



## Human Rights in Lebanon - 2003

*The Lebanese Information Center*

### ***Where does Lebanon stand with regard to human rights?***

*In 1948, the United Nations General Assembly unanimously ratified the International Declaration of Human Rights. Lebanon, represented by Dr. Charles Malek and Mr. Karim Azkul, took part in giving birth to the Declaration. Dr. Charles Malek helped in drafting the famous Document. Later, Lebanon signed the subsequent international treaties, the Hague Treaty, the four Geneva agreements of 1949 and their ensuing protocol of 1977.*

*This was true for yesterday – but where does Lebanon stand today with regard to human rights? Where does Lebanon stand with regard to freedom of thought, freedom of opinion and freedom of expression?*

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## **Part 1: Political and Legal Issues**

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### ***1. The Electoral and Democratic Process***

Raising this issue today, we are on the threshold of several forthcoming elections in Lebanon, beginning with the municipal elections in May 2004, continuing with the presidential elections in the autumn of 2004 and concluding with the elections for parliament in the spring of 2005, the latter being the most decisive elections in the context of reviving democratic life in the country.

Currently, the Lebanese Parliament comprises 128 Deputies, divided equally between Christians and Moslems. The number of registered voters in 2000 was 2,780,758. Voters are assigned to electoral districts following a geographical distribution of the country. Each district is represented by a group of Deputies (or Members of Parliament). In principle, all districts should be equal in representation.

Numerous articles of the Document of National Accord-The Taef agreement-have yet to be implemented, almost fifteen years after the signature of the Accord. Among the most important of these articles is the issuing of a new election law following the **redistribution of the administrative subdivisions**, and subsequently the creation of new and revised electoral districts.

But nowadays most of the legislations are enacted according to the whims of those presently in powers and not in the spirit of the National Agreement. Many governmental decisions follow the directives of the Syrians controlling the country, rather than the Constitution and its principles.

The electoral laws of 1992, 1996 and 2000 were set by the Syrian-appointed officials in a way which would serve primarily Syria's interests. This was manifested in several flaws of the law:

- the unequal and irregular division of the electoral districts,
- the difference in the number of deputies elected by each electoral district
- the unusual rules on spending, campaigning and advertising.

This led to a blatant misrepresentation of the popular vote.

### *1-a Abuse of Power*

Those in power use the state's institutions to serve their own interests and the interests of their followers. Examples are numerous: Speaker of Parliament Nabih Berri, leader of the Shiite Amal party, forced the recruitment in the tens of thousands of his party members in the different sectors of the Government. Minister of Interior Elias Al-Murr, married to the President's daughter, and his father, Michel Al-Murr (who financed his whole electoral campaign from the state's treasury), both openly abuse the State resources for their own political interests.

The behavior of Mr. Michel El-Murr, former Minister of Interior and Defense, father of the current Minister of Interior, a relative to President Emile Lahoud, and a close ally to the Syrian

Regime, exemplifies this “abuse of power”.

Mr El-Murr took advantage of his ministerial position for years to build his personal “empire” within the Government. He employed large groups of his supporters in many of the State’s institutions, including the Police, the Department for Constructions and Roads, the Civil Defense, Motor Vehicle Department, Real Estate registry offices, Ministries and Governmental Agencies of: Electricity, Water, Employment, Telephone and Social Security -- all of which became controlled by Murr’s own people. It is estimated that Michel El-Murr orchestrated the recruitment of about 1500 of his protégés in all the aforementioned governmental bodies, some at senior level positions.

*For example, Farjallah Sarur, Head of Mechanics, Naji Andraus, Head of Communications, Joseph Nusseir and Fadi Namar, Head of the Roads.*

In addition, Michel El-Murr’s daughter Mirna El-Murr was appointed President of the Association of the Matn Municipalities. It is to note that every construction permit has to get the approval of the Association of Municipalities. Permit issuance was often linked to the readiness of the applicant to support and vote for the El-Murr Clan.

And, out of Btighrin, the small hometown of the El-Murr family, more than a 100 employees were recruited in the various administrations of the Government. They receive salaries without necessarily going to work, except for taking care of Mr. El-Murr personal and political affairs.

### ***1-b Falsification of Voters Cards***

One example illustrates this malicious practice covered up by the Government. In the locality of Bourj Hammoud, an Armenian neighborhood dominated by the Armenian Tashnak Party, an ally to Michel Al-Murr, Party Officials prepare and print voter cards bearing the names of people who are either dead, or – in most cases – are living outside the country. Six or seven cards are printed under different names for the same person. Thereupon, this person can vote using these fake cards in any of the poll centers in Bourj Hammoud. This kind of fraud could not be easily detected, since these voters cards are in principle issued by official authorities, and carry the names of people living abroad. In addition, the supervisors and their assistants at the different polls are appointed by Michel Al-Murr and the Ministry of Interior run by Mr. El-Murr’s son. Opposition representatives are either not given permission to enter these polls or at best are driven away during the voting process. In the partial elections of 2002, one thousand fake voters’ cards were used.

