. For example, military intelligence summoned for questioning individuals from Jezzine in May regarding their Facebook contact with a Lebanese man believed to be living in Israel; the law prohibits contact with individuals

deemed to be agents of or assisting enemies of Lebanon. The government reportedly censored some Web sites to block pornographic and religiously provocative material, but there were no verified reports that the government attempted to collect personally identifiable information via the Internet in a systematic way. There were reports of hacking incidents of government, new, and political Web sites.

Restrictions on freedom of speech concerning the president applied to social media communications, which were considered a form of publication rather than private correspondence.

Cartoonist Pierre Sadek received intimidating messages on Facebook after he drew a cartoon featuring Hizballah Secretary General Hassan Nasrallah, which was published in a newspaper and posted on Sadek's Web site on February 18. Sadek removed the cartoon from his Web site.

On September 25, Judge Nadim Zwein reportedly decided to block Internet access to the movie *Innocence of Muslims*, following a complaint filed by a local lawyer citing offensive scenes.

Internet access was available and widely used by the public; Internet World Statistics estimated approximately 52 percent of the public used the Internet, according to a report issued in June.

### **Academic Freedom and Cultural Events**

There are no government restrictions specific to academic freedom, but libel and slander laws apply. During the year the government censored films, plays, and other cultural events. The DGS reviewed all films and plays and prohibited those deemed offensive to religious or social sensitivities. Cultural creators and those involved in the arts practiced self-censorship.

On January 20, international singer Lara Fabian cancelled her February 14 and 15 concerts in the country after anti-Israeli campaigners rallied against the artist's visit. The Campaign to Boycott Israeli Supporters in Lebanon rallied for weeks against her tour. The campaigners cited an online video showing Fabian singing in a 2008 concert on the anniversary of the creation of Israel. Fabian sang in Hebrew and then later before getting off the stage said, "I love you, Israel."

### **b. Freedom of Peaceful Assembly and Association**

## **Freedom of Assembly**

The law provides for freedom of assembly, but the government sometimes restricted this right. Organizers are required to obtain a permit from the Ministry of Interior three days prior to any demonstrations. The ministry sometimes did not grant permits to groups that opposed government positions, but there were no known examples of this during the year.

Security forces occasionally intervened to disperse demonstrations, usually when clashes broke out between opposing protesters.

On September 19, a group of 20 activists attempted to protest in front of the parliament during a meeting of the parliamentary joint committees mandated to study the proposed electoral law. Parliament police violently attacked the protesters, causing a number of injuries, and immediately forbade any media coverage of the protest.

## **Freedom of Association**

The law provides for freedom of association, and the government generally respected the law, although there were some conditions.

No prior authorization is required to form an association, but the Ministry of Interior must be notified in order that the entity be recognized as legal and verify that it respects public order, public morals, and state security. The ministry then issues a receipt. The ministry sometimes imposed additional and inconsistent restrictions and requirements and withheld receipts, turning the notification process into an actual approval process. In some cases the ministry sent notification of formation papers to the security forces to initiate inquiries on an organization's founding members. Organizations must invite ministry representatives to any general assembly where members vote on bylaws, amendments, or positions on the board of directors. The ministry must then validate the vote or election; failure to do so could result in the dissolution of the organization, possible only by a decree issued by the Council of Ministers.

The cabinet must license all political parties (see section 3).

NGOs in areas under the sway of Hizballah forces faced harassment and intimidation.

### **c. Freedom of Religion**

See the Department of State's International Religious Freedom Report at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights for citizens but placed limitations on the rights of Palestinian refugees. The Office of the UN High Commissioner for Refugees (UNHCR) provided protection and support to more than 10,000 non-Palestinian refugees and asylum seekers, 82 percent of whom were from Iraq. Additionally, the UNHCR provided support to an estimated 172,900 displaced Syrians. The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) provided assistance specifically to Palestinian refugees. The government cooperated with the UNHCR, UNRWA, and other humanitarian organizations in providing protection and assistance to internally displaced persons (IDPs), refugees, returning refugees, asylum seekers, and other persons of concern.

In-country Movement: The government maintained security checkpoints, primarily in military and other restricted areas. Government forces were usually unable to enforce the law in the predominantly Hizballah-controlled Beirut southern suburbs and did not typically enter Palestinian refugee camps. On September 7 and 13, the LAF raided the Beirut southern suburbs and arrested several individuals from the al-Maqdad family, including the spokesperson Maher al-Maqdad, for kidnapping Syrians and a Turkish national, Tufan Tekan, as collateral for the release of their relative in Syria.

According to UNRWA, Palestinian refugees registered with the Ministry of Interior's Directorate of Political and Refugee Affairs may travel from one area of the country to another. However, the directorate must approve transfer of registration of residence for refugees who reside in camps. UNRWA stated that the directorate generally approved such transfers. As of mid-July the requirement enforced by the LAF to obtain an access permit in order to enter the Nahr el Bared camp was revoked; Lebanese and Palestinians entering the camps needed only to show their identity cards at the LAF checkpoints outside the camp. Foreigners were required to apply for visitor permits from the LAF.

Syrians who entered the country legally were able to move about freely. Those who entered illegally and were staying in Wadi Khaled were limited to movement in the Wadi Khaled area only and could be arrested if they tried to travel through the Chadra LAF checkpoint.

