

# LEBANON

## EXECUTIVE SUMMARY

Lebanon is a parliamentary republic, with a constitutionally mandated Maronite Christian president, Sunni Muslim prime minister, and Shia Muslim speaker of the chamber of deputies. 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 main human rights abuses reported during this year included limitations on freedom of movement for some refugees, and poor prison and detention conditions sometimes involving torture. Detainees faced substandard prison conditions, lengthy pretrial detention, and long delays in the court system.

Other human rights abuses included killings related to societal violence; reports of disappearances and harassment of Syrian political activists; arbitrary arrest and detention of individuals; violation of citizens' privacy rights; restrictions on freedoms of speech and press, including intimidation of journalists; official corruption and lack of transparency; societal, legal, and economic discrimination against women; widespread domestic violence; trafficking in persons; systematic discrimination against Palestinian refugees and minority groups; restricted labor rights for and abuse of migrant domestic workers; and child labor.

Although the legal structure provided 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, although there were at least four deaths in custody during three days of riots in the prison in Roumieh in April (see section 1.c.). As in previous years, there were reports of incidents of societal violence and interreligious strife.

On June 17, clashes between Alawite residents of Jabal Mohsen and a nearby Sunni district of Bab al-Tabbaneh in Tripoli left seven people dead and more than 10 wounded, after a gun battle erupted following a rally in support of Syrian protesters. This area in Tripoli continued to see occasional clashes between the communities during the year.

On December 15, a fight between two individuals evolved into an armed clash between members from the Shia Amal Movement and the pro-Syrian Sunni Ahabash group in Bourj Abi Haidar in Beirut, leaving three dead and 11 injured. The Lebanese Armed Forces (LAF) intervened to contain the clash.

On July 29, 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 George Hawi and attacks on 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 Internal Security Forces (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 Hezbollah operatives this year relied on evidence originally developed by Eid.

There were no reports of clearly identified politically motivated crimes allegedly committed by opposition groups or terrorists. It remained difficult to distinguish such crimes from criminal acts or disputes, as the government did not exercise full control over all its territory, and investigations of suspicious killings rarely led to prosecutions.

## **b. Disappearance**

Syrian political activists who fled to Lebanon faced the risk of targeting, harassment, and kidnapping by Syrian and Lebanese security services. For example, on February 23 and 24, agents from the LAF Military Intelligence Bureau detained several members of the Jasem family, Syrian citizens, after one of them distributed flyers calling for protests demanding democratic changes in Syria. Jasem Jasem disappeared on February 24 along with two of his brothers who had gone to pick him up from a police station, and their whereabouts were unknown at year's end. Press reports stated ISF Major General Ashraf Rifi suspected an officer within the ISF colluded with the Syrian Embassy in his kidnapping. Four other men from the Jasem family were released after a few hours, but were then ordered to report back to the military intelligence offices. On March 8, the men were detained and later transferred to Roumieh Prison. No further information was available at year's end.

On May 24, Shibli Alayasami, one of the founders of the Arab Baath Socialist Party and a former vice-president of Syria, was reported kidnapped from Aley. Press reports quoted Interior Minister Marwan Charbel that investigations were ongoing; at year's end Alayasami's daughter told the press the family believed he was imprisoned in Syria.

According to press reports, Syrian opposition activists said 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. According to Lebanese and international human rights groups, security forces abused detainees, and torture was common and was often used to obtain confessions or encourage suspects to implicate other individuals.

Human rights organizations reported torture occurred in certain police stations, the Ministry of Defense, in the Intelligence Branch of the Ministry of Interior's ISF, and in the ISF's Drug Repression Bureau detention facilities in Beirut and Zahle. The government continued to deny the use of torture, although authorities acknowledged 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, in June 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. In December 2010 Zayat was transferred to a military court where he and eight others were charged with being members of al-Qaida. Of the eight, only four were arrested. Before a September 28 hearing, Zayat was released but no compensation was paid for his detention and torture.

De facto impunity reportedly existed for security force officials. The penal code prohibits using acts of violence to obtain a confession or information about a crime, but the judiciary rarely prosecuted or investigated such allegations. Local human rights organizations published a study in January, *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 being 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 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 the judges threatened them with reprisals if they retracted their confessions.

