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THE STATE OF HUMAN RIGHTS IN

LEBANON

2002

AN OVERVIEW

INTRODUCTORY REMARKS

The Lebanese record on human rights could be qualified as average by absolute standards but becomes laudable when compared to that of the neighboring Arab countries. This statement maintained its validity all the way from Lebanon's independence in 1943 down to the outbreak of the Lebanese War in 1975. In 1989 the Arab League, supported by the international community, brokered a peace settlement at Taif - Saudi Arabia. On 13 October 1990, Syrian troops completed their control over the Lebanese territories except for the strip adjacent to the Israeli borders. With the last obstruction to the application of the Taif reforms out of the way, the Constitution, laws and regulations, and the whole set of political concepts and values which followed, compelled many to dub post 1990 Lebanon as the Second Republic.

The publication of the Taif agreement prompted the FHHR/L to assess the settlement plan as to whether it promotes or undermines human rights and freedoms. Our study, which was published in 1989, concluded that human rights were not among the blessings the settlement agreement promised. Instead, we detected alarming tendencies to curb some of the basic individual rights- freedom of the media, of education, and of political organization and the trade unions. On the collective rights we noticed that the independence and sovereignty of Lebanon would be sacrificed for Syria's benefit.

On the 24th of November 1998 the Lebanese parliament voted the C-in-C of the Lebanese Army, General Emile Lahhoud president of the republic. The inaugural speech promised a set of reforms and a new cabinet was formed. Many of the excesses of the 9 years of the former administration were curbed in the first half of President Lahhoud's constitutional term. The yield of the fourth year proved inferior to those of the first three years. The press and media at large were trimmed to fit within a model convenient to the government. Another setback was detected in the criminal procedure law and the role played by the courts as an instrument of political intimidation. The freedom of association and peaceful assembly had become theoretical rights that can only be applied sporadically and against the will of the authority. The freedom of thought is closely monitored by the Prosecutor of the Republic who expressed his determination to go over every lecture, article, talk show and all forms of public statements to make sure they are in conformity with the "national interest". A few statements issued by the Prosecutor General of the Republic considering "unauthorized statements" an offence punishable by law. The by elections in the spring of 2002 were tarnished by irregularities unmatched by any ballot in the past 50 years.

The present report shall examine the individual rights and freedoms (mainly political and judicial) in a first section, to be followed by the collective freedoms (social and economic) in a second section, while the third and final one shall deal with the environment.

SECTION ONE POLITICAL AND LEGAL RIGHTS

FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATIONS.

Background

Although the Constitution provides for freedom of assembly the post- Taif governments restricted this right. Any group wishing to organize a rally must obtain the prior approval of the Ministry of Interior, which failed to render decisions uniformly. The government declared a state of emergency in 1996 banning all rallies. A measure of the cabinet of President Salim Hoss, which was well received by the human rights groups, ended the state of emergency that dominated the national scene for the previous 3 years. However the right to peaceful assembly was not restored. It remained obstructed by the prohibitive permit requirements. A peaceful demonstration should meet a number of requirements set by an edict by the minister of interior. Even when these, almost prohibitive conditions are met, the minister can still withhold the permit for “reasons of state”. The most singular of these conditions is the undertaking of the applicant to be held personally liable for all damage caused in the course of the demonstration. The application should be filed five days in advance and, according to an edict by the ministry of interior, must contain the names of five percent of the estimated crowd.

The FHHRL rejects the law holding the exercise of an inherent and inalienable right conditional on a permit issued by the authorities. In democracies the role of the authority is restricted to cordoning the peaceful demonstration and securing law and order.

With very few exceptions, violence is still an inbuilt feature of demonstrations. Despite the obvious shortcomings, these developments mark a net progress in comparison to the first phase of post-Taif Lebanon. In September 1993 the government ordered the security forces to open fire on a peaceful demonstration organized by Hizbullah in the southern suburbs of Beirut. Nine were killed and over 40 were injured.

The ban on public demonstrations goes back to 1996 and was originally meant against the labor unions. The General Confederation of Labor (CGTL) submitted a request to hold demonstrations for February 29. The government refused to grant permission, and, instead, deployed the Lebanese Armed Forces (LAF) to control the situation. The LAF was accorded 90 days of exceptional powers to maintain public order. Under this authority it imposed a nationwide curfew on February 29, which lasted 16 hours. Several persons were arrested for violating the curfew, including three journalists. The three were accused of photographing a military installation, but were released after 24 hours. The others, about 30 persons, were sentenced from 5 to 10 days in jail.

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

2002 Highlights

A current occurrence is the clashes between the students and the state’s security organs in the course of which excessive violence is often registered.

The last wave of demonstrations was triggered by the closure of the MTV station. The employees, in an attempt to draw attention to their plight, assembled peacefully on September 19 in down-town Beirut. The anti-riot brigade dispersed the crowd in a ruthless way by a free use of clubs and tremendous water pressure.

On October 16 the police force cracked down on a student sit- in at the St Joseph University. 4 students were injured and 10 were detained for few hours before being released.

Like wise on the 31st of October a sit-in and a demonstration in the Lebanese University’s Faculty of Science (Fanar) lead to the detention of some 60 demonstrators who were afterwards released. Provocation and the inevitable violent reaction by the police marked the event.

Freedom of Association

Political Parties

Background

The Constitution provides for the freedom of association. This right was generally respected in pre-war Lebanon, particularly in the 1960s when political parties, from the extreme left to the extreme right, were licensed. In 1992, however, this right was trimmed and dozens of organizations, including four opposition parties, were dissolved. In 1994, following the dynamiting in February of a Church, the Lebanese Forces Party was charged and was dissolved. Despite the court ruling in 1996, which declared the leader of the Lebanese Forces, and by extension his party, not guilty, the dissolution decree was not rescinded.

A bill to organize political parties is not out yet. The authorities do not seem in any hurry to pass this law. Furthermore, the minister of interior disclosed in 1996 some of the ideas entertained by the government in its draft on the "law on political party organization". His declaration triggered an outcry when it was made known that the proposed draft calls on all parties to file to the ministry of interior the membership register as well as the minutes of all party meetings. The various security and intelligence services closely monitor the developments and activities of all the political groupings and parties though a sharp focus is placed on those of the opposition.

2002 Highlights

In the year 2002 the government granted permits for three political parties. However, conditions were attached: The by-laws should stipulate that a notification must be served to the ministry of interior prior to all party meetings with the possibility of dispatching representatives of the ministry to attend. The FHHRL finds that the permit and the undertaking are in violation of the freedom of association as stipulated in the human rights charters.

Social and Sportive Associations

Background

Unlike the first decades of independent Lebanon when the government in general did not interfere with the establishment of social, cultural, sports and private associations, the post Taif Lebanon turns the right of association into a privilege few enjoy. A case in point is the refusal of the ministry of interior in 1996 to grant a permit to the Lebanese Association for the Democratization of Elections, an independent monitoring group. More recent indications of the obstruction of this right are the categorical refusal of the ministry of interior to register the applications for associations. Attempts to notify the ministry of interior by way of a notary public did not work either.

ELECTIONS AND POLITICAL RIGHTS

Background

The Constitution states that citizens have the right to change their government in periodic free and fair elections. However, in the course of the history of the Lebanese parliamentary life, those elections were never entirely "free" nor "fair". A sharp decline was recorded in the elections since the Ta'if Agreement was enforced. The minister of interior, in a press release dated October 28, 2002 admitted the role security agencies play in the election process. "MP Faris Sueid spent days on end in the security headquarters to make sure he shall be placed on the lists supported by the security agencies," the minister said.

The August-September 1996 parliamentary elections represented a small step forward; the electoral process was flawed by significant shortcomings foremost of which is the lack of impartiality. The most flagrant irregularity was gerrymandering, which tipped the balance in favor of the Muslim communities. The Muslim communities managed to elect not just the bulk of their MPs but also to bring to the Chamber a score of Christian MPs on the Muslim lists. The latter displayed very little zeal in defending the rights of the Christian base they nominally represent as this base played little or no role in their electoral success.

The election law for the parliamentary elections in the year 2000 proved more equitable when compared with the previous two as the disparity is reduced though not eliminated.

A solid reform, which was first introduced in the elections of 1996, still holds. The candidates, who deem their failure was the outcome of fraud or flaws, can file a complaint to the Constitutional Council.

This safeguard measure proved real in 1996 when several candidates submitted complaints and a repetition of the ballot was ordered and applied. Unfortunately, in the elections of the year 2000 no court ruling invalidating the candidacy on the basis of flaw in the ballot process were issued.

In 1953 women were granted the right to vote and run for election. There are no legal barriers to their participation in politics. No women so far held a Cabinet portfolio while only three out of 128 parliamentary seats were filled by women in 1996 and in 2000, which renders the Lebanese record on women MPs among the poorest in the Middle East.

2002 Highlights

There is a consensus that the by-election for the parliamentary seat vacated by the death of Matn MP, was riddled with flaws. The most flagrant item is the minister of interior's interpretation of the role of the curtain in the voting process. Minister Elias al-Murr instructed that the use of the curtain is optional and must be left to the discretion of the voters. Many other irregularities were observed and reported by the press and the human rights observers.

Announcing the results dragged for over a week and the results in favor of the opposition candidate was announced by the minister in a lame and ambivalent way. Shortly afterwards a request for annulment of the result was filed to the Constitutional Council. On November 4 the Constitutional Council ruled that the results were flawed. But instead of repeating the ballot, as was the case in numerous precedents, the Council announced that the winner is the distant third runner. What stunned many legal and human rights circles were the justifications proposed by the court. The Constitutional Court justified its decision not to repeat the ballot on the basis of "the delicate phase the (Middle East) region is passing through," and "elections would strain relations between the various (Lebanon's) national groups." The "Raisons d'Etat" are tools of the Executive Power which should be used in the narrowest limits possible. It is not heard of that the courts would resort to "Raisons d'Etat".