### **Internally Displaced Persons (IDPs)**

UNRWA reported that during the year 7,865 Palestinian refugees had returned to housing units in Nahr el-Bared camp, while another 11,184 were living in areas adjacent to the camp from which they had been displaced when it was destroyed in 2007. Approximately 8,450 Nahr el-Bared residents remain displaced in Beddawi Camp and other areas in Lebanon. According to the Norwegian Refugee Council's Internal Displacement Monitoring Center, by November 2010 no IDPs remained from the 2006 Israel-Hizballah conflict.

### **Protection of Refugees**

Access to Asylum: The laws do not provide for the granting of asylum or refugee status. As a result more than 70 percent of refugees registered with the UNHCR did not have any legal status and were liable to be arrested. Nonetheless, the government provided some protection through ad hoc arrangements. The government granted admission and temporary (six-month) refuge to asylum seekers, but not permanent asylum. The DGS sometimes arbitrarily detained asylum seekers at its detention facility for more than a year and then deported them.

An agreement between the DGS and the UNHCR recognized and granted protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status must do so within two months after arriving in the country. The DGS issues residence permits, valid for three months, during which time the UNHCR must make a refugee status determination. The DGS issued residency permits for up to 12 months for those to whom the UNHCR accorded refugee status and who applied and paid for the permit. Refugees receiving residency permits continued to be required to apply and pay fees for permit renewal.

There was a significant influx of Syrians who entered Lebanon to escape escalating violence after the start of mass unrest in Syria beginning in mid-March 2011. While some Syrians settled in shelters, approximately 90 percent stayed with host

families, who were not always family or friends. At year's end there were an estimated 170,000 Syrians receiving services from the UNHCR. The government does not officially recognize these persons as refugees, and it limits the freedom of movement for individuals who entered the country illegally. The Lebanese High Relief Commission and the UNHCR agreed on criteria to determine eligibility for assistance. There were no refugee camps for Syrians.

Refoulement: On August 1, authorities deported 14 Syrians despite the fact that four of them had asked not to be expelled due to fear of persecution if returned to Syrian authorities. The DGS stated that the expulsion of the Syrians was not politically motivated and that the Syrians had committed violations and criminal acts, including theft, attacking the house of an army officer, insulting the military establishment, and use of forged documents.

Press reports noted comments by the Palestinian Human Rights Organization that Palestinians fleeing the conflict in Syria had been turned away at the Lebanese border due to their inability to pay the required visa fees.

Refugee Abuse: According to the UNHCR, domestic courts often sentenced Iraqi and African refugees officially registered with the UNHCR to one month's imprisonment and fines instead of deportation for illegal entries. After serving their sentences, most refugees remained in detention unless they found employment sponsors and the DGS agreed to release them in coordination with the UNHCR.

In a 2010 request to the government, 14 local and international NGOs called for the release of migrants and refugees who had completed their sentences but continued to be detained without a legal basis. According to the ISF, as of December 22, there were six foreign detainees who had completed their sentences and were awaiting deportation by the DGS or regularization of their situation in the country.

Syrian refugees residing inside the Lebanese border near Syria faced danger from cross-border shelling and reported Syrian army incursions into Lebanon.

Employment: The law does not distinguish between refugees and other aliens. Non-Palestinian refugees residing in the country legally were allowed to work in certain sectors, provided they had a sponsor for a work permit and could pay the associated fees. In 2010 parliament amended the labor law granting certain employment rights to Palestinian refugees registered with the government,

including no-cost work permits, but these amendments were not implemented. These amendments did not address laws that bar Palestinians from jobs that require membership in a professional association.

In 2010 parliament also amended the social security law, setting up a special account to provide end-of-service indemnities or severance pay for Palestinian refugees who retired or resigned; these benefits were available only to Palestinians working in the legal labor market. Palestinians do not benefit from national Sickness and Maternity funds or the Family Allowances fund; UNWRA continued to bear the cost of any medical, maternity, or family health-care expenses (excluding workman's compensation). The law calculates benefits only from August 2010 onward.

Access to Basic Services: By law UNRWA-registered Palestinian refugees are considered foreigners, and in several instances they were accorded poorer treatment than other foreign nationals. UNRWA has the sole mandate to provide health, education, social services, and emergency assistance to the 474,053 registered Palestinian refugees residing in the country. The amount of land allocated to the 12 official refugee camps in the country has changed only marginally since 1948, despite a four-fold increase in the population. Consequently, most Palestinian refugees lived in overpopulated camps, some of which were subjected to heavy damage during multiple conflicts. In accordance with their agreement, Palestine Liberation Organization (PLO) security committees, not the government, provided security for refugees in the camps, with the exception of the Nahr el-Bared camp.

Property laws directly and effectively exclude Palestinians due to a 2001 amendment to a 1969 decree barring persons without the nationality of a recognized state from owning land and property. Palestinians who owned property prior to the law entering into force are unable to bequeath it to their heirs, and individuals who were in the process of purchasing property in installments were unable to register the property.

Palestinian refugees residing in the country were not able to obtain citizenship and were not citizens of any other country. Palestinian refugee women married to citizens were able to obtain citizenship and transmit citizenship to their children. Palestinian refugees, including children, had limited social and civil rights and no access to public health, education, or other social services. Children of Palestinian refugees faced discrimination in birth registration, and many had to leave school at an early age to earn an income.