On February 8, the ISF established through EU funding 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 (AJEM). It

issued disciplinary actions against approximately 12 persons during its three-month trial period before its formal launch. This committee is authorized to visit prisons and detention centers without prior notification.

### **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. Prisons were overcrowded in part due to lengthy pretrial detention. Sanitary conditions were very poor and worsened in Roumieh following the destruction of much of the infrastructure, including plumbing and central air, during a violent riot. According to a government official, most prisons lacked adequate sanitation, ventilation, and lighting, and temperatures were not consistently regulated; prisoners did not have consistent access to potable water. Many of the prisons were very damp, and some, such as the Zahle men's prison, did not provide beds for the inmates. Officials admitted they regularly received complaints regarding the lack of access to basic and emergency medical care, as well as the extreme overcrowding. Problems were exacerbated by the lack of a specialized department to administer regular prisons. NGOs working with prisoners reported three cases of prisoner-on-prisoner rape in Roumieh Prison in 2009. According to one NGO, 27 prisoners died in 2009, primarily due to authorities' negligence and failure to provide appropriate medical care. Updated statistics were not available at year's end.

At mid-year, there were 5,149 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 3,000 persons in May. Pretrial detainees were often held together with convicted prisoners. Men and women were held separately in similar conditions, and according to ISF statistics, 91 minors and 225 women were incarcerated as of May. In many prisons, prisoners who completed their sentences remained in custody due to poor record keeping.

In Roumieh Prison inmates rioted for three days in April when security forces killed four inmates after a search for weapons sparked a violent reaction with protests about overcrowding, poor medical care, and prolonged pretrial detention. September saw a second riot at the prison during which several prison officers were held hostage and another inmate killed.

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.

According to one government official, there was no formal channel for prisoners and detainees to submit complaints to judicial authorities. 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.

In 2008 the government established a human rights department in the Ministry of Interior to examine and improve prison conditions. The department, however, was not properly equipped or staffed, and there were no signs of improvement at year's end. The parliamentary human rights committee is responsible for monitoring the Ministry of Defense detention center.

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. According to its 2010 annual report, the ICRC carried out 146 visits to 6,449 prisoners and detainees in 19 prisons and detention centers. Some juveniles benefit from alternative sentencing.

Nongovernmental entities such as Hizballah and Palestinian militias also operated detention facilities, about which there was no information available.

#### **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 (GDSS), reporting to the prime minister, and the General Directorate for General Security apparatus (DGS), under the Ministry of Interior, are responsible for border control. The LAF, under the Ministry of Defense, is responsible for

external security but may also arrest and detain suspects in the country on national security grounds. Both the GDSS and the DGS collect information on groups deemed possible threats to state security.

### **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. In such cases officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom, but charges were rarely 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 to 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 provides 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. On February 7, the trial of Tarek al-Rabaa, an engineer at the Alfa Telecom Company accused of spying for Israel began. After being arrested in July 2010, Rabaa was summoned to the Ministry of Defense for investigation where he was reportedly handcuffed and forcibly undressed. During his incarceration at the Ministry of Defense's detention center he was allegedly tortured with electric shocks, required to remain in a standing position during 20 days, and was slapped severely on his ears. He was allowed to see his sister--acting as his lawyer--only 32 days after his arrest. According to information available to the CLDH, he was subjected to torture and

ill-treatment for 108 days at the Ministry of Defense's detention center before being transferred to Roumieh Prison, where he remained at year's end.

Pretrial Detention: According to ISF statistics, 3,734 of the 5,149 persons in prison in May were in pretrial detention. The Office of the UN High Commissioner for Human Rights (UNHCHR) expressed concerns 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 a 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 Hizballah announced 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 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, at year's end no additional detainees had been released.

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

The constitution provides for an independent judiciary; however, in practice 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, in September media reports speculated that retired brigadier general Fayez Karam received a relatively light two-year sentence for collaborating with Israel due to his political connections to leading government officials. In contrast, Shia Sheikh Hassan Mchaymech, who was held

in Syria for over a year and was transferred to ISF custody in October, faces the death penalty for allegedly collaborating with Israel. 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.

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 was seldom 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**

Although the law prohibits such actions, 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, security services and the military reportedly sometimes 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.