FREEDOM OF SPEECH AND PRESS

Background

Lebanon has a long history of freedom of opinion, speech, and the press. Although there were repeated attempts to restrict these freedoms throughout post Taif-Lebanon, daily criticism of government practices and leaders continue. Dozens of newspapers and magazines are published throughout Lebanon, financed by various Lebanese and foreign groups. While the press is not owned by the public sector, press content often reflects the opinions of these financial backers. This situation inspired a fairly accurate description that runs as follows: "There are no free journals in Lebanon. All what you come across are few free journalists."

The 1991 security agreement between Lebanon and Syria contained a provision that effectively prohibits the publication of any information deemed harmful to the security of either state. Under the threat of prosecution, Lebanese journalists censor themselves on matters related to the Syrian president, his family, the Syrian army or corruption in Syria. The list was enlarged under President Lahhoud to include the president himself.

Media

In September 1996 the government of president Hariri provoked widespread protests when it moved suddenly to implement its controversial Media Law. The stated purpose of the law is to impose order on the largely unregulated airwaves and to reduce religious and political tensions by forcing the country's many small, sectarian- oriented stations to combine into a much smaller number of pluralist stations.

Most people, however, viewed the implementation of the law as political in nature. It reduced 52 television stations to 4, and approximately 100 radio stations to 11, only 3 of which would be permitted to broadcast news programs. All four television stations approved are owned by, or closely associated with, important government figures. Some of the approved stations were not operational at the time of authorization, while a number of popular stations associated with the opposition to the government have been refused licenses, ostensibly for failing to comply with the law. It is a credit to the Hoss cabinet that the NTV, an opposition TV station which the preceding government denied license despite the fact that all the legal requirements were met, was authorized by a court ruling to go on the air again.

The TV news bulletins and the political talk shows are more tightly controlled than before. The similarity in the news reached a level, though familiar in many undemocratic Arab countries, was till recently unknown in Lebanon. In the summer of 1999 an outspoken retired judge, Salim Azar, was announced as a guest on a talk show in the opposition Future TV. The talk show was cancelled and no reasons were given.

TV stations are discouraged to interview politicians and intellectuals known to be hostile to the government. The list of the banned names is growing in size and many that had a chance in the past years are completely blacked out. However, the screws are less tight in the press and some, including the former prime minister, General Michel Aoun, have their releases and interviews with them published.

The titles of the talk shows display the mood dominating the TV stations. Ziad Njeim found suitable for his show the title "Ash-Shatir Yihki" which allows for a variety of interpretations including "Let those who dare speak." Hikmat Abou Zayd went further and called his show "Al Kalam Bisirrak", roughly in English "Keep What Is Said a Secret." Zavin Kiyoumjian wished to be noncommittal by calling his show "Sireh Wa Infathit," which goes somehow like "While We Are At It." A more daring Samir Kasir thought of capitalizing from the cautious attitude of his competitors and called his show "Bidoun Tahaffuz" "Without Reservation."

For its part, direct censorship on satellite broadcasts originating in Lebanon remains tight.

2002 Highlights

Three out of the eight TV stations operating in Lebanon were brought before the court. On January 17 the Future TV had to appear before the court on charges of discussing in one of its programs the disappearance of a young girl. The prosecutor's case was based on the fact that the court was examining the litigation.

In August the Lebanese Broadcasting Corporation (LBC) was prosecuted for "inciting disorder and fanning religious hatred" for beaming comments of ordinary people in the aftermath of the gunning down of eight civilians for religious reasons.

Charges were pressed against the (MTV) on August 9. One of the political shows, (Istifta') had earlier referred to Syria in a way the Lebanese authorities judged injurious to the relationship between Lebanon and "a sister state." Ziad Njeim who presented the show, was interrogated before the magistrate for 2 hours and a half and his case is still pending. No follow up, either way, was initiated by the judge.

In a public release on August 14, the committee for Christian Media expressed the concern of the heads of the Catholic Churches that the measures contemplated by the authorities might lead to the closure of Tele Lumiere and Radio Sout al-Mahabba. The two stations are the most powerful instruments owned by the Church. The government tolerated the two stations but did not legalize them despite repeated demands by the Church leaders. The release appeared in the aftermath of a declaration by the minister of information warning the various stations to remain within the limits set forth in the official permit.

The measures against the media reached a peak when the MTV was closed down on September 4 by a court order taken in camera. The closure was not restricted to the TV station but swept also two radio stations: Radio Mount Lebanon, that broadcasted the political programs of the MTV, and Radio Nostalgie, which happened to be located in the same building. The ban on the latter was lifted some 20 days later. On December 28 the Court of Appeal confirmed the earlier court decision and the year ended with the MTV closed down. The excessive decision triggered a score of hostile reactions locally and internationally.

Before the year was over an administrative decision was taken by the minister of information to suspend the international channel of the New TV. The reasons given by the authorities were upholding the friendly relations with Saudi Arabia which a talk show might jeopardize. What particularly worried the human rights and other circles in Lebanon is the preemptive nature of the decision. The decree justified the suppression of the show on intention as illustrated by its advertisement and not the content. The international channel was reactivated a week later after the New TV management signed

an undertaking before the Security Agencies. The talk show on Saudi Arabia was nevertheless dropped.

The National Council on Media announced on September 25 its determination to examine a clip on the LBC displaying Einstein giving up on Lebanon finding a way to pay its public debts. The clip was withdrawn without waiting for the Council's decision which does not seem to be necessary.

The minister of information banned a clip by the US administration on the state of Muslims in the USA. The Future TV aired the clip and was officially cautioned by the minister. The Future TV authorities claimed they were not notified of the ban.

Press

The Constitution provides for freedom of the press, but in practice this right is seriously trimmed. Freedom of the press, which declined significantly since the Taif agreement in 1989, improved on certain scores in 1999.

The various cabinets imposed relentless pressure on the media in the nine years of President Hrawi. In one 10-day period in 1996, three dailies (ad-Diyar, al-Liwa' and Nida'al Watan) and two weeklies (al-Kifah al-Arabi and al-Massira) were charged with defaming the President and the Prime Minister, and for publishing materials deemed provocative to one religious sect. The daily ad-Diyar alone was indicted five times and both the owner and editor-in-chief faced sentences of between 2 months and 2 years' imprisonment and fines equivalent to 30,000 to 60,000 US dollars if found guilty.

It was mainly in this field that improvement was detected in 1999. No media persons were prosecuted on the account of what they wrote, but the imposed self-censorship is more tremendous than before according to the testimony of those who work in the press. A telling fact is that while the former president was a favorite subject of political caricature, the absence of any caricature, even a favorable one, of President Lahhoud is noted. A good illustration of the general climate runs in an advertisement campaign in favor of the weekly al-Muharrir. Posters underlining the motto directing the policy of the weekly stated: "A calculated frankness where silence reigns; and a little courage in the age of fear."

2002 Highlights

The director general of the General Security issued an order dated January 3 making the distribution of the daily As-Sharq al-Awsat in Lebanon conditional on prior revision of its content by the security authorities. The daily had published earlier that an attempt was made on the life of Lebanon's president while vacationing in Niece.

The following day charges were pressed against the paper and its editor-in-chief, Abdel Rahman al-Rashid, a Saudi national, was held at Beirut's airport and denied the right to leave Lebanon. The matter was settled and al-Rashid left the following day. The case against the daily is still pending before the Publication Court.

The Beirut daily Ad-Diyar was charged on January 8 for publishing a complaint against the hearing magistrate Sakr Sakr filed by former MP. Yahya Shamas.

A legal action was brought against the weekly al-Watan al-Arabi for an article under the heading "Syrian officers lead sensitive Lebanese organs; 5 thousand Syrian soldiers in Lebanese Army uniforms."

Hiyam Kusseifi, a journalist writing for the An-Nahar Daily, has her case bending before the Court of Publications. The charges pressed against her are based on an article in which she alluded to a transaction by the former president of the Kata'ib Party Munir al Hajj. If found guilty, Kusseifi might be in for a term ranging between 3 months to 3 years, and 600,000 to 10,000,000 LL fine (400 – 7000 \$ US).

The Beirut daily Ad-Diyar decided on September 14 to suspend publication for three days in protest against the closing down of the MTV.

In the course of the Francophone summit meeting in Beirut, a member of the French team, Gideon Cotz, was declared *persona non grata* and was placed in what amounted to house arrest for 24 hours

before he was sent off. The reasons given for the decision were his reporting to some Israeli media. It was widely circulated that no less important reason, which was not included in the official version, was that Cotz was a Jew. On September 21 the Publication Court endorsed the decision.

Artistic expression

Background

The government uses several tools to control expression. The General Security monitors all foreign magazines and non-periodical works including plays, books, and films before they are distributed in the market. There was an outcry in the fall of 1999 when the General Security suggested that some modifications be introduced to a Maurice Bijart performance in Beirut. The popular singer Marcel Khalife ran into trouble with the Muslim Sunnite authorities by using a verse of the Qur'an in one of his songs. The court ruling in favour of the singer decided the issue. It should be recalled that in September 1996 a public prosecutor charged Marcel Khalife, with demeaning religious rituals. The same prosecutor also charged Andre Yousef Haddad with demeaning religious rituals in his book "The Entrance to Arab Unity." However, on September 21, facing rising criticism from various factions, the Prime Minister asked the Justice Minister to drop the charges brought against Khalife. An investigating judge dropped the charges against Haddad on January 8, 1997.