Palestinians who fled Syria received limited basic support from UNRWA, including food aid, cash assistance, and winter clothing vouchers. Their children were permitted to enroll in UNRWA schools, and they were able to access UNRWA health clinics. At year's end there were more than 10,000 Palestinians from Syria registered with the agency.

Iraqi refugees had access to both the public and private education systems. The UNHCR reported that approximately 1,700 Iraqi children were registered in schools, and it provided grants to the children to help defray the costs associated with attending school. Iraqi refugees also had access to the primary health-care system. The UNHCR, through NGOs, provided secondary health care.

Syrians who fled to Lebanon had access to the public education system. The Ministry of Education facilitated their enrollment in public schools, and the UNHCR covered school-related expenses such as school fees, books, and uniforms. The UNHCR had arranged with the Ministries of Social Affairs and Public Health for registered Syrians to access designated public health centers and local clinics for primary care services, and the organization covered the bulk of the costs. Unlike in the previous year, the government's High Relief Commission did not cover the cost of secondary and tertiary health care as of midyear.

A comprehensive, multiyear plan to rebuild the Nahr el-Bared refugee camp and surrounding communities in eight stages, begun in 2008, was in process, but remaining reconstruction was not fully funded, and only approximately half of the required donations had been secured by year's end.

The government did not consider local integration of other refugees, such as Iraqis, a viable durable solution.

Temporary Protection: After Syrians and Palestinians, the third largest group of refugees in the country was Iraqi. The government did not provide a temporary protection regime for asylum seekers, and it regularly deported refugees and asylum seekers who may have had valid claims to protected status. According to the UNHCR, there were six refugees and asylum seekers in detention at year's end, and during the year the DGS deported 48 persons of concern despite continuous efforts by the UNHCR. Of the 48 individuals, 32 persons had refugee status and 16 persons were asylum seekers.

The UNHCR continued to intervene with authorities to request the release of persons of concern who either were detained beyond their sentence or for illegal entry/stay.

At year's end 7,406 Iraqis were registered with the UNHCR. The Danish Refugee Council estimated that 15,000 to 20,000 Iraqis were living in the country; many entered the country illegally in search of jobs, education, and security. During the year the government provided limited services for Iraqi refugees. The DGS did not grant a grace period during the year for foreigners who had fallen into illegal status to regularize their residency in the country.

### **Stateless Persons**

Citizenship is derived exclusively from the father, which may result in statelessness for children of a citizen mother and a noncitizen father when registration under the father's nationality is not possible. In addition some children born to Lebanese fathers may not have their births registered due to a lack of understanding of the regulations or administrative obstacles. The problem was compounded by the fact that nonnational status is a hereditary status that stateless individuals pass to their children. There were no official statistics on the size of the stateless population.

Approximately 3,000 Palestinian refugees were not registered with UNRWA or the government. Also known as undocumented, or non-ID, Palestinians, most moved to the country after the expulsion of the PLO from Jordan in 1971. Non-ID Palestinians faced restrictions on movement and lacked access to fundamental rights under the law. Non-ID Palestinians who were not registered in other fields were not necessarily eligible for the full range of services provided by UNRWA, such as hospitalization coverage or some social services. UNRWA provided primary health care, education, and vocational training services to non-ID Palestinians. The majority of non-ID Palestinians were men, many of them married to UNRWA refugees or citizen women, who could not transmit refugee status or citizenship to their husbands or children. In 2011 the government issued a special identification card to an estimated 2,000 non-ID Palestinians, but the Ministry of the Interior rejected 1,000 Palestinian refugees' applications.

During the year the Directorate of Political and Refugee Affairs extended late registration to Palestinian refugee children born since 2005. It previously had been the directorate's policy to deny late registration of births of Palestinian refugee children who had reached the age of three years and older.

In October 2011 President Michel Sleiman signed a decree revoking the citizenship of approximately 176 families due to the State Consultative Council's 2003 decision to invalidate the 1994 naturalization decree, which naturalized several thousand Palestinians in addition to other nationalities. As many as 4,000 persons appeared to be at risk of losing their citizenship.

Approximately 1,000 to 1,500 of the 75,000 Kurds lacked citizenship despite decades of family presence in the country. Most were descendants of migrants and refugees who left Turkey and Syria during World War I but had been denied the right to citizenship to preserve the country's sectarian balance. The government issued a naturalization decree in 1994, but high costs and other obstacles prevented many from acquiring official status. Some individuals who received official status had their citizenship revoked in 2011 as a result of the 2011 presidential decree. Others held an "ID under consideration" document without date or place of birth.

Stateless individuals lack official identity documents that would permit them to travel abroad and may face difficulties traveling in the country or detention for not carrying identity documents. They have limited access to the regular employment market and no access to many professions. In addition they cannot access public schools, public health-care facilities, or official marriage or birth registration, and they are unable to own or inherit property.

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

The law provides citizens the right to change their government peacefully in periodic, free, and fair elections based on universal suffrage; however, lack of government control over parts of the country, defects in the electoral process, and corruption in public office significantly restricted this right. The president and parliament nominate the prime minister, who, with the president, chooses the cabinet.

#### **Elections and Political Participation**

Recent Elections: Observers concluded that the 2009 parliamentary elections were generally free and fair, with minor irregularities, such as instances of vote buying. The NGO Lebanese Transparency Association reported that its monitors witnessed vote buying through cash donations on election day in many electoral districts.

