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## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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The International Response to the Arab Spring

by Benjamin Ward

Respecting the Rights of Persons with Disabilities

New Convention Establishes First Global Labor Standards for Millions of Women and Girls

Hopes and Lessons 20 Years after the Collapse of the Soviet Union

2011 was mostly a year of political paralysis for Lebanon. The country had no government for the first six months, and while political life resumed in July following the formation of a new government, there was no progress on draft laws to prevent torture, improve the treatment of migrant domestic workers, and protect women from domestic violence.

Following multiple riots by inmates demanding better conditions, parliament approved in September the building of additional prisons to reduce overcrowding, but failed to tackle the underlying causes of lengthy pre-trial detention. Activists and artists who usually operate freely faced increased harassment for criticizing the army and certain high-ranking officials.

Despite repeated pledges by the Lebanese government to prevent torture, accountability for acts of torture remains elusive. A number of detainees, especially suspected spies for Israel and armed Jihadists, told Human Rights Watch that their interrogators tortured them in detention facilities, including in the Ministry of Defense and the Information Branch of the Internal Security Forces. Lebanon has not yet established a national preventive mechanism to visit and monitor places of detention, as required under the Optional Protocol to the Convention against Torture, which it ratified in 2008.

Conditions in prisons remain poor, with overcrowding and lack of proper medical care a persistent problem. In April the Interior Ministry stated that the country's main prison in Roumieh, a facility built for 1,500 inmates, held 3,700. Of those, 2,757 were awaiting trial. Prisoners rioted on multiple occasions to protest their conditions of detention. On April 6, security forces killed two inmates during a raid to end a four-day riot. In September parliament approved the building of additional prisons to reduce overcrowding in prisons, but failed to tackle the reasons behind lengthy pre-trial detention periods.

According to the Internal Security Forces, around 13 percent of detainees in Lebanese prisons were foreigners who had finished serving their sentences. The group included asylum seekers and refugees who cannot safely return to their countries.

Lebanon maintained its de facto moratorium on executions, but military tribunals passed at least three death sentences in 2011 against men suspected of spying for Israel.

2011 saw increased harassment of activists, bloggers, and artists who criticized the army and certain high-ranking officials. In March the

general prosecutor opened a criminal investigation against the Lebanese Center for Human Rights (CLDH) after Amal, a leading political party, filed a complaint against CLDH for alleging that some detainees reported being tortured by members affiliated with Amal. In July Military Intelligence summoned Saadeddine Shatila of the international human rights group Alkarama for his work documenting torture by security forces and detained him for seven hours. At this writing a military investigative judge was investigating Shatila for publishing information harmful to the reputation of the Lebanese Military. Also in July Lebanese judicial authorities detained musician Zeid Hamdan for several hours based on an accusation that he had defamed the Lebanese president in a song calling on the president to go home.

Since April Lebanon has witnessed an influx of Syrians escaping the crisis in their country. While many subsequently returned to Syria, by mid-October there were 3,149 Syrian refugees registered with the Office of the United Nations High Commissioner for Refugees (UNHCR) and Lebanons High Relief Commission. Most of the Syrians reside with host families, often in difficult circumstances. Lebanese authorities have provided some material assistance: around 200 refugees are accommodated in two schools in northern Lebanon. In May security forces detained at least 15 Syrian refugees for crossing illegally into Lebanon, but subsequently released them.

The estimated 300,000 Palestinian refugees in Lebanon live in appalling social and economic conditions. 2011 saw no improvement in their access to the labor market, despite a labor law amendment in 2010 that was supposed to ease such access. The main reason was the governments failure to implement the amendment. Lebanese laws and decrees still bar Palestinians from working in at least 25 professions requiring syndicate membership, including law, medicine, and engineering. Palestinian refugees are still subject to a discriminatory law introduced in 2001 preventing them from registering property. In September, after repeated delays, authorities completed the reconstruction of a first batch of houses in the Nahr al-Bared refugee camp, which was destroyed in the 2007 battle between Lebanons army and the armed Fatah al-Islam group. The new houses can accommodate 317 families; at least 8,000 Palestinians from the camp remain displaced.