The general Security is empowered to censor movies. All movies dealing with Israel are banned. No distinction seems to exist between movies on Israel and those that deal with Jewish themes. "Shindler's List" was never screened in Lebanon. In 1996, this department reportedly twice censored the scenes from the foreign movie "Independence Day" to remove scenes with Jewish characters, and Hizbullah later demanded a complete ban on the film because one of its heroes (played by actor Judd Hirsch) is a Jew. Two Egyptian movies which criticize Muslim fundamentalism were initially banned but later on were allowed. In the year 1999 few incidents were recorded; up to one third of a film by Nahla Shahhal was slashed. The Security issued a statement claiming that the protection of public morals prompted the measure. The statement ran a long list of the foul words and expressions that were censored. Even private movie clubs and cultural centers were not spared. The Goethe Institute had to reconsider a German movie program.

2002 Highlights

The firm control and censorship of every form of artistic expression was not eased in the course of the year 2002 and none of the abovementioned restrictions were lifted. The regulations passed in the mid 1970s are still enforced and five copies of proposed books should be filed to the Security General for inspection. A written authorization is a pre-requisite for publishing the manuscript. The same procedure applies to plays and musicals.

In January four Security General officials made a thorough inspection of Virgin Mega Store, and confiscated a number of records and video films banned in Lebanon in compliance with the Act to Boycott Israeli products and sympathizers. The owners of the Mega Store produced official documents proving that the confiscated material were cleared and stamped by the Security General. Among the material confiscated is "Jesus of Nazareth", a film often beamed on many TV screens in Lebanon. The reason offered to justify the measure was the religion of the producer.

Books

A long list of books remains banned by the General Security. The list includes books claimed to violate public morals and public order. While it is fairly easy to establish what public morals are, public order allows for all kind of arbitrary measures directed against the opposition to the regime. Books favorable to the former prime minister General Michel Aoun are still banned. A book by a former bodyguard of former minister Elias Hubeika was added to the list. No revision of the list of banned books is done and those banned in the past remain denied to the Lebanese inside Lebanon. The list includes a book in French on the future of Christianity in the Middle East, a whole series on Islam in Arabic by Abou Mousa al-Hariri, were confiscated in 1994. An anti-Maronite book by Muhammad Za'ayter was banned in the same year. In 1995 a poetry book by Abdo Wazin, "The Garden of Senses", was judged by the censor to be obscene and was banned. In May 1996 the censor confiscated all issues of the book entitled "Remove Paul's Mask from the Face of Christ," by the Saudi author Ahmad Zaki. The book was determined by the General Security to defame Christianity. This list is far from being exhaustive. It is practically impossible to draw a complete list of the books that are printed abroad and are not allowed to sell in Lebanon. Even the list of books by Lebanese authors which is banned or re-

edited in compliance with the suggestions of the censor is impossible to draw as many authors withhold information, as they see no advantage in antagonizing the authorities.

Occasionally these measures are challenged. A number of publishing houses clashed with the censors. The most famous case remains that of “Riad – Rayyes Publishing House” that questioned the rights of the Security General to censor the publication of old Islamic manuscripts.

Academic freedom

Lebanon has a strong tradition of academic freedom and a flourishing private educational system. In many, though not in all, universities, the students are entitled by the university by-laws to elect representatives. These elections were never entirely free of attempts by the government to influence the results. We have solid grounds to assert that in the post Taif-Lebanon these attempts are intensified.

The president of the Lebanese University circulated an undertaking to be signed by all the university professors not to express opinions in print or on TV unless authorized by the president of the university. The decision triggered a score of hostile reaction by many professors.

2002 Highlights

The outstanding development in the academic history of Lebanon was the en mass authorization to found universities by the minister of education Abdel Rahim Murad. For more than a century, Lebanon had only two universities then the number was cautiously raised in the second half of the twentieth century to reach a figure not exceeding ten. In one stroke the number of universities in Lebanon hiked to total 41.

This measure was ill received by the academic circles. From the human rights angle the picture appears less dark as it offers openings for more young people to benefit of higher education.

On the other hand Minister Murad withdraw from circulation a history textbook. The justification of his measure was that the Arab conquest was described in the book as “the Arab and Muslim invasion.”

Inciting collective hatred

Background

Freedom of expression is never a license to incite racial and religious hatred. Article 22, para. 2 of the International Covenant on Civil and Political Rights are widely violated in Lebanon.

Anti-Semitism is more public in Lebanon than in any other Arab country. The Syrian Social Nationalist Party displayed anti Jewish slogans in many parts of the capital and the regions on party or national occasions. For its part, Hizbullah use of anti –Semitic slogans declined in 1999.

Inciting hatred against the Maronite community in public seems on the decline Former minister Walid Jumblat on two occasions in 1999, on the issue of the Syrian Lebanese University, and in December 1999, made racist declarations against the Maronites.

A programme on the Tele Lumiere TV station, beamed in 1999, is worth noting. Father George Rahme ran a weekly programme on sects. His favourite boxing bag was the Jehovah Witnesses and other minor religious sects. While it is well within the rights of religious communities to defend and propagate their faiths, it is a violation of human rights when this right degenerates into drumming hatred, appealing to people to use physical violence against the other sects, and demanding that the police and the security agents should round them up. These and more were often repeated in Father Rahme’s show.

The prospect of settling and naturalizing the Palestinians who sought refuge in Lebanon in 1948 triggered a wave of comments marked in many cases by an unmasked racial undertone to which contributed politicians and intellectuals of all shades of the political and religious spectrum.

2002 Highlights

The racist discourse was trimmed in the last two years. Much of the anti-Semitism of the Syrian National Social Party was deleted from the foreground. Hizbullah, on the other hand, did not alter its discourse and lashing out against Jews is still prominent in many of their literature and public speeches.

Some members of the Lebanese parliament, in the course of discussing the Bill of Real Estate Ownership by Foreigners, used forms of hatred and slander against the Palestinians. Boutros Harb, Naamtallah Abi Nasr and the former speaker Hussein al-Husseini were particularly harsh in their selection of words.

Two of the MPs of Beirut, Basim Yammout and Naser Kandil, warned against Judao-Christianity and called on the Christian authorities to reconsider their relationship with the Old Testament.

The Prosecutor general of the Republic lashed in a public statement against the “ghosts” aboard who plot against Lebanon’s national interest. “They are all Maronites,” he explained.

FREEDOM OF RELIGION

Background

The Constitution provides for the freedom of religion and this right is respected inasmuch as the concerned religions and denominations are recognized. But what would be the legal status of those who find their religious truth outside the list of the recognized creeds? The Lebanese law concerning religion is based on a theist concept of religion that fails to cater for other definitions of religion. Any religious persuasion outside the list is not recognized by the state and, therefore, not protected by law. Many religions, Jehovah’s Witnesses and the Bahais for instance, are obliged to circumvent the Lebanese law to enjoy some of their basic rights.

In the last three months of the year 1999 a number of acts of violence were reported against church buildings. Two Greek Orthodox Church buildings were partially damaged in Tripoli and in the last days of the year some Christians were taken hostage by Muslim fundamentalist in Dinniyeh and the kidnappers reportedly liquidated two women.

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The injustice done to the believers in religions not included in the official list is not rectified. Sporadic attempts on places of worship, particularly churches, were reported. Blasting liquor shops, generally owned by Christians in some Muslim areas, were not infrequent.

On the morning of November 21 an assassin gunned down an a nurse of US citizenship who serves the mainly Muslim community of Sidon. Muslim fundamentalists in the town justified the act on the basis that the victim, 31-year old Bonnie Penner Witherall, was a missionary. Sheikh Maher Hammoud, a prominent leader of the Sunni Community disclosed that the American was “duly warned”.

FREEDOM OF MOVEMENT

Lebanese Armed Forces and Syrian troops maintain checkpoints in areas under their control.

There are no legal restrictions on the right of all citizens to return to the parts of Lebanon from where they were ousted in the course of the Lebanese war. Many of the displaced, however, are reluctant to return for a variety of political, economic, and social reasons, not to mention security and personal safety. The government has encouraged the return to their homes of over 600,000 persons displaced during the civil war. Although some people have begun to reclaim their homes abandoned or damaged during the war, the vast majority of displaced persons have not attempted to restore their property. The resettlement process is slowed down by psychological factors, as well as political and financial restrictions.

2002 Highlights

The termination of the Israeli occupation of South Lebanon lifted all hurdles in linking that part of the south with the rest of the country. There is also a reduction in Syrian checkpoints in many parts of Lebanon, particularly the Beirut-Tripoli highway.

INTERFERENCE WITH PRIVACY, FAMILY, HOME, & CORRESPONDENCE

The security agencies, particularly the Army Intelligence, monitor the telephones of those the government considers foes or security risks. In March 1997 a parliamentary opposition bloc accused the government of tapping the mobile telephone system. Though these measures did not reach the endemic proportions of the rest of the Middle East, interference with the privacy of the citizens is growing.

Minister Elias Hubeika admitted in 1999 that the telephone calls of a number of Lebanese citizens were tapped. In May 1996 the Parliamentary Salvation Bloc issued a statement asking the government to stop telephone tapping. While the government did not deny the charges of the opposition bloc, the general feeling is that nothing was done to lift the monitoring of telephones.

Moreover, the Parliament voted a law in 1999 legalizing tapping of telephones. Those of the ministers and MPs were excluded. A bold decision by the Constitutional Council declared the law unconstitutional. However, no steps followed and it is circulated that the tapping of the telephones is widespread.