### *1-c Transferring votes*

The process of moving people between different regions in Lebanon to help the election or re-election of pro-Government candidates is continuing in full swing.

300 Armenian votes were moved from Beirut to the region of Bsalim, Mazhar and Majzoub in 2003, and 600 Armenian votes were moved from Beirut to Antelias. There is also a plan to move about 3000 votes – consisting of residents from the Beqaa and Hermel - to the cities along the coast stretched between Zalka, Amarat Shalhub, Antelias and Dbaye, by the year 2005. This would favor the winning of the pro-Syrian candidate in the Metn district, notably from the El-Murr clan.

Recently, information has transpired regarding a deal between the El-Murr's and Prime Minister Rafik Al-Hariri, to transfer 8000 votes from Beirut to Metn.

### *1-d Reliance on unlawful naturalizations*

In 1994, a governmental decree granted citizenship to 360,000 non-Lebanese mostly Syrian Moslems. The law has been challenged in court in view of several major irregularities.

Large numbers of the naturalized in 1994, were not entitled to receive the Lebanese citizenship. But now they serve as a voting power in the hands of the pro-Syrian Government.

### *1-e The Electoral Law*

The Lebanese Constitution mandates an equal distribution of seats in the parliament between Muslims and Christians. The Document of National Accord asserts that “Parliamentary elections shall be held in accordance with a new law where Provinces constitute the electoral units, and in the light of rules that guarantee power sharing and coexistence among the Lebanese, and that ensure the sound and efficient political representation of all the people's factions and generations. This shall be done after reorganizing the administrative subdivisions...”

The best process to guarantee a proper representation of the different segments of the Lebanese population, and to ensure that elected officials truly represent their constituencies is through the smaller electoral division, as the practice has been in the most deep rooted democracies.

Although many calls have been made to that effect from different political and religious groups and individuals, the Government has been ignoring those demands in favor of larger electoral units (around 10 to 15 for the whole country) designed differently every election cycle, according to the wishes of a few pro-Syrian key players. Those end up each “managing” an electoral district to secure their personal victory and that of their followers.

## ***2. The Naturalization law***

The issue of citizenship and naturalization in Lebanon is extremely delicate, being linked to Lebanon’s multi-religious composition.

But the Naturalization Act of 1994 issued by the pro-Syrian Government of Mr. Hrawi granted citizenship to large numbers of Muslims of Syrian nationality and only to a small number of non-Lebanese Christians.

### ***2-a Naturalization Process***

The naturalization of a large number of Syrian nationals in 1994 will not only have a negative impact on the demographical balance between Muslims and Christians, but also on the nature of the political and national landscape of the country: these newly naturalized elements will never have the sufficient level of allegiance to Lebanon. In the end, their loyalty will remain to Syria.

In addition, naturalizing Syrians from outside of Lebanon, and allowing them to vote by proxy raises a weighty question, namely: Why aren’t the Lebanese emigrants, those true Lebanese, some of whom emigrated just in the last few years, given the chance to participate in the elections, as is customary in all the countries which maintain embassies in foreign countries in order to ensure the emigrants’ right to vote?

Furthermore, naturalization of these foreigners residing outside of Lebanon causes a problem when dealing with the issue of Palestinian refugees, since Lebanon does not accept and cannot bear the load of naturalizing the Palestinians on its lands. However, Lebanon will have to confront the following logic: How come Lebanon can tolerate the naturalization of non-Lebanese residing outside Lebanon, and not naturalize the people dwelling on its lands for over fifty years?

## *2-b Lebanese citizenship and emigrants*

In contrast to the Governmental decision of naturalizing large numbers of non-Lebanese and disrupting the demographical and national balance, there is a clear policy of depriving citizenship to Lebanese emigrants and people of Lebanese origin, the decisive majority of which being Christians (85%). Following are some examples demonstrating this policy:

- The failure to process “Citizenship Confirmation Forms” of emigrants prior to September 29<sup>th</sup>, 1958. These forms are recognized by the law, specifically paragraph 2 of section 3 of law 67/68 - and there are over 22,000 such forms. Despite letters addressed to the Department of Civil Status by the Foreign Ministry concerning the need to register these forms and notify the applicants, these forms remain unregistered.
- The failure to address Parliamentary Bill no. 1185 of September 10<sup>th</sup> 2003 submitted by Parliament Member Neematallah AbiNasr. According to this Bill, every person of Lebanese origin residing outside Lebanon is entitled to Lebanese citizenship, provided that he can prove his Lebanese origin and his stay in Lebanon for three consecutive months.