Political Parties: The four major political parties and numerous smaller ones were almost exclusively based on confessional affiliation, and parliamentary seats were allotted on a sectarian basis.

Participation of Women and Minorities: There were significant cultural barriers to women's participation in politics. Prior to 2004 no woman held a cabinet position, and only three women have been ministers since then. During the year no women served in the cabinet approved by parliament in July 2011. Only four of 128 MPs were women, and all were close relatives of previous male MPs. With a few notable exceptions, women were excluded from the leadership of political parties, limiting their opportunities for higher office.

Minorities were able to participate in politics to some extent. Regardless of the number of its adherents, every government-recognized religion, except Coptic Christianity, Ismailism, and Judaism, was allocated at least one seat in parliament. Three parliamentarians representing minorities (one Syriac Orthodox and two Alawites) were elected in the 2009 elections. These groups also held high positions in government and the LAF. As Palestinian refugees are not citizens, they have no political rights. An estimated 17 Palestinian factions operated in the country, generally organized around prominent individuals. Most Palestinians lived in refugee camps that one or more factions controlled. Refugee leaders were not elected, but there were popular committees that met regularly with UNRWA and visitors.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. Government control of corruption was widely considered poor. Types of corruption generally encountered included systemic clientelism; judicial failures, especially in investigations of politically motivated killings; electoral fraud facilitated by the absence of preprinted ballots; and bribery. Bureaucratic transactions were customarily accompanied by the payment of bribes; in addition to regular fees, customers paid bribes for a new driver's license, car registration, or residential building permits.

Government security officials, agencies, and the police force were subject to laws against bribery and extortion. In practice the lack of strong enforcement limited the laws' effectiveness.

The law requires public officials to disclose their financial assets to the Constitutional Council, but the information was not available to the public. The Court of Accounts, the Central Inspection Department, the Office of the Minister of State for Administrative Reform, the Central Bank's Special Investigation Committee, and the Disciplinary Board were tasked with fighting corruption.

A 2011 report by the Lebanese Transparency Association claimed that corruption had become institutionalized. Since parliament had not passed a budget since 2006, there was limited parliamentary or auditing authority oversight of revenue collection and expenditures.

There are no laws regarding public access to government documents, and the government generally did not respond to requests for documents.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were not responsive to these groups' views, and there was limited or no accountability for human rights violations. In March 2011, however, the Criminal Investigation Service in Beirut opened a criminal investigation against CLDH staff members Marie Daunay and Wadih Al-Asmar on the charge of inciting sectarian strife (see section 2.a.).

Government Human Rights Bodies: The parliamentary Committee on Human Rights struggled to move forward existing proposals to make legal changes to guide ministries on protecting specific human rights or, for example, improving prison conditions. The committee served as a forum to highlight human rights abuses. For example, ISF Major General Ashraf Rifi testified regarding the status of the ISF's investigation into the kidnapping and disappearance of the Jassem brothers in 2011(see section 1.b.).

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law provides for equality among all citizens and prohibits discrimination based on race, gender, disability, language, or social status. The government generally respected these provisions; however, they were not enforced, especially in economic matters, and aspects of the law and traditional beliefs discriminated against women.

## Women

Rape and Domestic Violence: The law criminalizes rape outside of marriage, and the government effectively enforced the law, although the crime was underreported. The minimum prison sentence for a person convicted of rape is five years, or seven years for raping a minor. According to article 522 of the penal code, the state would not prosecute a rapist and would nullify his conviction if the rapist married his victim. Spousal rape is not criminalized, and according to the domestic NGO KAFA (Enough) Violence and Exploitation, 80 percent of domestic violence victims the NGO assisted had suffered spousal rape. Prosecutions for spousal rape were rare.

Neither the penal code nor personal status laws governing family matters adjudicated by state-sanctioned religious courts specifically prohibit domestic violence. There were no authoritative statistics on its extent, but there was a broad consensus that domestic violence, including spousal abuse, was a serious and widespread problem. A September UN Population Fund assessment estimated that there were high rates of domestic violence in the country. Despite a law that sets a maximum sentence of three years in prison for battery, some religious courts may legally require a battered wife to return to her home despite physical abuse. Foreign domestic servants, usually women, often were mistreated, abused, and in some cases raped or placed in slavery-like conditions (see section 7.c.). Some police especially in rural areas treated domestic violence as a social rather than criminal matter.

The government provided legal assistance to domestic violence victims who could not afford it, but in most cases police ignored complaints submitted by battered or abused women. The NGO Lebanese Council to Resist Violence against Women and KAFA worked to reduce violence against women by offering counseling and legal aid and raising awareness about the problem. During the year KAFA assisted in 200 new cases and followed up on 170 old cases of victims of violence, the majority of which concerned domestic violence.

Harmful Traditional Practices: In August 2011 parliament cancelled article 562 of the penal code on “honor” crimes, which allowed a reduced sentence for a man who killed his wife or other female relative in response to a socially unacceptable sexual relationship conducted by the victim.