The wife of Samir Geagea, (former commander of the dissolved Lebanese Forces Party), is still placed under strict surveillance. An army checkpoint in the vicinity of her residence takes down the names of all those who call on her. Her goings and comings are also recorded.

All those who call on the Maronite Patriarch will have their names registered by an army checkpoint placed at the entrance of the Patriarchal See in Bkirke. The officials cite security for reason and justify the measure as a necessary precaution to protect the life of the head of the Maronite Church.

The violation of privacy is not restricted to the Lebanese government agencies. Hizbullah and the Syrians have their own monitoring networks while the SLA and the Israelis behind them violated the privacy throughout their control of the occupied part of South Lebanon.

Printed material types, films, and, in some cases, correspondence are checked by the General Security.

POLITICAL KILLINGS

Wholesale political killings, a prominent feature of the war years, is gradually phasing out. Four judges, while on duty, were gunned down in Sidon in 1999 and the assassins managed to escape.

2002 Highlights

On 24 of January the dissident former commander of the Lebanese Forces and former minister Elias Hubeika was the victim of a booby-trapped car placed in the vicinity of his house. The death toll included three bodyguards; Dimitri Ajram, Walid Zein and Faris Sweidan. 9 people were wounded in the process.

Ramzi I'irani, a prominent figure in the dissolved Lebanese Forces was abducted in the afternoon of May 7 shortly after leaving his office in the capital. On May 31 his body, in an advanced state of decomposition, was found in the trunk of his car which was parked not very far away from the place of abduction.

Jihad Jibreel, the son of Ahmad Jibreel, the Damascus-based Popular Front for the Liberation of Palestine- General Command, was assassinated in the western part of Beirut on May 31st. The victim of a bomb placed in his car, is reported to be in charge of the PFLP-GC operations in Israel and the Occupied Territory.

Three explosions in July devastated the Akoury building in the Butshay suburb of Beirut. Maha Akouri died on the spot while her daughter Dolly was wounded. Investigations suspected that the attempt was directed against Sergeant George Akouri of the Internal Security Service positioned in Roumieh Prison who had a part in interrogating the accused of the Muslim fundamentalists of ambushing an Army patrol in 2000 in Dinniyeh. Before that Sergeant Akouri was commissioned to carry out the execution of those sentenced for taking part in the assassination of the pro-Syria Muslim cleric Sheikh Nizar al-Halabi.

On 31st of July a former member of the Shi'ite political movement Amal, Ahmad Mansour, forced his way into the National Instructor's Pension Fund. He selected 8 officials and gunned them down in cold blood. He confessed later before the court that his motives were confessional as most of those he killed were openly hostile to Islam.

In Saida on July 11 Badi' Walid Hamadeh gunned down three Lebanese soldiers and sought refuge with the Islamic fundamentalist Usbat al Ansar in the Palestinian camp of Ain al Hilwe. Negotiations with the Lebanese authorities lead to handing him over on 31st of July.

A plot to assassinate MP Mansour al Bon was frustrated and Joseph Akiki was arrested on September 2. A week later (9/9) George Azzi was charged with plotting to assassinate the Mayor of Jounieh Adel Abou Karam and was arrested.

ARBITRARY ARREST & DETENTION.

The Lebanese government resorts to arbitrary arrests and detention. The law requires security forces to obtain arrest warrants. However, military prosecutors, with their extensive jurisdiction, reportedly issue blank warrants or oral ones to be completed after a suspect has been arrested.

Arresting officers must refer a suspect to a prosecutor within 24 hours of arrest, but this provision is often disregarded. The law requires the authorities to release suspects after 48 hours of arrest if they do not bring formal charges against them. Some prosecutors flout this requirement and they detain suspects for long periods in pretrial confinement without a court order. The law authorizes judges to confine suspects to incommunicado detention for 10 days with a possible extension of an additional 10 days. Bail is only available to those accused of petty crimes and not to those accused of felony. Defendants have the right to legal counsel, but there is no public defender's office. The Bar Association has an office to assist those who cannot afford a lawyer.

Security forces continue to practice arbitrary arrest, detaining mainly the opponents of the government. In November 1999 the security forces arrested over 80 persons in Tripoli following the attempts on the church buildings. Almost all were arbitrary arrested and later on were set free.

The authorities often detain for short periods and without charges political opponents of the Syrian and Lebanese governments. Rounding up of the activists of the Lebanese Forces and the followers of General Michel Aoun dwindled in 1999 but gained momentum in the following years. In almost all cases the activists are asked to sign a declaration in which they undertake to abstain from all forms of political activities. In the past two years a new method was applied. The security agencies found wiser to keep the detainees for no more than few hours, a time span enough to achieve the desired intimidating effect while denying the human rights organizations the chance to disseminate the information seeking protest action. However two exceptions were recorded in that period; Salman Samaha, a Lebanese Forces activist, was detained for three days in March of 1999. He was released and no charges were pressed against him. Walid Ashkar, a student activist and member of the pro-Aoun group was arrested in November 1999 and was kept for three days in the detention center in Tripoli before being moved to the Military Police headquarters in Beirut. Achkar, who claims to be tortured and has medical reports establishing these allegations, was set free by the hearing magistrate.

There is credible information that a certain category of detainees is handled in Lebanon from the outset by Syrian security agents and transferred to Syrian detention centers, whether in Lebanon or Syria proper. The number of these detainees cannot be accurately determined. The only official admittance of the presence of Lebanese detainees in Syria came on November 24, 1996 when President Hrawi gave the number of Lebanese detainees in Syria's prisons to be 210. The President of the Republic had given a more reduced number earlier. The statement might have helped the release of 121 Lebanese detainees in Syrian prisons.

Local militias and non-Lebanese forces continued to conduct arbitrary arrests in areas outside central government control.

2002 Highlights

The Minister of Interior declared on 28 of October that “whole villages were arrested for interrogation in the aftermath of September 11.” Minister Murr added that the crowds were loaded in trucks and transported to interrogating centers for sorting out.

Security measures were intensified in the summer and early fall months. On August 8 a warrant was served for Sharbil Isbir and Yousef al Karih in the North Lebanon town of Shikka

On August 9 Faris Samrani (17) and Mark Boutros (16) were unlawfully arrested in Shikka. They were released after interrogation in the Military Intelligence offices.

Some 30 persons were detained for hours on October 13 who were on their way to attend a requiem mass in down town Beirut for the victims of the Syrian invasion of part of Lebanon in 1991.

On October 16 ten students were detained for a few hours for taking part in the demonstration and the sit-in which took place in St. Joseph University.

On 31st of October 60 students were detained then released for taking part in the demonstration and sit-in of the Faculty of Sciences of the Lebanese University in Fanar to protest the closing down of the MTV and other issues related to freedom.

DENIAL OF FAIR PUBLIC TRIAL

Independent Lebanon inherited an independent and impartial judiciary from the French. This tradition was by and large maintained despite occasional departure from these values. (The Emile Edde Affair, the Anton Saade Affair, and the Emir Nuhad Arslan Case, all in the mid-late 1940s.) A major breach was registered in 1967 when a Military Court was set up as a permanent part of the judicial structure. A further decline came about with the establishment of the Judicial Council, which is highly influenced by political considerations and lacks the independence necessary for fair trials. The Council can only review cases referred to it by the Council of Ministers. There is a further flaw in the Judicial Council as its rulings are not liable to any form of appeal. Another shortcoming is that all complaints against the Judicial Council would be considered by the Council itself rather than by an impartial tribunal.

In May 1996 the Judicial Council started to try 17 persons charged with the August 31, 1995 killing of Sheikh Nizar al-Halaby, a Sunni cleric who headed an Islamist socio-political organization. The leader of the 17 defendants, Ahmad Abd al-Karim al-Sa'di (Abou Mahjan) is still hiding in the Palestinian Camp of 'Ayn al-Hilweh near Sidon. Three of the defendants received capital punishment that was carried out in March 1997.

In July the Judicial Council issued a ruling in the 1994 al-Zuk church bombing. The tribunal acquitted Samir Geagea of charges of bombing the church but sentenced him to 10 years' imprisonment for creating illegal military cells.

The existence of a Military Court is another gross violation of fair trial. This court is an innovation introduced in 1967 as a judicial tool to check the declining state of security. The competence of the court spread in the years that followed on the account of the normal penal courts. The Military Court applies summary procedures and the sum total of its rulings that exceed all penal courts put together, are seriously questioned by jurists.

The normal court structure allows for a degree of political influence in the judiciary. The Prosecutor General of the Republic, who directs and supervises all the work of the prosecutions offices all over the country, receives, by law, his instructions from the Minister of Justice.

The Ministry of Justice appoints judges on the basis of a confessional formula. The shortage of judges has impeded efforts to adjudicate cases backlogged during the 15 years of war. Trial delays are also caused by the government's inability to conduct investigations in areas outside its control. A case in point where the delay casts obvious injustice is that of former minister Shahe Barsoumian who was detained over 8 months and his file is not yet referred to the court. The FHHRL's records contain the more shocking cases where people, especially nationals of poor Asian and African countries, are in the pre-trial phase for long periods, in some cases upward of 4 years.

The FHHRL handled a case where an Ethiopian domestic helper was accused of strangling her newborn daughter. All the phases of her trial were completed including a stiff sentence without calling in a translator who could communicate with her in a language she knows.

An attempt on the right to defense was registered in 1999 when the Military Court refused to allow all the lawyers who volunteered to defend the former SLA people from Jizzin. The court restricted the right of defense to just a handful of lawyers.

