



EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK  
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME  
الشبكة الأوروبية - المتوسطية لحقوق الإنسان



**fidh**

Fédération internationale des ligues des droits de l'Homme  
International federation of human rights  
Federacion internacional de los derechos humanos  
الفدرالية الدولية لحقوق الإنسان



**LETTER ON THE OCCASION OF THE ASSOCIATION COUNCIL BETWEEN  
THE EU AND LEBANON, 19 February 2008**

To:

The Foreign Ministers of Member States of the European Union  
The High Commissioner for External Relations, Ms. Benita Ferrero-Waldner  
The High Representative for the Common Foreign and Security Policy, Mr. Javier Solana  
The Personal Representative of the SG/HR on Human Rights, Ms. Riina Kionka

February 14, 2008

Dear Foreign Ministers,  
Dear High Commissioner,  
Dear High Representative,  
Dear Personal Representative,

On the occasion of the third meeting of the Association Council between the European Union (EU) and Lebanon, to be held on 19 February 2008, Human Rights Watch (HRW), the Euro-Mediterranean Human Rights Network (EMHRN), the International Federation for Human Rights (FIDH), and the World Organisation against Torture (OMCT) are writing to express their concern about the human rights situation in Lebanon and to offer recommendations to address it. We hope that you will raise these points with the Lebanese authorities during the meeting of the Association Council.

The EU-Lebanon Action Plan adopted in January 2007, laid out the strategic objectives of cooperation between Lebanon and the EU and identified the “effective implementation of Lebanon’s international commitments with respect to human rights and fundamental freedoms” as a priority. The political crisis in Lebanon, along with the worsening of the security situation have made it essential for the EU to work with Lebanese authorities to improve Lebanon’s human rights practices and implement its obligations under international human rights treaties to which it is a state party.

We welcome the meeting of the first subcommittee on Human Rights between the EU and Lebanon on 12 April 2007, which was an opportunity to evaluate the human rights situation in Lebanon and we call for regular meetings of other sub-committees established by the Association Agreement. Such meetings are essential to translate the general commitments of the Action Plan into effective and concrete actions. In particular, we call for the convening of the first meeting of the EU-Lebanon subcommittee on Justice, Freedom and Security to develop a strategy for judicial reform.

Our hope is that the Commission's European Neighbourhood Policy (ENP) Progress report due in spring will include a comprehensive evaluation of the implementation of the Action Plan's priorities regarding human rights. We want to emphasise the importance of consulting and involving civil society in the implementation and monitoring of the Action Plan, especially through systematic consultation before and after subcommittee meetings dealing with human rights issues.

We urge that the following points be included in the agenda of the Association Council:

**1. To end the practice of torture and ill treatment, investigate allegations, and punish perpetrators**

Testimonies gathered by human rights groups have shown that the Military Intelligence unit at the Ministry of Defense, the Information Branch of the Internal Security Forces, and the police engage in torture and ill-treatment of certain detainees, especially those suspected of security related offenses. Accounts of torture have increased since 2007. In particular, the Lebanese army and internal security forces arbitrarily detained and physically and psychologically abused some Palestinian men fleeing the fighting in Nahr al-Bared. Lebanon has ratified the Convention against Torture (CAT) and Lebanese law prohibits torture, but accountability for ill-treatment and torture remains elusive as the authorities rarely pursue investigations into allegations of torture.

Accordingly, we urge the EU to:

- **Call on Lebanon to take immediate steps to end the practice of torture and other forms of ill-treatment, promptly investigate allegations of all such ill-treatment, punish perpetrators, void any confession taken under torture, and ensure adequate, effective and prompt reparation to the victims;**
- **Make the prevention of torture and prosecution of perpetrators a priority when devising any aid package to Lebanon's security agencies;**
- **Encourage Lebanon to submit as soon as possible its initial report to the Committee against Torture, overdue since 2005, and to ratify the Optional Protocol to the Convention on Torture and recognize the jurisdiction of the UN's Committee against Torture in reviewing complaints filed by states or by individuals (articles 21 and 22 of the CAT).**

**2. To respect and protect the rights of refugees and asylum seekers**

In Lebanon, refugees and asylum seekers are the targets of discrimination as well as, in some cases, arbitrary and prolonged detention. The estimated 300,000 Palestinian refugees in Lebanon remain subject to wide-ranging restrictions on housing and work. Non-registered Palestinian refugees—a group estimated to number between 3,000 and 5,000—are particularly vulnerable as they do not possess valid identification documents and do not receive any assistance from UNRWA or the Lebanese government. The fighting last year that pitted the Lebanese army against the armed Islamist group Fatah al-Islam left the majority of the 30,000 Nahr el-Bared Palestinian refugee camp residents homeless. The fighting exacerbated Lebanese-Palestinian tensions and led to an increase in harassment and abuse of Palestinian civilians at checkpoints on account of their identity. The Lebanese government appealed to international donors for almost US\$400 million to rebuild the camp and to care for those forced from their homes, but these funds have not yet materialized and Palestinian refugees from Nahr al-Bared remain in need of assistance.