Sexual Harassment: The law prohibits sexual harassment, but it was a widespread problem, and the law was not enforced effectively. According to the UN Population Fund, the labor law does not explicitly prohibit sexual harassment in the workplace; it merely gives an employee, male or female, the right to resign without prior notice from his or her position in the event that an indecent offense is committed towards the employee or a family member by the employer or his or her representative, without any legal consequences for the perpetrator.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination and violence. Some women in rural areas faced social pressure on their reproductive choices. There are no legal prohibitions or governmental encumbrances to equal access under the law for reproductive health-care products or services, although the most advanced clinics and practices were in the larger metropolitan areas.

Discrimination: Women suffered discrimination under the law and in practice. 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. In matters of child custody, inheritance, and divorce, personal status laws provide unequal treatment across the various confessional court systems but generally discriminate against women. For example, Sunni civil courts apply an inheritance law that provides a son twice the inheritance of a daughter. Religious law on child custody matters favors the father in most instances. Nationality law also discriminates against women, who may not confer citizenship to their spouses and children, although widows may confer citizenship to their minor children. By law women may own property, but they often ceded control of it to male relatives due to cultural reasons and family pressure. The law provides for equal pay for equal work for men and women, but in the private sector there was discrimination regarding the provision of benefits. Only 25 percent of women, compared with 75 percent of men, were in the formal labor force, and these women earned on average less than 25 percent of what men earned. Although composing the majority of the resident population, women were only 14 percent of the workforce and only 8 percent of senior officials and managers, according to World Economic Forum. One in six women was illiterate, according to UN statistics.

The Women's Affairs Division in the Ministry of Social Affairs is the highest-level governmental organization dealing with women's issues. The division undertook some projects to address sexual or gender-based violence, such as providing

counseling and shelter for victims and training ISF personnel to combat it in prisons. Women were commissioned as ISF officers for the first time during the year.

## **Children**

Birth registration: Citizenship is derived exclusively from the father, which may result in statelessness for children of a citizen mother and noncitizen father who cannot transmit his own citizenship (see section 2.d.).

Children of citizen mothers and foreign fathers, including Palestinians, were not granted citizenship.

Some refugee children and children of foreign domestic workers also faced obstacles to equal treatment under the law, and NGOs reported discrimination against them, although some could attend public school. According to a 2008 report by the Integrated Regional Information Networks, children born in the country of migrant domestic workers had no official identity.

Education: Education is free and compulsory through the primary phase for citizens. Noncitizen children, including those born of noncitizen fathers and citizen mothers, do not have this right. Certain public schools have quotas for noncitizen children, but there are no special provisions for children of female citizens, and spaces remained subject to availability. Boys and girls have nearly equal rates of primary education, with women outnumbering men in secondary and tertiary education.

Child Marriage: The age of legal maturity is 18 for men and 17 for women. Family matters are governed by confessionally determined personal status law, and minimum ages acceptable for marriage differ accordingly. According to UN statistics, 5 percent of women were married by age 19.

Sexual Exploitation of Children: The penal code prohibits and punishes commercial sexual exploitation and forced prostitution. Prescribed punishment for commercial sexual exploitation of a person under 21 years old is imprisonment of one month to one year and fines ranging between 50,000 and 500,000 pounds (\$33 and \$333). The maximum sentence for commercial sexual exploitation is two years' imprisonment. The minimum age of consensual sex is 18 years old, and statutory rape penalties include hard labor for a minimum of five years and imprisonment for a minimum of seven years if the victim is younger than 15.

Imprisonment ranges from two months to two years if the victim is between 15 and 18. The government generally enforced the law. The ISF investigated at least five cases of child trafficking and referred them to the judiciary.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

At year's end there were approximately 100 Jews living in the country and 6,000 registered Jewish voters who lived abroad but had the right to vote in parliamentary elections.

Members of the Jewish Communal Council said the Jewish cemetery in Saida was destroyed in the fall when government officials appropriated a piece of the cemetery to build a highway. The council received no warning or notification regarding the road construction project.

The national school curriculum materials on tolerance education did not contain materials on the Holocaust.

The Ministry of Interior delayed validation of the 2008 elections of the Israeli Communal Council. The next elections were anticipated to be held in 2013.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

Although prohibited by law, discrimination against persons with disabilities continued. The law defines a "disability" as a physical, sight, hearing, or mental impairment. The law stipulates that at least 3 percent of all government and private sector positions be filled by persons with disabilities, provided such persons fulfill the qualifications for the position; however, there was no evidence the law was enforced. The law mandates access to buildings by persons with disabilities, but the government failed to amend building codes. Many persons with mental disabilities were cared for in private institutions, several of which the government subsidized.

The Ministry of Social Affairs and the National Council of Disabled are responsible for protecting the rights of persons with disabilities. According to the president of the Arab Organization of Disabled People, little progress has been made since the law on disabilities was passed in 2000. Approximately 100 relatively active but poorly funded private organizations made most of the efforts to assist persons with disabilities.

In 2009 the Ministry of Interior issued a decree to provide accessibility to polling stations for persons with special needs during the parliamentary elections; however, a Lebanese Physically Handicapped Union study showed that only six of the 1,741 polling stations satisfied all six criteria for accessibility.

Some NGOs (often managed by religious entities) offered services (education/health) for children with disabilities. The Ministry of Social Affairs contributed to the cost per child, although payments to the organizations were often delayed. According to the Ministry of Social Affairs, it supported school attendance, vocational training, and rehabilitation for approximately 7,300 persons.