Two developments on the positive side are worth noting: a growing number of judges are basing their rulings on the Universal Declaration of Human Rights and other human rights instruments. The other laudable development is a ruling by a hearing magistrate in 1999 to press criminal charges against a member of Internal Security Force when he came across hard evidence that the official was implicated in torturing a detainee.

The government dismisses charges that some are facing trial for their political persuasions. However, by the standards of a democratic system of government, many of those arrested and are facing trial for distribution of leaflets or taking part in labor demonstrations, will be considered acting within their right of freedom of expression as in all these cases there were no acts of violence related to the activities they are charged for.

2002 Highlights

The trial of the former members of the South Lebanon Army, which started in 2000, continued in the year 2002. None of the irregularities, which the FHHRL criticized in its extensive reports on the trials, were rectified. The most flagrant of which is the nature of the court, the procedures followed and the trimming of the rights of defense.

For much of the year the spotlight was moved to the case of Hindi-Younis and Baseel. The three opposition figures were sentenced to terms of imprisonment for “contacts with the (Israeli) enemy.”

Toufiq al-Hindi, a university professor and former advisor to the leader of the dissolved Lebanese Forces, was among the many arrested on August 7, 2001. On the 16 and 19 Antoine Baseel and Habib Younis (both journalists) were respectively detained. All three were charged with dealings with the enemy and were tried before the Military Tribunal.

In February the court sentenced them to a term of three years. The three appealed the sentence and on July 12 the Military Court of Cassation reduced the terms to 15 months for Hindi and Younis and two years and six months for Antoine Baseel.

The FHHRL considers the trial unfair, as the only basis of the sentence was the signing of a statement admitting the charges by the accused in the course of the pretrial phase in the absence of any legal counsel. Despite the fact that the three insisted that their signature was extracted by way of intimidation, torture and threats, the court pronounced them guilty.

In a separate development, Hanna Shallita, who was arrested in July 1994, was released on August 30. No charges were pressed against him and in the course of the eight- year detention he was brought before the hearing magistrate one time and only for 20 minutes.

The strongest indictment of the judiciary came from non other than the Chief Justice himself. On November 13 Justice Nasri Lahhoud in an interview with the Beirut daily As-Safir accused the courts to be “in the service of the politicians.” Corruption and laxity were on his list of accusations.

DISAPPEARANCE

Background

Politically motivated disappearances did not vanish completely. In 1992 Boutros Khawand, a prominent member of the Kata'ib party, was kidnapped from his house in the suburbs of Beirut and his whereabouts are till now not certain. It is widely circulated that the Syrians detain him, probably in a detention center in Syria. Khawand is not the only detainee in Syrian prisons. While it is impossible to establish their exact number, there are no less than 200 Lebanese detained in Syria. Nothing is known about their where about or the reason for their detention or the duration of their imprisonment.

The government took no judicial action against groups known to be responsible for the kidnapping of thousands of people during the unrest between 1975 and 1990. In May 1995, Parliament passed a law allowing those who disappeared during the Lebanese War to be officially declared dead. The law stipulates that interested parties may declare as dead any Lebanese or foreigner who has disappeared in Lebanon or abroad and for whose disappearance death was the most probable explanation. Petitioners may apply for a court certification 4 years after a declaration of disappearance and may not benefit from any properties inherited until 6 years after such a court certification. The law facilitates the resolution of inheritance claims and of latter marriages.

2002 Highlights

On January 3 the Israeli High Court issued a decree authorizing the administrative detention of Mustafa Dirani and Sheikh Abdel Karim Obeid. Dirani was abducted 13 years ago by an Israeli commando unit from his house in the Baalbeck district of Lebanon while Obeid was, like wise, abducted and ferried to Israel from his house in South Lebanon 18 years ago.

In a release on August 27, the Committee for Parents of Detainees in Syrian Prisons disclosed that 12 Lebanese were set free by Syrian authorities and the body of a dead detainee, Khalid Nimr al-Iss, was delivered to his family. The Committee stated that the 12 are on a list of 95 detainees the Syrian authorities admitted being held in its prisons.

A positive step by the Syrian authorities was granting audience by the minister of interior to a delegation of the Parents' Committee. The Syrian minister promised to receive them after three months if no word is heard from him. In accordance with the pledge, the delegation headed towards Damascus on November 3. They were not allowed inside the Syrian territory on the basis that the minister is out of the country and shall not be back for a whole month.

A parallel committee on the abducted criticized on September 1st, the Lebanese government. A statutory two-month delay following collecting information by an official committee chaired by Minister Fuad as-Saad passed and no report was issued. Minister as-Saad had earlier promised that the report will be ready and shall be filed to the Council of Ministers by the end of June.

CAPITAL PUNISHMENT, DEATH UNDER TORTURE, AND PRISON CONDITIONS.

Background

Not acceding to Optional Protocol No.2 (O.P.2) on the abolition of the death penalty is no excuse for the former governments to handle lightly a basic right such as the right to life. (Many legal experts and human rights organizations urge the government of Lebanon to accede to O.P.2, not to mention the less controversial need to accede to O.P. 1. that empowers the citizen to file complaints against his government before the Committee). Article 6, para.2 of the International Covenant on Civil and Political Rights, which is binding, states that: "...sentence of death may be imposed only for the most serious crimes". Throughout the pre-Taif period (1943-1990) only 11 instances of applying capital punishment were recorded. In post-Taif Lebanon the situation is different. In 1994 the President of the Republic announced that the "era of the gallows" has begun, and true to his word in a period of a little more than two years 12 persons were executed. These sentences, let alone the actual executions, raised a number of disturbing questions in the circles of jurists, lawyers and judges. In one case the defendant was clearly a psychopath requiring medical treatment. One of the three presiding judges on the bench openly dissented. One can easily pinpoint irregularities in most of the other cases. What is greatly disturbing is the deletion of the provision of extenuating circumstances thus rendering capital punishment an automatic sentence for all cases of homicide regardless of the motives or circumstances.

The 1994 death of Tarik Hasaniyeh occurred allegedly under torture by authorities at Beiteddin Prison. In the same year Fawzi al Rasi died while in custody, and it was widely rumored that he met his death under torture.

In 1994 the security forces arrested four Iraqi diplomats assigned to Beirut and charged them with the murder of an Iraqi dissident. According to press reports the four Iraqis admitted their guilt but no trial was held throughout the period of detention. Three were released in February 1996 while the fourth

died in prison. The detention of the Iraqi diplomats was an obvious violation of the Vienna Convention.

There continued to be credible reports that Lebanese security forces used torture on some detainees. In January 1996 some members of Parliament accused the Internal Security Forces of torturing detainees by beating them, especially during interrogation, and called on the Ministers of Justice and Interior to investigate. At least one prisoner reportedly suffered paralysis as a result of security force violence during interrogation. The authorities charged three policemen, but the case is still pending.

Torture is not restricted to the police. In fact, cases of police torture are less widespread and infinitely lighter than those reported in the places of detention of other security organs such as the Military Intelligence, and the general Security in the case of the foreigners, especially nationals of Africa and Asia.

Abuses also occurred in areas outside the state's authority, especially in the Palestinian refugee camps. The various Palestinian groupings, especially the "Ten Allied" with Syria, control much of the camp population and administer their own justice against their opponents.

Prison conditions are poor and do not meet the internationally- recognized minimum standards. There are only 18 operating prisons with a total capacity of 2000 inmates. Conservative figures set the number over 5000 (the occasional detainees not included). The most acute problem is overcrowding and the inevitable consequence of locking people together with little or no regard for age and health. For example, the Zahle prison for males consists of 4 rooms with a total of 194 prisoners. Of the 142 juvenile detainees in prison, only 9 were charged; the others are awaiting trial. The other acute problem is that of hygiene. It is reported that the cells lack heating and a shortage of toilet and shower facilities is detected.

In addition to the regular prisons, the General Security, which mans border posts, operates a detention facility. Hundreds of foreigners, mostly Egyptians and Sri Lankans, have been detained pending deportation. They are reportedly held in small, poorly ventilated cells. Yet in the year 1999 an impressive improvement was implemented by the Security General. More decent and comfortable centres were arranged for the foreign detainees until a solution is found. A fairly well equipped centre is in Mazraat Yashou'. The lack of cooperation on the part of the states the national carry their passports makes it unfair to blame the Lebanese General Security for the tragic living conditions of the detainees.

A number of reforms were introduced by the new director general of the General Security Department. The one most related to human rights is appointing a senior official to liaison with the human rights organizations. This measure proved fruitful and one of the beneficiaries is a Turk national Augustine Bishu. A decision was taken to extradite Bishu, who entered illegally the Lebanese territories, to his country of origin. The Director General, following an appeal by the FHHRL, reconsidered the decision.

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

Hizbullah also detains SLA members and suspected agents at locations within their controlled areas. There are reports of mistreatment of detainees by Hizbullah.

2002 Highlights

Marked improvement is recorded on the detention centers of the asylum seekers run by the General Security. This by no means should read that their conditions are ideal. While a lot need to be done, their detention quarters are, by all standards, superior to those of their former detention place in Furn ash-Shubbak.

The prisons in Lebanon, already congested, are even more so with the influx of the thousands of detainees who served in the South Lebanon Army. Experts insist that congestions could be eased, even solved, by administrative decisions such as speeding up the trials and considering release on bail, the latter, though existing in the Lebanese law, is restricted and not of wide application.

There are reports of mistreatment and even torture taking place in Lebanese prisons and places of interrogation. The families of the Muslim Fundamentalists who are tried for their role in the clash with the Lebanese Army in January 2000, elaborated, in a press conference they held in the premises of the FHHRL, on the means and forms of inhuman treatment of the inmates. Three Sudanese, all in their twenties, died in the course of their detention.