As of September 30 there were 11,295 non-Palestinian refugees and asylum seekers registered with the UNHCR, more than 80 percent of them from Iraq. Since Lebanon has not ratified the 1951 Refugee Convention, it does not give legal effect to UNHCRs recognition of refugees and generally treats most as illegal immigrants subject to arrest; 17 recognized refugees or asylum seekers were in detention solely for illegal entry.

Following a visit to Lebanon in October, the UN special rapporteur on contemporary forms of slavery urged the government to enact laws to protect the estimated 200,000 migrant domestic workers who face exploitation and abuse by employers, including excessive work hours, non-payment of wages, confinement in the workplace, and in some cases, physical and sexual abuse.

The minister of labor had proposed a draft law to regulate the work of migrant domestic workers in February but no steps have been taken since. Migrant domestic workers suing their employers for abuse face legal obstacles and risk imprisonment and deportation due to the restrictive visa system.

In August the Lebanese parliament enacted an anti-trafficking law strengthening legal protections for victims of trafficking. It enacted the measure after the United States government downgraded Lebanon to tier 3, the worst possible level, in its 2011 report on trafficking in persons.

Male migrant workers mostly from Syria and Egypt working in construction and other manual jobs face hazardous working conditions and are regular targets for robbery and violent attack. State authorities have not made any concerted effort to protect them or bring perpetrators to justice.

In August parliament annulled a provision of the criminal code that had mitigated sentences for so-called honor crimes. However, parliament has yet to consider a bill referred to it by the government in April 2010 that would protect women from domestic violence. The bill requires anyone who witnesses domestic violence to report it, and obliges perpetrators to provide the plaintiff with alternative living arrangements, an allowance, and medical expenses. Both Dar al-Fatwa, the country's highest Sunni Muslim authority, and the Higher Shia Islamic Council, oppose the draft bill, and it is feared that their opposition has paralyzed parliamentary action.

Discriminatory provisions that significantly harm and disadvantage women continue to exist in personal status laws, determined by an individuals religious affiliation, in matters pertaining to marriage, divorce, child custody and guardianship, and inheritance, as well as in nationality laws and penal laws relating to violence in the family. In September the minister of labor introduced a regulation to exempt foreign husbands of Lebanese women and their children from many restrictions placed on foreign workers, but Lebanese women, unlike Lebanese men, still cannot pass their nationality to foreign husbands and children.

In March, as part of the UN Human Rights Councils Universal Periodic Review process, the government pledged to establish a national commission to investigate the fate of the Lebanese and other nationals who disappeared during and after the 1975 to 1990 Lebanese civil war and to ratify the International Convention for the Protection of all Persons from Enforced Disappearances. However, the government took no steps to fulfill these pledges.

An official joint Syrian-Lebanese committee established in May 2005 to investigate cases of Lebanese who disappeared at the hands of Syrian security forces had not published any findings at this writing. In February three Syrian brothers from the Jasem family were kidnapped in Lebanon. Military Intelligence had detained one of them two days earlier for distributing flyers calling for reform in Syria. The Lebanese judicial investigation stalled despite a leaked report showing that the Internal Security Forces had information linking the kidnapping to a Lebanese security official working at the Syrian embassy. In May Shibli Aisamy, an 86-year-old Syrian dissident, was abducted in the mountain town of Aleq; at this writing there was no information regarding his whereabouts.

In June the UNs special tribunal for Lebanon indicted four members of Hezbollah for the killing of former Prime Minister Rafik Hariri in 2005. The four have not been arrested, and the pre-trial chamber is seeking to initiate in absentia proceedings. The governments ongoing support for the tribunal was in doubt as leading parliamentary blocs, including Hezbollah and the Free Patriotic Movement, criticized the tribunal.

Multiple international and regional actors compete for influence in Lebanon. Regionally, Syria, Iran, and Saudi Arabia maintain a strong

influence on Lebanese politics through their local allies.

France, the US, and the European Union provide assistance for a wide range of programs, including military training, seminars on torture prevention, and civil society activities. However, these countries have not fully used their leverage to push Lebanon to adopt concrete measures to improve its human rights record, such as investigating specific allegations of torture or adopting laws that respect the rights of refugees or migrant workers.

The UN deploys over 12,000 peacekeepers at Lebanon's volatile southern border with Israel as part of its 33-year-old peacekeeping force in the country.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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