



JANUARY - FEBRUARY 2023 | N° 4

# THE RIGHTS OBSERVER BY CLDH

*Monitoring the Latest Human Rights Violations from the Field*

## IN THIS ISSUE:

1. EARTHQUAKES AND AFTERSHOCKS: TRIPOLI RESIDENTS FEAR BUILDING COLLAPSE
2. PRISONS AND DETENTION CENTERS: HUMAN RIGHTS VIOLATIONS PREVAIL BEHIND BARS
3. MIGRANTS IN LEBANON: BETWEEN STRUGGLE AND RESILIENCE
4. LEBANON'S JUDICIARY: INEFFECTIVE IN THE FACE OF ACCUMULATING CASES
5. REFUGEE CHILDREN'S REALITY: LACK OF EDUCATION, EARLY MARRIAGE, AND CHILD LABOR
6. FRONT LINE DEFENDERS: DAILY RISKS AND CHALLENGES



### A WORD FROM THE TEAM

*"Fighting impunity will always be at the core of what we do at CLDH"*

*- Fadel Fakhri, Executive Director of CLDH*



01

## EARTHQUAKES AND AFTERSHOCKS: TRIPOLI RESIDENTS FEAR BUILDING COLLAPSE

### • FLEEING HOMES AND SLEEPING IN CARS

Following the 7.8-magnitude earthquake that hit southern Turkey, residents in Tripoli sought refuge in public spaces and slept in their cars amid cold weather conditions due to fear that the aftershocks would lead to the collapse of their old and poorly-constructed buildings.

- **EARTHQUAKE-PROOFING**

In 2012, Lebanese Decree 7964 amended Decree 14293 of 2005, imposing more stringent obligations on civil engineers, with Article 3 changing Lebanon’s horizontal acceleration factor from 0.2G to 0.25G. This culminated in stricter architectural constraints to protect buildings from earthquakes and fires, most notably those higher than ten floors. To save lives, it is imperative that structures are designed based on national and international regulations, especially that boosting resistance against earthquakes only adds 5% to the cost of a building.

## **02 PRISONS AND DETENTION CENTERS: HUMAN RIGHTS VIOLATIONS PREVAIL BEHIND BARS**

- **CHRONIC PUNISHMENT AMID UNMET HEALTH NEEDS**

In Roumieh prison, chronically ill inmates who must take the same medication regularly have reported being required to submit a new prescription every month in order to receive their medications. With the absence of available doctors appointed by the prison, acquiring these prescriptions is often a hurdle, hindering the inmates’ access to treatment.

- **LIVES AT RISK IN LIGHT OF MEDICATION SHORTAGES**

Even when prisoners obtain the required prescription, they often receive lesser doses than prescribed. In Qubbah prison, several inmates have stated that their medication is being rationed due to critical drug shortages.

- **PREJUDICE AGAINST LGBTQI+ INMATES**

One of CLDH’s beneficiaries reported being tortured and ill-treated mentally, physically, and psychologically by security officers and other inmates in Tripoli’s Justice Palace for being gay. Additionally, the beneficiary was deprived of food in Roumieh prison.

- **TRANSGENDER PRISONERS FACE MULTIPLE BATTLES**

In addition to deteriorating prison conditions, trans women must also fight societal barriers and rigid policies as they remain incarcerated in male prisons, increasing their risk of falling victim to abuse.



**CLDH’S NASSIM TEAM PROVIDES REHABILITATION SERVICES FOR VICTIMS OF TORTURE AND ENFORCED DISAPPEARANCES.**

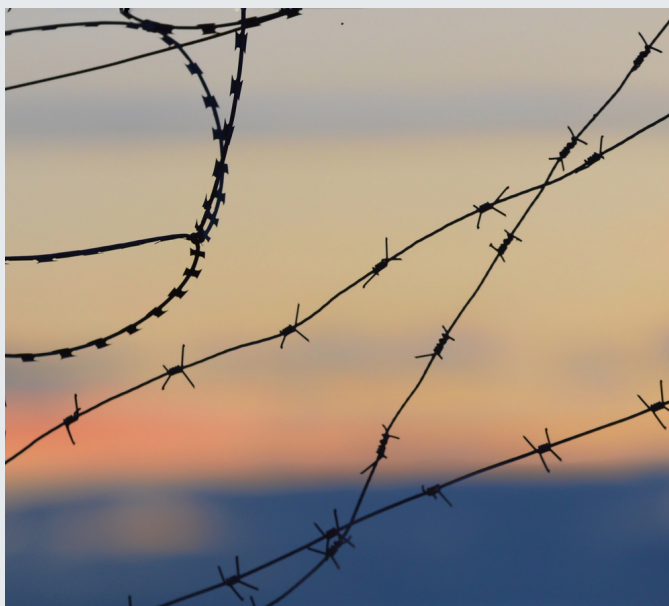
- **SERVING PRISON TIME WITH INSUFFICIENT EVIDENCE**