The law suspending the benefits of the attenuating factor was deleted. The human rights circles applauded this reform. A number of sentences on capital punishment were ruled in the course of this year including one by the Military Court on July 27 sentencing the killer of the three soldiers (Abou Oubeida).

The number of those on the death row who exhausted all stages of judicial appeal are 54.

NATURALIZATION

Background

In 1994 the government issued a Naturalization Decree. This two-line decree increased the total population of Lebanon by 8 to 10 percent. The question of naturalization is a long-standing problem in Lebanon dating back to the 1920s. The anomaly of stateless persons in Lebanon had at some point to be addressed. However, this 1994 solution of the naturalization issue created, according to some critics, a new set of problems. The selection of persons to be naturalized was largely arbitrary. While the problem of the stateless was settled, a good majority of those naturalized, as indicated in the Decree itself, are possessors of non-Lebanese nationalities (not just Syrians). This arbitrary naturalization unfairly disturbed the delicate demographic balance among the various Lebanese religious communities. Moreover, the registration of these newly naturalized in carefully selected districts throughout the country upset the balance of electoral voter lists, a problem that was evident in the summer 1996 parliamentary elections and looms over the posterior parliamentary elections.

VIOLATION OF HUMANITARIAN LAWS

Background

An undetermined number of civilians were killed in South Lebanon in the course of the 23-year Israeli occupation, as Lebanese Hizbulah forces on the one hand, and Israeli forces and SLA on the other, engage in a cycle of violence. The paramilitary group attacked SLA and Israeli troops deployed in Lebanon, and also launched rocket attacks against northern Israel. Israeli forces conducted repeated air strikes and artillery barrages on populated areas and on guerrilla targets inside Lebanon.

On April 18 a number of Israeli shells struck the UN compound in Qana killing 102 civilians who had sought shelter there, and wounding others.

On September 21, 1996 the SLA expelled a family of 12 from the village of Mays-al Jabal allegedly due to the desertion from the SLA of one member of the family. Eighteen others were expelled from the security zone during the year 1996.

Between May 30 and June 3, 1999 the SLA militia abdicated Jizzin and retreated to the new frontline just south of Kfar Houne. More than 200 militiamen opted to remain behind and surrendered themselves to the Lebanese authorities. They were later given sentences ranging from three to eighteen months.

The use of banned weapons.

It is established beyond doubt that Israel and the SLA used weapons, including flechette shells, phosphorus and remote controlled bombs, which takes indiscriminate toll on civilian bystanders.

Each flechette shell used by the Israelis contained between 8,000 and 12,000 five-centimeter steel darts. It was fired by tank cannon and exploded at a height of 500 meters, scattering the darts over an area of about one square kilometer.

In September 1999 an officer of the UN peacekeeping mission UNIFIL told AFP that the flechette shells used by the Israelis in Lebanon fell "indirectly into the category of banned weapons" because

they “are not aimed at a specific target but scatter over wide area inflicting damage on civilian facilities.

These violations and crimes lay squarely with Israel regardless of whether they were actually committed by the Israeli army or its SLA ally as the Israeli army itself acknowledged that it paid the wages of the SLA militiamen, including the jailers in Khiam prison. The Israelis also armed and supervised the SLA militia.

The UN Human Rights Commission was more direct. In April 1997 it ruled that Israeli actions in South Lebanon constituted a “serious violation” of the 1949 Geneva Convention on the protection of civilians in wartime.

2002 Highlights

The withdrawal of the Israeli troops in May 2000 and the dissolution of the South Lebanon Army almost ended the state of belligerency in South Lebanon. All that remains is the disputed Shibaa Farms which the Lebanese government claims to be part of the national territory still under occupation. Until this particular issue is settled, the possibility of a flare up remains.

RIGHTS OF SPECIAL GROUPS

The gay and lesbian community is still harassed by the police and the laws of Lebanon. Homosexuality is punishable by imprisonment regardless of age and circumstances. It is imperative that the Penal Code be amended to restrict punishment to acts involving a minor and exercised in public.

2002 Highlights

On 22nd of August two lesbians were arrested for partaking in “unnatural sexual acts.” Public Prosecutor Shawki Hajjar ordered that each be held in custody in separate cell. Article 534 of the Penal Code identified having sexual relations “contradicting the laws of nature” as a crime carrying a penalty of up to one year in prison.

THE HUMAN RIGHTS MOVEMENT IN LEBANON.

Several human rights groups operate in Lebanon. An extremely reduced number is recognized by the Ministry of Interior while the bulk are either not registered or registered not as societies but as corporate organizations. The attitude of the government towards these groups is not uniform.

A positive development was registered in the year 1999. On November 29, 1999 Amnesty International circulated a statement under the title “Lebanon President welcomes Amnesty International office in Beirut” .The statement, while praising “the support and encouragement we have received for the proposal from the highest authorities in Lebanon, from human rights activists and from various representatives of civil society,” added that “the Lebanese authorities have given the go-ahead to set up a regional office for Amnesty International in Beirut.”

HUMAN RIGHTS EDUCATION

In the post Taif Lebanon human rights assumed a prominent position in the amended constitution and the political discourse across the board. Human rights even found its way into the official curricula as of the academic year 1999-2000.

A thorough examiner of the Lebanese government human rights education program is bound to come across two basic defects; indoctrination and theorization.

The human rights curriculum is riddled with insinuations of political nature aiming at indoctrinating the captive audience of young students. The position of the Lebanese government on many regional and local issues take the guise of human rights imperatives. Even photos are suggestive; a new edition appeared replacing the photo of the former president Elias Herawi with that of the current head of state Emile Lahhoud.

The government program, on the other hand, is pure theoretical. No implementation methods or skills are included. The Lebanese government’s program seems satisfied with a moralizing approach.

The Foundation for Human and Humanitarian Rights (Lebanon) developed a human rights education curriculum of its own. It was tailored to cater for the needs of the Lebanese and those inhabiting the Lebanese territory. The FHHRL program, dubbed by the Foundation's European partners as "the FHHRL's Method", attempts to answer three questions; why is the human being important; what are his/her rights? And, how to defend these rights and freedoms. A text book for this purpose is out in English and an Arabic translation is planned to be available in the course of the year 2003.

The FHHRL's Method is on the offerings of the leading 7 universities in Lebanon.

- In 1993 the Haigazian University decreed that human rights is a required course for the political sciences students.
- In 1994 the board of the Holy Spirit University-Kaslik (USEK) made human rights a required course for all its 4500 students.
- In 1997 the St. Paul College for Theology and Philosophy introduced the human rights course and in the following year started seminars on various human rights topics.
- In 1997 the Ecole Sociale of the Universite St. Joseph began giving a human rights course according to the FHHRL's Method.
- In 1997 The Lebanese American University joined in.
- In 2001 the American University began offering the course.
- The Antonite University has the human rights course according to the FHHRL's method on its offerings as of the second semester of the academic year 2002-2003.

Public Education

The FHHRL's program is not restricted to universities and university students. Professional groups, particularly lawyers, and the public at large are targeted. All those interested can count on being offered free of charge the three parts of the human rights course. An outstanding development took place in the year 2002. Bishop Guy Paul Njeim almost completed restoring and equipping a monastery overlooking the capital to become a local, regional and international center for the youth. The plan for the center includes a permanent human rights education program which the bishop is entrusting to the FHHRL.

A related development is a weekly talk show on the Voice of Charity (third in rating), which started on Wednesday November 13th and is envisaged to last 15 weeks. The radio program covers the theory and the particulars of human rights, counseling and practical advices. Again, the FHHRL shall prepare, participate and is active in running the talk show.

LEBANON AND THE INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

Background

Lebanon adhered and became a party to a number of international instruments on human rights, most of which are related to labour. In 1972 the Lebanese government acceded to the two covenants of 1966 while in 1997 acceded to the International Covenant on the rights of women. However, Lebanon's accession was not without its basic flaws. Beirut expressed the rejection of para 2 of Article 29 preceded by affixing its reservation on Article 9, Para.2 Aliena c,d,f and g also Article 16, Para.1. The rejection and reservations were sternly denounced by the FHHRL as they deny women solid benefits granted to them. The Lebanese government signed without reservation in July 2000 the Covenant against torture already signed or acceded to by 101 states. And was enforced as of June 26, 1987.

In 1999 Lebanon joined a number of states in the "Interpretative Declaration" which stated the attitude of 28 states on the rights of human rights activists. The "Interpretive declaration" over and above the fact that is devoid of any legal significance, emptied the agreement of its main contents. The embarrassing fact is that no one of the 26 signatories of the "Interpretative Declaration" is known to be a democracy while 14 out of the multitude are Arab countries.

Lebanon is behind on many of its commitments to report to the UN related committees. The government report on the discrimination against women is long overdue. The government sources state that the report is ready and is undergoing its final touches.

SECTION TWO SOCIAL AND ECONOMIC RIGHTS

WORKER RIGHTS

Background

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

The unions in Lebanon are not government institutions. However, the union leaders supply convincing evidence of the security organ's intervention in elections of union officials. In post-Taif Lebanon the Ministry of Labor issued permits for pro-government unions to form a labor federation in a bid to weaken the General Confederation of Labor.

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

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

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

Law does not prohibit forced labor. Children, foreign domestic servants, or other foreign workers are sometimes forced to remain in situations amounting to coerced or bonded labor.

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

The Government sets a legal minimum wage, which was raised in April 1996 to 300,000L.L. (about \$200US), per month. The law is not enforced effectively in the private sector. In theory the courts could be called upon to enforce it, but in practice they are not. The minimum wage is insufficient to provide a decent standard of living for a worker and family.