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

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

#### **Status of Freedom of Speech and Press**

The law provides for freedom of speech and of the press and provides that restrictions may be imposed only under exceptional circumstances. The government generally respected these rights in practice within the effective limitations imposed by a complex and contentious democratic political system.

Freedom of Speech: Individuals are free to criticize the government but are legally prohibited from publicly criticizing the president and foreign leaders. Activists promoting democratic reform in Syria complained of harassment and the lack of protection offered by the Lebanese government.

Freedom of Press: The independent media were active and expressed a wide variety of views. Dozens of newspapers and hundreds of periodicals were published throughout the country, financed by and reflecting 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.

On March 14, the Criminal Investigation Service in Beirut opened a criminal investigation on the charge of inciting sectarian strife concerning the February 10 publication of the CLDH report entitled *Arbitrary Detention and Torture: The Bitter Reality of Lebanon*. A hearing was scheduled for January 11, 2012.

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.

Violence and Harassment: On July 25 and 26, 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 which could be harmful to the LAF's reputation. The case was referred to the Military Court, and a decision to charge Shatila or drop the charges remained pending at year's end.

Unlike in 2010, no journalist was killed.

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.

Libel Laws/ National Security: The 1991 security agreement between the Lebanese and Syrian governments, still in effect, 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 which 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, according to the international NGO Committee to Protect Journalists, protesters set fire on January 25 to an Al-Jazeera van in Tripoli and harassed its staffers as its reporters covered violent demonstrations against the collapse of Saad Hariri's government.

Authors can publish books without prior permission from the DGS, but if the book contains material that violates the law, then the DGS can confiscate the book

immediately, and put the author on trial based on the offending material. 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 were no laws restricting access to the Internet. There was a perception among knowledgeable sources, however, that the government monitored e-mail or Internet chat rooms where individuals and groups engaged in the expression of views via the Internet, including by e-mail. The government reportedly censored some Web sites to block pornographic and religiously provocative material, but there were no verified reports the government attempted to collect personally identifiable information via the Internet in a systematic way.

Restrictions on freedom of speech concerning the president applied to social media communications which were considered to be a form of publication rather than private correspondence. For example, in June and July 2010, security forces detained Naim Hanna, Antoine Ramia, Shibel Kassab, and Ahmad Shuman for defaming President Sleiman on the social networking site Facebook and charged them with libel, slander, and defamation. The Facebook page criticized President Sleiman for allegedly interfering in municipal elections in Jbeil region, among other comments. They were released on bail in July 2010 pending trial, and there were no developments related to this case by year's end.

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

There were no government restrictions specific to academic freedom, but libel and slander laws applied. 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 December 9, the film *Beirut Hotel* directed by Danielle Arbid was banned on the basis that it would “endanger national security.” Press reports disagreed over whether the movie was banned for sexual content or political reasons, as the film mentions the assassination of former Prime Minister Rafik Hariri.

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

### **Freedom of Assembly**

The law provides for freedom of assembly, but the government sometimes restricted this right in practice. 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.

### **Freedom of Association**

The law provides for freedom of association, and the government generally respected it in practice, 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, provided 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 bylaw 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).

## **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 movement within the country, 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 on Refugees (UNHCR) provided protection and support to over 10,000 non-Palestinian refugees and asylum seekers, 88 percent of whom were from Iraq. 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, 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 unable to enforce the law in the predominantly Hizballah-controlled Beirut southern suburbs and did not typically enter Palestinian refugee camps. According to the 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. The UNRWA stated that the directorate generally approved such transfers. The LAF granted Palestinian refugees residing in the area adjacent to the Nahr el-Bared camp permanent permits, which they must produce at LAF checkpoints to enter the area. Palestinian visitors who are not permanent residents must apply for visitor permits that are issued for a specific length of time, anywhere from one day to a number of weeks or months. As of mid-year the LAF allowed Palestinian women and males under 14 years of age to enter the adjacent area without a permit, but all males 14 years of age and older continued to need an access permit. Residents have complained that LAF checkpoints and access restrictions on the area surrounding Nahr el-Bared camp hinder economic activity of the camp.