CLDH's front liners have met 4 beneficiaries who were accused of terrorism and whose cases were closed after being proven innocent or due to insufficient evidence. Consequently, these individuals served prison sentences and were tortured, culminating in injuries, and in some cases leading to disabilities.

### 03 **MIGRANTS IN LEBANON: BETWEEN STRUGGLE AND RESILIENCE**

- **TRAPPED BETWEEN BORDERS**

CLDH's front liners continue to witness the struggles faced by migrant domestic workers (MDWs). Countless MDWs are still unable to leave the country due to their employers confiscating their passports. This obstacle has been further exacerbated by the ongoing economic crisis, which has rendered it challenging to afford a laissez-passer and a flight back home. Indeed, Ethiopian MDWs must now pay \$120 for a laissez-passer if they do not have a passport. Receiving the travel document was previously free of charge before the embassy increased its price to \$50 in September 2022.



- **SIERRA LEONEAN MIGRANTS LONG FOR HOME**

CLDH's team has faced challenges in assisting Sierra Leonean migrants wishing to return home due to highly-priced tickets. The center has also been unable to receive support and refer cases to the International Organization for Migration (IOM) due to the General Security freezing all travel to Sierra Leonean migrants registered under the organization. It remains unclear whether this applies to all Sierra Leonean migrants or solely those registered under the IOM.

- **DEPORTATIONS WITHOUT WARNINGS**

CLDH's front liners have noted an increase in cases of deportation, adding that the General Security is only informing the United Nations High Commissioner for Refugees (UNHCR) about the names of refugees who are being expatriated 24 hours prior to their deportation, which is insufficient for the agency to take appropriate action.



- **THE UNKNOWN FATE OF UNDOCUMENTED MIGRANTS**

On December 31st, more than 200 Lebanese, Syrian, and Iraqi migrants were rescued by the Lebanese Army and United Nations Interim Force in Lebanon (UNIFIL) after their boat capsized off the coast of Batroun. Nevertheless, after being rescued, Syrian refugees were forcibly deported back to their country, which constitutes a breach of the principle of non-refoulement and a violation of article 3 of the Convention against Torture. Several refugees have later reported being handed over to smugglers by the Lebanese Army.

## 04

### **LEBANON'S JUDICIARY: INEFFECTIVE IN THE FACE OF ACCUMULATING CASES**

- **OUTDATED OFFICIAL RECORDS**

In Baabda court, the accusatory body room clerks are not registering the indictments issued by the judge in the official records, claiming that they are overwhelmed with work and do not have enough time as well as resorting to memorizing the decisions instead. The aforementioned deprives detainees of their right to a fair trial and the transfer of files to another court or judicial body. Moreover, demands presented by lawyers in court are not being registered on a national level. Coupled with the lack of organization of files, these situations have rendered it difficult to follow up on cases or release on bail demands.