Depending on the type and/or severity of the disability, children may attend regular school. Often, due to lack of awareness or knowledge, school staff did not identify a specific disability in children and were unable to adequately advise the parents. In such cases children often ended up repeating classes or dropping out of school.

The public school sector was ill-equipped to accommodate students with physical disabilities. The Ministry of Education and Higher Education's decree 9091 for new school buildings stipulates that "schools should include all necessary facilities in order to receive the physically challenged."

A 2011 report of the Lebanese Physical Handicapped Union cited six key challenges affecting the integration of disabled children in public schools: poor regulatory framework; poor infrastructure that was not disability-friendly; curricula that did not include material to assist children with disabilities; laboratories and workshops that did not have the equipment required by curricula targeting children with disabilities, and laboratories that lacked space and access for persons with disabilities, especially those using wheelchairs; teaching media and tools that relied increasingly on computers and audiovisual material without alternatives for the blind, deaf or physically challenged; and lack of specialized transportation to and from schools.

### **National/Racial/Ethnic Minorities**

A February 2011 report funded by the EU and written by a coalition of local human rights organizations, “A Culture of Racism in Lebanon,” identified a widespread pattern of discrimination against individuals who did not appear ethnically Lebanese. Lebanese of African descent attributed discrimination to the color of their skin and claimed harassment from police, who periodically demanded to see their papers. Arab, African, and Asian students, professionals, and tourists reported being denied entry into bars, clubs, restaurants, and access to private beaches. For example, in a YouTube video posted online on June 28, the St. Georges beach club was caught on camera appearing to refuse to permit entry to a woman based on the color of her skin. The manager of the club later was seen defending the policy by saying that migrant workers were not allowed into the club, explaining that the beach’s policy permitted migrant workers to enter only if they were with their employers, but they were not allowed to swim in the pools. On October 7, Lebanese national carrier Middle East Airlines employees singled out Filipino and Nepalese passengers over a loudspeaker and ordered them to be quiet and stop talking. Middle East Airlines took disciplinary action against the employees responsible after fellow passengers complained and publicized the incident. Male foreign migrant workers reported regular harassment from police officers and said they were often accused of theft. Syrian workers, usually employed in the manual labor and construction sectors, continued to suffer discrimination, as they did following the 2005 withdrawal of Syrian forces from Lebanon. According to a report by Human Rights Watch, on October 7, members of military intelligence severely beat as many as 25 male migrant workers in the Geitawi neighborhood. The workers told Human Rights Watch that the soldiers did not interrogate them or ask about specific offenses but accused them of harassing women. The LAF reported that it was investigating the incident.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

Official and societal discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons persisted during the year. There is no all-encompassing antidiscrimination legislation that could be applied to protect LGBT persons. The law prohibits “unnatural sexual intercourse,” an offense punishable by up to one year in prison, but it was rarely applied. In 2010 the domestic NGO Helem (from the Arabic acronym for Lebanese Protection for LGBT Persons) reported fewer than 10 prosecutions. The law sometimes was applied to men engaging in same-

sex sexual activity; it rarely was applied to women, although Helem reported that police used the law to blackmail women.

On July 28, the ISF arrested 36 men during a raid on a movie theater suspected of screening pornographic movies in the Bourj Hammoud district of Beirut. The men were transferred to Hbeich police station, where they were subjected to anal examinations. The examinations were conducted by forensic doctors on orders of the public prosecutor to “prove” whether a person engaged in same-sex sexual conduct. The police released all of the men several days later but charged three of them under article 534, partly on the basis of the examinations. The head of the Lebanese Doctor’s Syndicate, Dr. Sharaf Abu Sharaf, issued a directive on August 8 calling for an end to anal examinations, stating that they were medically and scientifically useless in determining whether consensual anal sex had taken place and that they constituted a form of torture. He added that they also violated article 30 of the law on medical ethics, which prohibits doctors from engaging in harmful practices. In a statement given to the daily newspaper *Al-Akhbar* on August 2, Justice Minister Shakib Qortbawi declared that he had earlier written to the public prosecutor urging him “to halt random rectal examination procedures, after the issue was raised by human rights organizations.” However, the public prosecutor’s subsequent directive appeared to institutionalize anal examinations further. While the new directive instructed that the anal examination be carried out only “with the consent of the accused, according to standard medical procedures, and in a manner that does not cause significant harm,” it stated that if the accused refused to undergo the examination, he should be informed that his refusal “constitutes proof of the crime.” In an interview with the daily newspaper *As-Safir* on September 1, Minister Qortbawi acknowledged that the judiciary was independent, but he asked that judges listen to him and the Lebanese Medical Association’s opinion criticizing the tests. There was no official action to investigate or punish those complicit in such abuses.

Information was not available on official or private discrimination in employment, occupation, housing, statelessness, or access to education or health care based on sexual orientation and gender identity. The government did not collect such information; individuals who faced such discrimination were likely reluctant to report incidents due to fear they could face additional persecution. There were no government efforts to address potential discrimination.

Meem, the first NGO in the country exclusively for nonheterosexual women, and Helem hosted regular meetings in a safe house, provided counseling services, and carried out advocacy projects for the LGBT community. NGOs claimed that

LGBT individuals underreported incidents of violence and abuse due to negative social stereotypes.