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

At year's end the UNRWA reported that 16,755 refugees had returned to areas adjacent to the Nahr el-Bared refugee camp from which they had been displaced when the camp was destroyed in a 2007 fight between the LAF and terrorists from Fatah al-Islam, and 26,244 Nahr el-Bared residents remained displaced. 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 country's 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 arrest. Nonetheless, in practice 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 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 of 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 extended residency permits for as long as 12 months for those to whom the UNHCR accorded refugee status.

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. While some Syrians settled in shelters, approximately 90 percent stayed with host families, who were not always families or friends. At year's end there were 4,840 Syrians registered with the UNHCR in Lebanon. 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 Higher Relief Commission and UNHCR have agreed on criteria to determine eligibility for assistance. There were no refugee camps for Syrians.

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 February 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 a 2009 ISF report, 13 percent of detainees were foreign nationals who had completed their sentences,

and were awaiting deportation by the DGS or regularization of their situation in the country.

Employment: The law does not distinguish between refugees and other aliens. Non-Palestinian refugees residing in the country legally were allowed to work on the legal labor market in certain sectors, provided they had a sponsor for a work permit and could pay the associated fees. In August 2010 parliament amended the Labor Law granting certain employment rights to Palestinian refugees registered with the government, including no-cost work permits, but their access to certain professions remained restricted.

In August 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. By year's end the Ministry of Labor had not issued implementing regulations, which limited the impact of this change. Under the proposal the UNWRA continued to bear the cost of any medical, maternity, or family health-care expenses.

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. The UNRWA has the sole mandate to provide health, education, social services, and emergency assistance to the 427,732 registered Palestinian refugees residing in the country at the end of August. The amount of land allocated to the 12 official refugee camps in the country has only marginally changed 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.

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 income.

Iraqi refugees had access to both the public and private education systems. The UNHCR reported 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 had 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. The government's Higher Relief Commission covered the cost of secondary and tertiary health care.

Durable Solutions: At year's end the UNRWA reported that 16,755 refugees had returned to areas adjacent to the Nahr el-Bared refugee camp, which was destroyed in a 2007 fight between the LAF and terrorists from Fatah al-Islam, and 26,244 Nahr el-Bared residents remained displaced. Displaced communities raised concerns about their security and freedom of movement in response to the LAF's security measures around the camp. A comprehensive, three-year plan to rebuild the Nahr el-Bared camp and surrounding communities in eight stages, begun in 2008, was in process, but remaining reconstruction was not fully funded, and less than 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 Palestinians, the second largest group of refugees in the country was Iraqi. The government did not provide a temporary protection regime for Iraqi asylum seekers, and it regularly deported Iraqis who may have had valid persecution claims. According to the DGS, there were 13 Iraqis in detention at year's end, and during the year the DGS deported 80 irregular Iraqi immigrants to Iraq.

At year's end 9,353 Iraqis were registered with the UNHCR. The Danish Refugee Council estimated 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 granted a three-month grace period from April 15 to July 15 for foreigners who had fallen into illegal status to regularize their residency in the country. The grace period was extended twice, from July 15 to October 26 and for Iraqis and Nigerians from October 26 to January 26, 2012.

### **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. There are no official statistics on the size of the stateless population. Ministry of Justice statistics in 2009 showed that 2 percent of juveniles affected by crime had nonnational status. The problem is compounded because nonnational status is a hereditary status that stateless individuals pass along to their children.

Approximately 3,000 Palestinian refugees were not registered with the UNRWA or with 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 were not eligible for assistance from the UNRWA, faced restrictions on movement, and lacked access to fundamental rights under the law. 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.

On October 28, President 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 may 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 did receive official status had their citizenship revoked this year as a result of the aforementioned 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 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 in practice. 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 (LTA) 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. None was in the cabinet approved by parliament on July 7, and only three have been ministers since the first woman was appointed in 2004. Only four of 128

members of parliament (MPs) were women and all were close relatives of previous male MPs.

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 the UNRWA and visitors.

#### **Section 4. Official Corruption and Government Transparency**

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 through 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.

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. Security officials often were not cooperative and responsive to these groups' views, although other officials were.

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 did serve as a forum to highlight human rights abuses. For example, ISF Major General Rifi testified regarding the status of the ISF's investigation into the kidnapping and disappearance of the Jassem brothers (see section 1.b.).