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

SOCIAL DISCRIMINATION

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

WOMEN

The press reports cases of rape with increasing frequency; what is reported is thought to be only a fraction of the actual number of this abuse. There are no authoritative statistics on the extent of spousal abuse. Most experts agree that the problem affects a significant portion of the adult female population. In general, battered or abused women do not talk about their suffering for fear of bringing shame upon their families or accusations of misbehavior upon themselves. Doctors and social workers believe that most abused women do not seek medical help. The government has no separate program to provide medical assistance to battered women. It does not provide legal assistance to victims of crimes who cannot afford it, regardless of the gender of the victim.

A positive development in the case of battered women, including wives, is setting up at least one NGO which offers refuge, medical, psychological and legal assistance to the victims. This type of violation was beamed on the TV and helped in promoting awareness.

In February 1999 an important amendment was voted by the parliament in favour of women. The exemption from punishment in the case of a male killing a female ascendant, descendent or sister when discovered in a compromising situation is deleted. The legal system remains discriminatory in its handling of "crimes of honor." This type of murder still benefits of attenuating factors. A positive development on the social level was registered in the late summer of 1999 when a man brutally killed his teenage daughter. The attitude of his village was very hostile to him and, when acting the murder, the police force had to intervene to save him from wrath of his society.

Prostitution is punishable by law. The definition of prostitution is vague and allows for abuse. Cases were reported of couples that were subjected to police interrogation on charges of prostitution for just being alone in an apartment. There is no distinction between prostitution and the profession of bar maids and the line between the two is misty. Mixing up between the two professions does not do justice to bar maids proper. It should be added that hookers, being outside the protection of law, remain an ideal subject of all kind of social sexual and police abuse.

It should be noted that in 1994 the Parliament removed a legal stipulation that a woman must obtain her husband's approval to open a business or engage in a trade.

Only males may confer citizenship on their spouses and children. This means that children born to Lebanese mothers and foreign fathers may not become citizens. In late 1995, the Parliament passed a law allowing Lebanese widows to confer citizenship on their minor children. Children born out of wedlock to a Lebanese mother are entitled to her nationality.

Religious groups have their own family and personal status laws administered by religious courts. Each group differs in its treatment of marriage, family, property rights, and inheritance. Almost all these laws discriminate against women. Women are not treated on par with men when it comes to their rights as wives, mothers, or divorcees. By and large, their inheritance rights in the Muslim law are half that of the male.

2002 Highlights

No improvement on the status of women was recorded. One development might have been a set back but was quickly rectified by the Council of Ministers.

The Council of minister decreed that the married women, duly registered in the Social Security Fund, are entitled to pass the benefits to their children in case husbands were not registered in the Fund. The director general of the Fund countered the council's decision claiming that the Fund by laws uses the masculine form of speech to describe the beneficiary. The dispute dragged on till 31 of October when the Council of Minister issued a clarification decree mentioning expressly that the word "beneficiary", wherever it appears, should read males and females.

CHILDREN

There are few legal and far less practical protections of children in Lebanon. Despite a bill in March 1998 making education compulsory for the first seven forms, the measure is not yet enforced and many children take jobs at a young age to help support their families. In lower income families, boys generally get more education. The reason is not just the nation-wide economic recession but equally

social attitudes which favors the males. As a consequence of both factors, a growing number of girls are withdrawn from schools and enter the work market or remain at home.

An undetermined number of children are neglected, abused, exploited, and even sold to adoption agencies. There are hundreds of abandoned children in the streets nationwide, some of whom survive by begging, others by working at low wages. According to a UN Children Fund (UNICEF) study, 60 percent of working children are below 13 years of age and 75 percent of them earn wages below two-thirds of the minimum wage. Juvenile delinquents wait in ordinary prisons for trial and remain there after sentencing. Although their number is very small, there is no adequate place to hold delinquent girls, and they are currently held in the women's prison in Baabda. Solid reforms were introduced in 1999; the juveniles were moved into a special section completely separated from the main complex, a rehabilitation center is active in Baysour while in the later part of 1999 a center to look after the children rounded up from the streets of the capital was established in Kahhale. For its part, the Higher Relief Committee allotted some funds to the Association for the Protection of Juveniles to lease a two-story building in Ba'asir in order to accommodate 50 juvenile delinquents in 1998 and 65 in 1999. Another center in Fanar with 25 children should also be mentioned.

Two extremely shocking cases were out in the open in the year 1999. In the earlier part of the year Fatima al Jasim, a child below 10 of age was brutally tortured by the house lady where she worked. The press and a number of NGOs campaigned against the perpetrators and the court sentenced the employer.

In the late summer of 1999 Khodr Kanjo, a boy of 6 need medical care for injuries inflicted on him. It turned out that the child was a victim of repeated sexual abuse by his uncle who displayed sadist tendencies.

There are neither child welfare programs nor government institutions to oversee the implementation of children's programs. A score of NGOs are active in the field of children rights and protection. The Committee for Children's Rights has been lobbying for legislation to improve the conditions of children. The Parliament passed a law to drop the use of the word "illegitimate" on the identity cards of children born out of wedlock. The Ministry of Health requires the establishment of health records for every child up to 18 years.

PEOPLE OF SPECIAL NEEDS

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

Building requirements have no specifications for ease of access. However, the private "Solidere" project imposed requirements for disabled access.

PALESTINIANS

Most non-Lebanese refugees are Palestinians. The United Nations Relief and Work Agency (UNRWA) reported that the number of Palestinian refugees in Lebanon registered with UNRWA was 352,668 as of June 30, 1996. The government estimates the number of Palestinian refugees at 361,000, but this figure includes only the families of refugees who arrived in 1948. Reliable sources estimate the Palestinians residing in Lebanon to be around 200,000 as no less than 150,000 have left for destinations in the Arab world, west Europe, Australia and the Americas.

The government issues laissez-passer (travel documents) to Palestinian refugees to enable them to travel and work abroad. However, after the government of Libya announced in September 1995 its intent to expel Palestinians working in that country, the Lebanese authorities moved to prohibit the return of Palestinians living abroad unless they obtain an entry visa. Many Palestinians were unfairly stranded for some time until a solution was worked out.

The government seeks to prevent the entry of asylum seekers and undocumented refugees. There have been no known asylum requests since 1975. There are legal provisions for granting asylum or refugee status in accordance with the 1951 Convention relating to the status of Refugees and its 1967 Protocol.

The government cooperates with the office of the United Nations High Commissioner for Refugees (UNHCR) and (UNRWA).

Most Palestinian refugees live in overpopulated camps that have suffered heavy damage as a result of the fighting. The government has instructed relief workers to suspend reconstruction work in the camps, and refugees fear that in the future the Government will reduce the size of the camps or eliminate them completely.

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

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

The main victims of arbitrary arrest, detention, and harassment by the state security forces, the Syrian security, the various militias and the rival Palestinian organizations are the pro-Arafat Palestinians. In the Palestinian camp of 'Ayn al Hilweh, where the pro-Arafat Palestinians enjoy relative security, assassination of opponents is more common than their arrest.

'Ayn al-Hilweh is the largest of Lebanon's twelve Palestinian refugee camps. Located some 30 kilometers south of Beirut, it was established in 1948 with an original population of 9,000. Today, 44,133 refugees are registered in the camp, while an estimated 75,000 persons actually live there. Even after the United Nations Relief and Work Agency (UNRWA) entered the camp in 1953, 'Ayn al-Hilweh was neglected for nearly two decades. Factions of the Palestine Liberation Organization (PLO) did not begin serving Lebanon's refugees until after the 1969 Cairo Agreement. The PLO presence was strengthened when the organization relocated to Lebanon from Jordan in 1970. After Israel expelled the PLO from Lebanon in 1982, 'Ayn al-Hilweh again went neglected. In 1985 the camp was the site of battles between the pro-Syrian Amal militia and pro-Arafat factions. In the wake of the first intifada, Hamas and Palestinian Islamic Jihad filled the political void and provided the much-needed social services. Fatah reasserted control in the 1990s installing Arafat loyalists in camp committees. In November 2001 a formal security committee was created with delegates from each faction.

The camp at present is off limit to the Lebanese security authorities with much turf clashes between the different conflicting loyalties. These groups include Fatah, Ansar Allah (Sunni Islamists), al-Ahbash (pro-Syrian and anti-Wahhabi), al-Jama'a al Islamiyah (Sunni, pro-Iranian, and linked to Hizbullah, Hamas, Palestine Islamic Jihad, and Asbat al-Ansar.

The US Department of State and numerous press reports single out Asbat al-Ansar. Based entirely in 'Ayn al-Hilweh, Asbat al-Ansar was among the first eleven international terror groups to have its assets frozen by US President George W. Bush in his executive order of September 23, 2001. The group is also of serious concern to Lebanon and Syria. Led by Ahmad Abdul Karim as-Saadi (Abbu Mehjin) since the early 1990s, the group justifies violence against civilians to achieve political ends- namely "overthrowing the Lebanese Government and thwarting perceived anti-Islamic influences in the country," according to State Department reports. These reports note that the group "probably receives money through international Sunni extremist networks and Bin Laden's al-Qaida network." It should be added that many of the Islamic fundamentalists of Dinniye's clashes with the Lebanese Army in 2000 sought refuge in 'Ayn al'Hilweh.

2002 Highlights

The lawlessness of 'Ayn al-Hilweh manifested itself in a score of acts of violence. From September to mid November 24 bombings were reported in this refugee camp.