### **Other Societal Violence or Discrimination**

Helem reported during 2009 that at least five HIV-positive individuals reported discrimination by dentists or hospital staff. Updated statistics were not available at year's end.

As in previous years, there were reports of incidents of societal violence and interreligious strife.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law protects the right of workers to form and join trade unions, strike, and bargain collectively. However, the law places a number of restrictions on these rights. The right of public sector employees, domestic workers, and some agricultural workers to form or join unions is not protected by law. The Ministry of Labor must approve the formation of unions, and it controlled the conduct of all trade union elections, including election dates, procedures, and ratification of results. The law permits the administrative dissolution of trade unions and bars trade unions from political activity.

There are significant restrictions on the right to strike; public employees and domestic workers have the right to strike. Unions have the right to demonstrate with advance notice to and approval by the Ministry of Interior. Organizers of a strike must announce the number of participants in advance, and 5 percent of a union's members must take responsibility for maintaining order during the strike.

The law protects the right of workers to bargain collectively; a minimum of 60 percent of workers must agree on the goals beforehand. Collective bargaining agreements must be ratified by two-thirds of union members at a general assembly.

The law prohibits antiunion discrimination. Under the law, when employers misuse or abuse their right to terminate an elected union official's contract, including for union activity, the worker is entitled to indemnity and can institute proceedings before a conciliation board that adjudicates the case, after which an employer may be compelled to reinstate the worker.

By law foreigners with legal resident status may join trade unions. Domestic workers, day laborers, temporary workers in the public services, and some categories of agricultural workers are not covered by the labor code, either because they are not considered residents under the law or because the labor law excludes domestic and certain agricultural work from labor law protections.

Generally, refugees may organize their own unions. Because of restrictions on their right to work, few refugees participated actively in trade unions. While some unions required citizenship, others were open to foreign nationals whose home countries had reciprocity agreements with Lebanon.

The government's enforcement of applicable laws was weak, including with regard to prohibitions on antiunion discrimination.

Freedom of association and the right to collective bargaining were not always respected. The government and other political actors interfered with the functioning of worker organizations, in particular the main federation, the General Confederation of Lebanese Workers (CGTL). The CGTL remained the only national confederation recognized by the government, although several unions unofficially broke off from the CGTL and no longer participated in its meetings or recognized it as an independent and nonpartisan representative of workers.

The law provides that unions conduct activities free from interference, but the Ministry of Labor interfered in union elections. Government officials and other political figures sought to influence union activities; in the past government officials encouraged the establishment of unions for political purposes in order to gain control of the CGTL.

Antiunion discrimination and other instances of employer interference in union functions occurred. Some employers fired workers in the process of forming a union before the union was formally established and published in the Official Gazette.

In July a group of workers at a local supermarket named Spinneys applied to establish a union, following management's failure to properly implement an increase in the minimum wage and in order to join forces to demand fixed salaries and insurance for some employees as well as equal treatment of workers in all the retailer's branches throughout the country. Before the union received official recognition by the Ministry of Labor on September 25, Spinneys laid off several of

its employees for their union activity. In an apparent victory for labor rights, the labor court issued a decision that Spinneys could not fire employees for union activity before their union was officially established. The labor court also ordered Spinneys to register its entire workforce with the National Social Security Fund (NSSF) after it had failed to register approximately 500 employees, and to pay their dues retroactively since the date of employment. The supermarket's management continued to intimidate employees supporting and engaging in union activity.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, but the government did not effectively enforce the law.

The government made some efforts to prevent or eliminate forced labor during the year. On October 18, the government published the implementation decree for a 2011 law prohibiting forced or compulsory labor specifying the conditions for the Ministry of Justice to contract with local NGOs to provide assistance and protection to victims of trafficking.

Children, foreign workers employed as domestic servants, and other foreign workers sometimes worked under forced labor conditions. The law provides protection for domestic workers against forced labor, but domestic work is excluded from protections under the labor law, leaving workers vulnerable to exploitation. In violation of the law, employment agencies and employers routinely withheld foreign workers' passports, especially in the case of domestic workers, sometimes for years. According to NGOs assisting migrant workers, some employers withheld salaries for the duration of the contract, which was usually two years.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 14 years of age, and the law prescribes legal occupations for juveniles. The law requires juveniles, defined as children between 14 and 18, to undergo a medical exam by a doctor certified by the Ministry of Public Health to assure they are physically fit for the type of work they are asked to perform. The law prohibits employment of juveniles younger than 18 for more

than six hours per day and requires one hour of rest if work lasts more than four hours. Juveniles younger than 17 are prohibited from working in jobs that jeopardize their health, safety, or morals; they also are prohibited from working between 7 p.m. and 7 a.m. The law prohibits the employment of juveniles younger than 16 in industrial jobs or jobs physically demanding or harmful to their health. The penal code calls for penalties ranging from a fine of 250,000 pounds (\$166), one to three months' imprisonment, or forced closing of the establishment.

The Ministry of Labor is responsible for enforcing these requirements through its Child Labor Unit. In addition the Ministry of Justice, the Internal Security Forces, and the Higher Council of Childhood (HCC) are charged with enforcement of laws related to forced labor and child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. The HCC is also responsible for referring children held in protective custody to appropriate NGOs to find safe living arrangements. There were approximately 25 labor inspectors charged with child labor inspections. Overall, child labor laws were not effectively enforced, in part because of inadequate resources. For example, in May a Ministry of Interior campaign to combat child beggars and street vendors was scaled back due to the lack of proper social institutions in which to place children taken off the streets.