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

The law, providing for equality among all citizens, prohibits discrimination based on race, gender, disability, language, or social status. The government generally respected these provisions; however, in practice, enforcement was not consistent, and some aspects of the law and traditional beliefs discriminated against women.

### **Women**

Rape and Domestic Violence: The law criminalizes rape, and the government effectively enforced the law. 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 will not prosecute a rapist and will nullify his conviction if the rapist marries his victim. According to the domestic NGO KAFA (Enough) Violence and Exploitation, spousal rape was not criminalized, and 80 percent of domestic violence victims the NGO assisted suffered spousal rape.

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 is a broad consensus that domestic violence, including spousal abuse, was a serious problem. A September 2010 UNHCHR 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, were often mistreated, abused, and in some cases raped or placed in slavery-like conditions (see section 7.c.).

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 330 cases of victims of violence, the majority of which concerned domestic violence.

Harmful Traditional Practices: On August 4, 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 effectively enforced. Social pressure against women pursuing careers was strong in some parts of society. Men sometimes exercised considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives.

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, coercion, and violence. 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. Women had equal access to diagnosis and treatment for sexually transmitted infections, including HIV, and the government provided free hospital treatment and free antiretroviral drugs for all persons with HIV/AIDS.

Discrimination: Women suffered discrimination under the law and in practice. 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. Immigration law also discriminates against women, who may not confer citizenship on their spouses and

children, although widows may confer citizenship on 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 to 75 percent of men, were in the formal labor force, and these women earned on average less than 25 percent of what men earned.

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.

### **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.).

The government did not register the births of children born in the country to Palestinian refugees or non-ID Palestinian parents, resulting in the denial of citizenship and restricted access to public services, including school and health care. Children of citizen mothers and Palestinian fathers 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 father 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.

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.

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 (\$33-333). 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 years old. Imprisonment ranges from two months to two years if the victim is between 15 and 18 years old.

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.

During the year representatives from the Israeli Communal Council reported continued acts of vandalism against a Jewish-owned cemetery in downtown Beirut. There were no arrests or prosecutions by year's end.

In a television interview on Syrian-based Al-Dunya TV in July, the bishop of the Syriac Orthodox Church in the country, George Saliba, accused Jews of controlling global financial markets and world organizations and blamed them for inciting all global wars and evils. Saliba also blamed Christ's death on the Jews, and referenced the forged *The Protocols of the Elders of Zion*, propagating a myth of Jewish world domination.

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 (see section 2.b.). The next elections are 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 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 in practice. 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 polling stations out of 1,741 satisfied all six criteria for accessibility.

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

A February 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 private beaches. 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.

### **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. 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 was sometimes applied to men engaging in same-sex sexual activity; it was rarely applied to women, although Helem reported that police used the law to blackmail women. During the year, the NGO Heartland Alliance reported that a man faced death threats from relatives because of his sexual orientation; the man was also reported to the police by his mother for same-sex sexual activity and was subsequently imprisoned.

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

### **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.

## **Section 7. Worker Rights**

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

The law allows all workers except public sector employees to form and join unions, but requires prior government approval. Foreigners with legal resident status may join unions. 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. All workers except public employees have the right to strike, with significant restrictions. 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 organize and to bargain collectively; however, 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. Unions have the right to demonstrate with advance notice to and approval by the Ministry of Interior. The law allows more than one union per sector to bargain collectively on behalf of its members. The law prohibits antiunion discrimination, although this was weakly enforced. According to the Labor 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 a worker.

Domestic workers, day laborers, temporary workers in the public services, and some categories of agricultural workers are not covered by the country's labor code either because they were 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. Because they are stateless, Palestinian refugees are legally barred from entering certain professions such as engineering, law, and medicine. Although parliament adopted the amendment of Article 59 of the Labor Law that granted certain employment rights to Palestinian refugees registered with the government, including no-cost work permits, their access to certain professions remained restricted. Parliament also adopted the amendment to Article 9 of the Social Security Law setting up a special account within the National Social Security Fund to provide end-of-service indemnities or severance pay for Palestinian refugees who retired or resigned (see section 2.d.).