The reason behind this bill is that scores of Lebanese found themselves from one day to the next deprived of their Lebanese nationality for failure to register at Lebanese Diplomatic Missions during a 2 year window period set in the 1920’s.

The absence of Lebanese ambassadorial representations in a number of countries prevented those early emigrants from registering and maintaining their Lebanese citizenship.

In comparison, the Syrian law for example dealt with the issue of Syrian emigrants properly, via Act 67 of October 31st, 1961, and Decree 1553 of August 23rd, 1963, which gave the Syrian emigrants the right to reacquire their Syrian citizenship.

### *1. Freedom of press and media*

In its annual report on freedom of the press in 166 countries, the organization “Reporters Without Borders” ranked Lebanon as 106<sup>th</sup> on the international level, and as 3<sup>rd</sup> out of the 21 Arab and North African states.

In the previous report, Lebanon ranked as 56<sup>th</sup> internationally and as 1<sup>st</sup> amidst the Arab countries. The decline in ranking is the result of the continuous attacks against media and reporters including threats, censure, confiscations and harassments, and of the degree of immunity enjoyed by perpetrators of these violations, and of the judicial framework allowing the abuses against the freedom of the press.

“Reporters Without Borders” listed several violations, related to censorship, the prosecution of reporters, arbitrary legal actions against journalists, the armed attack on Al-Mustaqbal TV station, and the final shutting down of opposition media stations MTV and Radio Mount Lebanon.

Among the most salient incidents of 2003 were:

- Late 2002: After the banning of MTV and Radio Mount Lebanon, New TV satellite channel was ordered to close. In all three cases, the charges were those of “damaging the relations with friendly and sister countries”-ie Syria and Saudi Arabia.
- December, 2003: The Government ordered the cessation of all news and political programs on New TV. The decision came after the station broadcasted a news item referring to the Head of the Syrian Military Intelligence in Lebanon, General Rustum Ghazaleh, and Head of the General Security Directorate Major General Jamil Al-Sayed, a long term ally of Syria, accusing them of harassing the TV station and standing behind the expulsion of a TV reporter at the station, the Sudanese journalist Dalyah Ahmad. This Station had been dealing with sensitive subjects pertaining to the situation in Saudi Arabia, the Al-Madina Bank scandal (involving more than one Lebanese or Syrian senior official), and is considered opposed to the policies of Prime Minister Rafik Al-Hariri. The owner of the network, Tahsin Khayat, was detained by Syrian intelligence elements and by Lebanese Military, for being an Israeli agent, an accusation that was retracted later.

- June 2003: Two missiles were fired at the building of the Al-Mustaqbal TV channel, belonging to Prime Minister Rafik Al-Hariri. The attack was a political message in the context of the disputes between those in power.
- August, 2003: The popular artistic group “Basmat Watan”, was forced to halt its performances following warnings and pressure by Lebanese security officers because of the group’s jokes making fun of Syria and the Lebanese government.
- October, 2003: Following a high level meeting between the Syrian and Lebanese Information Councils, the Ministers of Communication of the two states stressed the need to make the Lebanese official media more in line with the Syrian governmental media and to limit the role of private media.
- Still on-going is the prosecution of the owner of Al-Liwa newspaper, Amer Mashmumi, and the senior director, Nur A-Din Hasri, after publishing an article considered to “do damage to the image of the President of the Republic, Emile Lahoud”. President Lahoud had emphasized when he took office that no reporter would be prosecuted during his term.

## *2. Arrests and summoning for investigations*

- May and June 2003: The security apparatuses summoned tens of citizens from the region of Bsharre and its surroundings to the Military Intelligence Centers in Bsharre, Tripoli and Beirut, and interrogated them, sometimes for several days about political issues and beliefs related to their affiliation with the Lebanese Forces Party.
- July 2003: Several media people, and particularly photographers, were subjected to threats and beatings, while covering the attack in Btighrin against political personalities of the Opposition group of Kornet Chehwan.
- August, 2003: Dr. Adonis Akra, a political thinker and activist was the focus of harassments and threats by Government Security Forces following the publication of his book, “When I became number 16”.The book deals with the period of his detention in August, 2001, in the course of a wave of arrests against opposition groups.

- August 2003: Lawyer Muhammad Mughrabi was arrested after the announcement of his candidacy to the Chair of the Beirut Bar Association. Mughrabi is active in the field of human rights, and a vocal critic of the failures of the judicial system in Lebanon.
- November 21, 2003: Nabil Abu-Sharaf, Head of the Students Association at the Saint Joseph University was detained by Government Security Forces because of his political activities and without any legal justification.
- December 12, 2003: Two political activists, Mario Awn and Richard Latif, were arrested for distributing tracts which the State Prosecutor, Magistrate Mukhtar Sa'ad, considered to be "causing damage to Lebanon's relations with a sister country, i.e. Syria".