However, the government made efforts to prevent child labor and remove children from such labor during the year. In May the Ministry of Labor revived the Inter-ministerial National Steering Committee on Child Labor, chaired by the minister of labor. In September the Ministry of Social Affairs and the HCC, in cooperation with Save the Children, launched a national awareness campaign to combat all forms of violence against children, including child labor.

Child labor occurred in practice, including in its worst forms. Up-to-date figures on child labor were unavailable; however, anecdotal evidence during the year suggested that the number of child workers had risen and that more children were working in the informal sector, including commercial sexual exploitation (also see section 6, Children). Child labor was predominantly concentrated in the informal sector, including in small family businesses, mechanical workshops, carpentry, construction, manufacturing, industrial sites, welding, agriculture, and fisheries. Children worked under the table in some of these informal sector jobs, often in small and family businesses that were not part of any formal business. Street children worked selling goods, polishing shoes, and washing car windows. Anecdotal evidence also suggested that child labor was prevalent within Palestinian refugee camps and among Iraqi refugees and Roma communities. Some children worked in hazardous conditions, including street begging.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

The legal minimum wage was raised on January 26 to 675,000 pounds (\$450) per month across all sectors and industries. The law prescribes a standard 48-hour workweek with a 24-hour rest period per week. The law stipulates 48 hours as the maximum duration of work per week in most corporations except agricultural entities. A 12-hour day is permitted under certain conditions, including a stipulation that the overtime provided is 50 percent higher than the pay for other hours. The law does not set limits on compulsory overtime. The law includes specific occupational health and safety regulations and requires employers to take adequate precautions for employee safety.

Domestic workers are not covered under the labor law or other laws related to acceptable conditions of work. Such laws also do not apply to family concerns, day laborers, temporary public sector workers, or workers in the agricultural sector.

The Ministry of Labor is responsible for enforcing regulations related to acceptable conditions of work but did so unevenly. The ministry employed approximately 130 labor inspectors and assistant inspectors. The number of inspectors, available resources, and legal provisions were not enough to deter violations.

Workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 32 hours per week. Some private sector firms failed to provide employees with family and transport allowances as stipulated under the law and did not register them with the NSSF.

Some companies did not respect legal provisions governing occupational health and safety, such as the construction industry. Workers may report violations directly to the CGTL, Ministry of Labor, or NSSF. In most cases they preferred to remain silent due to fear of arbitrary dismissal.

Violations of wage, overtime, and occupational health and safety standards were most common in the construction sector and among migrant workers, in particularly foreign domestic workers.

Foreign migrant workers arrived in the country through local recruitment agencies and source country recruitment agencies. Although by law all recruitment agencies must have a license from the Ministry of Labor, the government did not adequately monitor their activities. The sponsorship system ties foreign workers' legal residency to a specific employer, making it difficult for foreign workers to change employers. If employment is terminated, a worker loses residency, making many reluctant to file complaints to avoid illegal status.

There was no official minimum wage for domestic workers. Official contracts stipulated a wage ranging from 150,000 to 450,000 pounds (\$100 to \$300) per month for domestic workers depending on the nationality of the worker. Migrant domestic workers are granted some labor protections through a unified standard contract, which is registered with the DGS in order for the worker to obtain residency. The standard contract covers uniform terms and conditions of employment; the section covering wages is completed individually.

Some employers mistreated, abused, and raped foreign domestic workers, who were mostly of Asian and African origin. Domestic workers often worked long hours and in many cases did not receive vacations or holidays. Victims of abuse may file civil suits or seek legal action, often with the assistance of NGOs, but most victims, counseled by their embassies or consulates, settled for an administrative solution that usually included monetary compensation and repatriation.

Perpetrators of abuses were not prosecuted further for a number of reasons, including the victims' refusal to press charges and lack of evidence. 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 they returned to their home countries, as they preferred not to stay in the country for a lengthy judicial process.

On March 8, LBCI television released a video filmed on February 24 by an anonymous bystander in which a labor recruiter, identified by LBCI as Ali Mahfouz, physically abused Ethiopian domestic worker Alem Dechasa-Desisa outside the Ethiopian consulate in Beirut. Dechasa-Desisa committed suicide on March 14 at the Deir al-Saleeb psychiatric hospital. The cabinet criticized the incident and called for an investigation. The Beirut prosecutor general charged Mahfouz with contributing to and causing the suicide of Dechasa-Desisa, and the case was referred to the Beirut penal court. However, the Labor Ministry, which

regulates recruitment agencies, did not report on any measures against Mahfouz's labor agency by year's end.

Official businesses and factories strove to meet international standards for working conditions with respect to occupational safety and health; conditions in informal factories and businesses were poorly regulated and often did not meet these standards. During the year the Ministry of Industry adopted new regulations to improve safety in the workplace. The regulations require industries to have three types of insurance (fire, third-party, and workers policies) and implement proper safety measures. The ministry has the authority to revoke a company's license if their inspectors find a company in noncompliance.

On February 6, a huge fire erupted at an aluminum factory in north Beirut, allegedly caused by electrical wire friction; the fire caused only material damage. A massive fire on May 11 at a carpet factory in Safra, north of Beirut, injured five workers.