In practice, freedom of association and the right to collective bargaining were not always respected and collective bargaining occurred infrequently. The law provides that unions conduct activities free from interference, but in practice the

Ministry of Labor interfered in union elections and registered unions not considered representative by the General Confederation of Lebanese Workers (CGTL), which represents a total of 52 union federations. The Ministry of Labor has previously encouraged the establishment of unions for political purposes, including some that did not have significant representation among the sector they represented. Political figures also sought to influence union activities. Political parties including Amal and Hizballah were known to influence the CGTL.

The CGTL remained the only organization the government recognized as an interlocutor for workers, while approximately 13 federations that composed the “Salvation Committee of the CGTL” no longer participated in CGTL meetings but had not declared an official breakaway at year’s end. Collective bargaining did not occur often. The Labor Law protects workers from discrimination for union activity, but the law is weakly enforced. According to a labor contact, some employers have fired workers in the process of forming a union, before the union is formally established and published in the *Official Gazette*.

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

The antitrafficking law promulgated on September 1 considers forced or compulsory labor a form of exploitation and prohibits such labor. Children, foreign workers employed as domestic servants, and other foreign workers sometimes worked under forced labor conditions.

Government regulations prohibit employment agencies from withholding foreign workers’ passports for any reason; however, this regulation was not effectively enforced and the practice was commonplace, especially in the case of domestic workers.

According to NGOs assisting migrant workers, some employers did not pay their workers regularly, and some withheld their salaries for the duration of the contract, which was usually two years. Female domestic workers, mainly from Asian and African countries, had no practical legal recourse because labor laws did not protect them. The government prohibited foreign women workers from countries without diplomatic representation in the country. The sponsorship system ties foreign workers’ residency to a specific employer, making it difficult for a domestic worker to change employers. Once employment is terminated, a worker loses residency, making many reluctant to file complaints because they risk detention because of their illegal status.

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

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

The minimum age for employment is 14 years of age, and the law lists the legal occupations for juveniles. The law requires juveniles, defined as children between 14 and 18 years of age, 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 labor code prohibits employment of juveniles younger than 18 years old for more than six hours per day and requires one hour of rest if work lasts more than four hours. Juveniles younger than 17 years old 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 years old 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 2010 the ministry admitted that the 130 labor inspectors and assistant inspectors employed to enforce child labor laws were not sufficient. The Higher Council of Childhood (HCC) raised awareness and provided education to families and children to help prevent child abuse. Along with other government agencies, the HCC is 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.

Current figures on child labor in the country were unavailable. Anecdotal evidence suggested the number of child workers has risen and that more children were working in the informal sector, including prostitution. 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 work under the table in some of these informal sector jobs, often in small and/or family businesses that are not part of any formal business syndicates/associations. 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 (nomadic) communities in the country.

Traffickers used children for commercial sexual exploitation and hazardous work conditions.

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

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

The legal minimum wage was 500,000 pounds (\$333) 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. The Ministry of Labor is responsible for enforcing these regulations but did so unevenly. The ministry employed approximately 130 labor inspectors and assistant inspectors. Labor organizers reported workers did not have the right to remove themselves from hazardous conditions without jeopardizing their employment. Foreign and local domestic servants are not covered under the labor law.

In practice, workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 30 hours per week. 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 National Social Security Fund (NSSF). Employers sometimes registered their employees with lower salaries to decrease their contributions to the NSSF and their end-of-service pay to the employee. Some companies did not respect legal provisions governing occupational health and safety, for example, in the construction industry. Workers may report violations directly to the CGTL, Ministry of Labor, or NSSF. In most cases they preferred to remain silent for fear of arbitrary dismissal.

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. There was no official minimum wage for domestic workers. Official contracts stipulate a wage

ranging from 150,000 to 450,000 pounds (\$100 to \$300) per month, depending on the nationality of the worker. Migrant domestic workers are granted increased labor protections through a unified standard contract, which is registered with the DGS in order for the worker to obtain residency. The contract covers terms and conditions of employment but the section covering wages is completed individually. 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 further prosecuted 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 October 10, pursuant to Article 554 of the Penal Code, a judge convicted an employer in absentia of physically abusing a domestic worker. The employer was sentenced to 10 days' imprisonment and required to pay the domestic worker compensation totaling 980,000 pounds (\$666).

Foreign migrant workers arrived in the country through local recruitment agencies and source country recruitment agencies. Though all recruitment agencies must have a license from the Ministry of Labor, the government did not adequately monitor their activities.