An estimated 50,000 Iraqis are now also living in Lebanon. Since January 2007, the UN High Commissioner for Refugees (UNHCR) has recognized all Iraqis from central and southern Iraq seeking asylum in Lebanon as refugees on a prima facie basis. However, Lebanon has refused to give legal effect to UNHCR's recognition of Iraqi refugees and treats the vast majority of them as illegal immigrants, subjecting many to arrest, fines, detention, and coerced return. Indeed many Iraqi refugees, serving prison sentences for being in the country illegally are given at the end of their sentences only a choice to stay indefinitely in prison or return to Iraq. Lebanon provides almost no services to the Iraqis and no effective process for regularizing their status.

Accordingly, we urge the EU to:

- **Call on Lebanon to amend all laws that discriminate against Palestinian refugees, including those laws regulating the right to work and to own private property;**
- **Ask Lebanon to provide non-registered Palestinian refugees identification documents and legal status;**
- **Offer immediate assistance to Palestinian refugees displaced from Nahr-al Bared camp and to contribute to the rebuilding of the camp;**
- **Ask Lebanon to grant Iraqi refugees temporary legal status in Lebanon; and**
- **Encourage Lebanon to (i) ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and adopt implementing asylum laws and regulations; and (ii) amend the 1962 Law Regulating the Entry and Stay of Foreigners in Lebanon and their Exit from the Country so as to exempt asylum seekers and refugees from penalties for being in the country illegally.**

### **3. To provide protection for migrant domestic workers**

Migrants employed as domestic workers are excluded from the labor laws and face exploitation and abuse by employers, including excessive hours of work, non-payment of wages, and restrictions on their liberty. Many migrants workers suffer abuse at the hands of employers, in a climate of complete impunity for the employers.

Accordingly, we urge the EU to:

- **Call on Lebanon to revise its labor laws to provide legal protection for domestic workers equal to that afforded to other workers;**
- **Work with Lebanon to establish procedures to monitor and safeguard the rights of domestic workers and adequately prosecute and punish abusive employers.**

#### **4. To promote and respect women's rights**

While Lebanon has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), discriminatory provisions remain in personal status laws, nationality laws, and criminal laws relating to violence in the family. For example, current Lebanese law does not allow Lebanese women to confer nationality on either their spouses or children. Moreover, certain forms of violence against women – such as marital rape – are not considered as criminal offences under Lebanese law and perpetrators of honour crimes or rape are exonerated in certain cases, such as when the offender marries the victim.

The UN Special Rapporteur on trafficking in persons has expressed concern about trafficking practices reported in Lebanon and the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) recommended that Lebanon enact specific and comprehensive legislation against trafficking.

According, we urge the EU to:

- **Call upon Lebanese authorities to promote gender equality in all fields and at all levels through the adoption of a plan “to increase women’s participation in political and economic life as well as eliminating all forms of discrimination against women” as jointly agreed in the EU-Lebanon ENP Action Plan;**
- **Ask Lebanon to lift its reservations with regard to the application of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which was ratified in 1997, and to ratify its Optional Protocol to allow individuals or groups of individuals to present a communication to the CEDAW Committee;**
- **Request that the Lebanese authorities amend discriminatory laws against women in Lebanon’s personal status laws, nationality laws and in the Penal Code. In particular, Lebanon should adopt a unified personal status code consistent with international standards, enact adequate and comprehensive legislation criminalizing all forms of gender-based violence, and amend laws granting nationality so that both women and men have equal rights to transmit nationality to their spouses and children;**
- **Urge Lebanon to take up the recommendations which resulted from the Euro-Mediterranean conference on “Strengthening the Role of Women in the Society”, held in November 2006 in Turkey.**

**5. To investigate enforced disappearances in Lebanon, and Lebanese detainees in Syria and Israel, including the return of remains**

Lebanese authorities have made no progress in uncovering the fate of the many Lebanese, Palestinians, and other nationals who “disappeared” during and after the 1975-1990 Lebanese civil war. The government estimates that there were a total of 17,415 such cases. Many of these Lebanese and foreign nationals abducted from Lebanon were transferred to Syria or Israel during the civil war and several hundred Lebanese residents abducted in Lebanon may still be detained incommunicado in Syrian jails. An official joint Syrian-Lebanese committee established in May 2005 to investigate cases of Lebanese still detained in Syria has not yet publish any of its findings.

Accordingly, we urge the EU to:

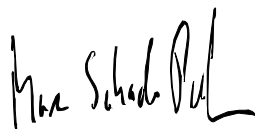
- **Pressure Lebanon to conduct thorough, independent and impartial investigations into cases of disappearances and provide Lebanon with technical assistance in such investigations. Based on Lebanon’s past failures in investigating cases of disappearances, any future investigative body should include representatives from civil society and have broad international support to obtain cooperation from Syrian and Israeli authorities;**
- **Assist these investigation by asking Syria and Israel for information about any Lebanese or foreign nationals abducted from Lebanon by their military forces or militias allied with them during Lebanon’s civil war, and request the return of these detainees, or their remains, to Lebanon;**
- **Press the Lebanese government to ratify the International Convention for the Protection of all Persons from Enforced Disappearances.**

We hope that the concerns expressed in this letter will receive the attention they deserve.

Yours faithfully,



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