### ***3. Freedom of opinion and expression***

Freedoms of opinion, expression and publication in Lebanon were subjected to an organized campaign of restrictions, harassments, and direct attacks by the Lebanese Government.

The right to demonstrate although protected by the Constitution continues to be denied to anti-Syrian and Opposition groups. Among the most striking incidents:

- February and March 2003: A book written by Doctor Adonis Akra was barred from publication, because it depicts the abuses of Security and Intelligence apparatuses against the people opposed to the current Government.
- An article by the poet and writer Aql Awit, published in the An-Nahar newspaper caused uproar in Moslem circles, because of its portraying Allah at times as a failure and at times as cowardly. The author was accused of heresy, and calls were made by number of Islamic groups to burn down the An-Nahar offices. In addition, Islamic associations voiced their determination to file a lawsuit against the An-Nahar newspaper, its chief editor, Jebran Tueini, the writer, Aql Awit, and against everybody whom the court considers to have taken part in writing of the article.
- At the Lebanese University-Northern Campus, student Wisam Alam was attacked and beaten by members of the Syrian Baath Party, after distributing a newsletter "Student's Rights", containing opinions criticizing Syria and the pro-Syrian Lebanese Government.

The attackers were left undisturbed.

- May 2003: During US Secretary of State Powell's visit to Beirut, protesters against Syrian Occupation of Lebanon were violently attacked by Security Forces, and several demonstrators ended up being hospitalized.

#### **4. *Attacks against the political opposition***

July 26, 2004: Members of Parliament and political figures from the Opposition group "Qornet Chehwan", were prevented from attending a luncheon in the town of Btighrin organized by their colleague Mr. Gabriel Al-Murr. Roadblocks were set with bulldozers, shots were fired over the heads of the opposition figures.

The attackers are well known followers of pro-Syrian Government figure Michel Al-Murr, father of Minister of Interior Elias Al-Murr, and a relative to President Lahoud.

Following mounting outrage across the nation, Minister of Interior Elias El-Murr denounced the incident and promised to arrest and to prosecute those responsible. But the case was soon closed, and one attacker was held for just a few hours.

- September 2003: Ex-Prime Minister General Michel Aoun was charged of disrupting the country's relations with Syria, undermining the image of the Lebanese state and stirring sectarian strife, after he testified in front of a US House of Representatives subcommittee on the Syria Accountability Act, slamming Syrian interference in Lebanon and accusing it of sponsoring terrorism.
- Lebanese Forces Party leader Samir Geagea, a staunch opponent of Syrian occupation of Lebanon, is still kept in solitary confinement in a prison in the basement of the Ministry of Defense. Outside visits, access to journals, radio, TV remain extremely limited. International Committee of the Red Cross (ICRC) was not allowed to see him.
- The Lebanese Forces Party, one of the largest Christian Lebanese parties, opposed to Syrian hegemony over Lebanon, has been banned since 1994 by a governmental decree. Despite several attempts by LF Party lawyers to take the case to court, the Government is still refusing to address the legality of the banning.

### **Part 3: The Rights of Foreigners**

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Living and working conditions of foreigners in Lebanon are much less than satisfactory. Housemaids (especially Sri Lankan, Ethiopian, and Filipino) are often treated as slaves. Eastern European women, coming to Lebanon with working contracts, are soon transferred upon arrival to whorehouses.

- December, 2003: A fire broke out in a Lebanese factory, leading to the death of 15 foreign workers.

This sad incident highlighted the poor safety measures foreign workers are working under.

### **Part 4: Lebanese prisoners in Syrian jails**

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The issue of Lebanese detained in Syria remains an open wound, totally ignored by Lebanese and Syrian officials.

- June 19th, 2003: Syrian authorities delivered the body of the Lebanese citizen Joseph Huwais to his family in a closed coffin, six days after his death. A post-mortem examination of the body was not allowed and the funeral was conducted very swiftly. Huwais had been arrested by Syrian Military in 1992, after being involved in a car accident in Metn with a Syrian military truck. He was then transferred to a Syrian jail, and his family was not granted permission to visit him during these past years. His jailing was not preceded by any trial or formal charges, and the Syrian and Lebanese authorities denied his existence during that period.

During and after the Lebanese war, numbers of Lebanese have been abducted by Syrian Armed and Intelligence Forces and by their allies in Lebanon, and transferred to Syria. Their exact number remains unknown. Many testimonies from released detainees, families and friends of detainees, confirm the presence of Lebanese remaining in Syrian jails. But Syria keeps denying their existence.

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