A legal development was denounced by the FHHRL. The Lebanese Parliament voted in May a bill on Ownership of Real Estates by Foreigners. The bill excluded the Palestinians from the benefits of this law. The FHHRL considers this law discriminatory and sets the grounds for abuse and injustice. There are thousands of Palestinians who bought property, mainly apartments, in the course of over 50 years of Diaspora. They are not entitled to register their property in their names. There are thousands of Palestinians of Lebanese mothers. Again, they are not entitled to register any real estate that comes down to them from their mothers' side.

Asylum Seekers

Civilian refugees from wars, devastations and other forms of oppressions are, in the words of the German laureate Heinrich Bol, "the image of the 20th Century. The First World War dislodged millions of Russians who were finally settled all over the globe. In 1925, one Turk out of four passed through that bitter experience, one Armenian out of two, and one Greek out of three. The Second World War had its toll; one German out of three, one Pole out of four. Palestinians in 1970 were split equally between those uprooted and those who were not. The bulk of the Israeli nationals, at a ratio of eight out of ten, were refugees. The calamity hit Cambodia in 1980 dislodging two thirds of its populations. The same ratio of two thirds was recorded in Afghanistan. More victims were recorded towards the end of the century. Three Rwandans out of four and 9 out of every 10 Kosovo nationals were displaced or sought asylum. It is estimated that not more than one third out of the 100 million refugees receive assistance in different forms by the year 2002.

In 1951 the UN set up a High Commission for Refugees and an international agreement on the matter was signed on 11 of July 1951. The Arab countries, with the exception of Egypt, refrained from signing the Agreement on Asylum Seekers.

The failure of the Lebanese government to adhere to the July Agreement is at the root of much of the plight of the asylum seekers. Lebanon enjoys a tremendous pull factor in an area of the world abounds with regimes that deny the basic rights and display very little protection of minorities, a push factor which continuously pumps considerable number of asylum seekers through the porous Lebanese borders.

There was an understanding between the Lebanese authorities and the UNHCR office in Beirut by which no harassment shall be administered against those who illegally enter the Lebanese territory when their purpose is to file for asylum with the UNHCR. In the 1990s the Lebanese authorities suspended this agreement and many were placed in lamentable conditions in prisons and detention centers all over the country. In 2000 the detention conditions improved drastically, especially in the detention center run by the Lebanese General security. This should not read that there is no room for further improvement.

2002 Highlights

A notable reform by the General Security was allowing the UNHCR to visit the asylum seekers in their places of detention even when their application is still pending. The FHHRL, while lauding this measure, calls on the General Security to extend this right to all those who wish to apply for asylum, even in detention,, and avail them of the services of the UNHCR.

SECTION THREE

THE ENVIRONMENT

Background

The public awareness of environmental issues is relatively new compared to other developing nations. Until recently, the notion of sustainable development, the right of people to know about the consequences of development in their neighborhoods, cities, and towns, the right of people to participate in the decision making process for such development was almost non-existent. Environmental activism was to the Lebanese public some occasional campaigns to plant trees along major highways, or cleanliness campaigns to pick up trash sitting in the streets.

With the proliferation of environmental NGOs in the country, the awareness situation is changing although at a very slow pace. The public generally now realizes the direct correlation between environmental degradation and public health. Air pollution from cement factories, and electric power generation plants is being directly linked to respiratory problems while ground water pollution is a function of the lack of sewer networks and wastewater treatment plants. It was the environmental activists who were behind the government's declaring three protected areas for biodiversity preservation.

The situation is totally different at the decision making level. The government development policy-making process is severely centralized and held in the hands of a few politicians with interests conflicting with those of the public. Almost all development projects from zoning laws to highway design are planned and implemented with no prior environmental impact assessment. Decisions, even when made with public interest in mind, are made on antiquated assessment methods, mainly, the more concrete poured the more viable is the development.

Moreover, harassment, detention (though short), and occasional beating and threats, have become an occupational hazard for environmentalists. Pierre Malychef, a pharmacist in his seventies, was summoned before a judge in 1995 and was charged with "compromising Lebanon's international reputation" by his releases warning of the presence of toxic barrels in various parts of Lebanon. The interrogation lasted 9 hours but Malychef was allowed to return home seven days later. Muhammad Sareji was physically assaulted by thugs he accused of acting by instruction of the chief of police in Sidon, and spent two days in hospital for his attempt to save marine life in Sidon. His efforts were not on vein. Stiff penalties are meted to those who use dynamite in fishing.

More serious issues were disclosed on the National Environment Day (16 November) 1998. Nabil Soubra, the president of the League for the Development of Municipal Work in Beirut, described air pollution as the "silent killer," with key sources in the capital being the traffic and lack of green space. Soubra described open spaces in Beirut as the lowest among the world's capitals, with just 600,000 square meters of open space, including the Pinewood (Horsh). Whereas the United Nation stipulates that each person requires 40 square meters for a healthy environment, Beirut's rate lies as low as 0.8 square meters per person, the English language Beirut daily, the Daily Star, reported Soubra as saying.

It can be asserted that integrated development policies are lacking in all major areas among which are:

- (a) The economic value of environmental protection such as the benefits in terms of eco-tourism to clean beaches, healthy air, and protected forests.
- (b)The lack of participation on the part of the general population through local government institutions is robbing the country of valuable human resources available and willing to participate in environmental protection.
- (c)Lack of sound management in water resources is causing a major loss to GDP whereby surplus resources which could be sold to more needy areas of the Middle East in return for a major increase to national income are being wasted out to sea, or spoiled as a result of pollution.

It is important to note that a World Bank assessment issued in January of 1966 estimated the net loss due to health problems caused by air pollution and the impacts of bad water quality, and bad wastewater management to be in the order of \$300 million annually. Losses would be much higher

when all environmental losses are incorporated into the calculation, particularly in the area of tourism losses due to prevailing environmental conditions.

A quick rundown indicates the following list of unjustified deterioration:

- Green Peace activists were physically assaulted by the police in 1999 in the course of a peaceful protest against dumping toxic material in the sea by a Chemical firm in Salaata.
- No measures were taken to protect woods from the seasonal fire that breaks in September of each year.
- Natural sites, water sources, and air remain unprotected.
- While some quarries are closed down or organized, the bulk of this devastating activity continues unchecked.
- Hunting was controlled for a couple of years in the mid 1990s. In the past two years all restrictions, in actual fact, were lifted.
- After a promising start in treating garbage and waste a decline in waste treatment was recorded.
- Vehicles run by fuel oil are authorized following decades of banning. The necessary measure of engine control is not, or not sufficiently, implemented.
- A set of fertilizers and insecticides which are banned in many countries are still allowed in Lebanon.
- Little is done to build sewage networks, which are lacking almost everywhere in Lebanon, and little was done to improve the existing few.

2002 Highlights

Lebanon is blessed with a moderate climate and a natural layout which could serve as basis for a flourishing tourism industry. Despite the fact that there are no heavy or toxic industries on the Lebanese territories with the serious pollution they cause, the environment in Lebanon is one of the most damaged in the Mediterranean basin.

A- Air Pollution

There are some 1.5 million cars in Lebanon forming the most important factor for air pollution (70%). Most of the measures strictly implemented in environment-conscious countries are lacking in the case of Lebanon. A positive decision by the Lebanese government was implemented in the late spring by which the bulk, but not all, the vehicles run by fuel oil were pulled out of circulation. While this measure reduced the pollution, especially in the capital and the main cities, it was met with differing rate of success. In many places the measure was partially enforced. Furthermore, many vehicles, notably the Army trucks and the trucks which operate across the borders, were exempted and remain at liberty to pollute far and wide. The replacement of fuel oil by diesel, as is the case in many countries, is not yet implemented.

Next to the pollution by cars is the pollution by the chimneys of factories. The most prominent one is the Fuel oil electricity generators of Zouk, to the north of the capital and Jiyeh to its south. Filters could reduce much of the pollution but so far no attempt in this direction is recorded.

B- Woods, quarries, wastes and hunting

Fire seasonally devours the ever-reduced wooded area of Lebanon (4-5 % is all what is left of a part of the Middle East known for its woods). The situation is containable as, on the one hand, the season is pretty accurate and predictable. Fire starts in the wooded parts each summer and a good deal of the autumn of each year. On the other hand, a wooded area of the size of the one in Lebanon is quite limited and the cost of observation posts and engines, including airplanes, for putting out the fire are not financially prohibitive.

The FHHRL welcomed Decree # 8803 issued on October 7, 2002 in which all quarries outside a restricted area in the eastern part of the country were closed down. The decree provoked a strong reaction by the beneficiaries of the old order. It is rumored that the government failed to have the decree implemented in full.

Solid waste was by and large well handled by the authorities. No final solution is found yet for a permanent cite for their proper dumping.

A lamentable relapse is detected in hunting birds. For only two years the ministry of interior managed to enforce a bold decision against stout opposition from the hunters and the ammunition

factory owners. Unfortunately the ban was lifted. The 2002 season which starts in September, did not display any restraint or moderation on the part of the hunters. Some estimates put the number of birds shot every week in the vicinity of one million. The bulk of the hunted birds are not on the standard list of hunt. It should be noted that Lebanon is located on the migration root of many birds from Europe to Africa and back.

C- Water Pollution

Lebanon is quickly losing one of its most important source of wealth; the important amount of drinking waters scattered all over the surface of Lebanon. Not enough is being done to protect this natural wealth and the bulk of the water, which as late as two decades ago were drinkable, became polluted.

Two factors are behind the tragic outcome; the sewage systems and the fertilizers. In both cases the government failed to take and enforce the necessary measures.

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