- **A SHY PRESENCE**

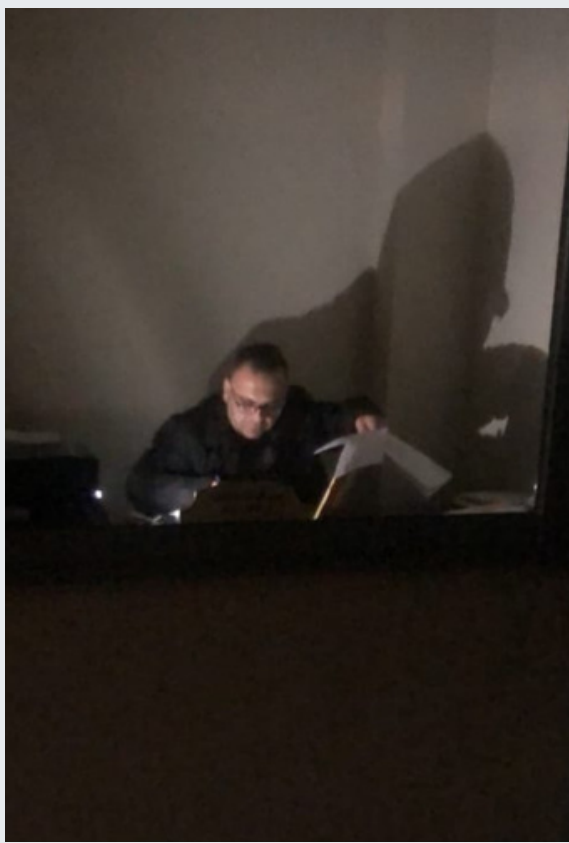
According to CLDH's legal team, most judges in Baabda court are unavailable or take too long to issue decisions. Similarly, many state employees have been going to work late or not going at all, in addition to taking excessive breaks and limiting which cases they want to handle. This has led to an accumulation of cases as well as slow-paced and delayed rulings and procedures.

- **ONGOING STRIKES EXACERBATE JUDICIAL PARALYSIS**

The single criminal judges and their clerks went on strike, choosing to only handle cases involving detainees. Furthermore, clerks in several Lebanese regions declared a week-long strike in mid-February due to the economy's deteriorating conditions and its impact on the public sector. Thus, even judges who ended their strike are unable to work due to the absence of clerks.

**CLDH'S LEGAL AND PROTECTION TEAMS PROVIDE LEGAL ASSISTANCE AND CONSULTATIONS FOR VULNERABLE GROUPS IN LEBANON.**





- **COURT HEARINGS WITHOUT DEFENDANTS**

Several detainees are not being transferred from prisons and detention centers to court for their hearings due to a lack of transportation vehicles. For instance, if detainees in Roumieh prison have sessions with the investigating Judges and others at the criminal court, the prison's transport department takes into consideration the timings of the sessions and decides which group of prisoners to transport. Subsequently, the sessions of the detainees not transported will be postponed for months. Additionally, lawyers are not priorly notified whether the defendant will make it or not, forcing them to wait until the end of the hearing to find out.

- **DECISIONS AND DEMANDS REMAIN IN ONE COURT**

Following the conclusion of the contract for postal services with Liban Post in 2022, decisions and demands are no longer being sent between courts unless lawyers take them themselves.

- **NO ELECTRICITY, NO STAMPS, NO STATIONERY**

Almost all courts lack essential stationery and stamps. CLDH's front liners have also noticed an inconsistency in stamp usage, which now cost 100,000 LBP each. For instance, while one indictment chamber in Baabda is accepting releases on bail without stamps, others aren't. Additionally, courts have had to deal with electricity cuts, whereby the chief registrar of the Azzize Court has been drafting release demands using his phone's flashlight.

- **ARBITRARY DETENTION WITHOUT WARRANT**

Several individuals are also being detained through a note rather than an arrest warrant, which creates added obstacles for lawyers.



PHOTO: LBCI



PHOTO: REUTERS

## 05

### REFUGEE CHILDREN'S REALITY: LACK OF EDUCATION, EARLY MARRIAGE, AND CHILD LABOR

- **DEPRIVED OF EDUCATION**

Many Syrian refugees have been unable to receive an education due to the ongoing teachers' strike and a limited number of schools that cannot accommodate the high number of students. There has also been an increase in the number of thefts committed by juveniles, predominantly in Deir Al-Ahmar, which has led to their detainment.

- **RESORTING TO MARRIAGE AND THE STREETS TO MAKE A LIVING**

CLDH front liners have noted an increase in early marriages among underaged girls as well as child labor rates. Indeed, many children around the ages of 7 or 8 have been wandering the streets, seeking monetary assistance or selling small products such as gum or tissue boxes. Other children have also been working in the agricultural and cement sectors in light of the teachers' strike, which has left them without an education.



## 06

### FRONT LINE DEFENDERS: DAILY RISKS AND CHALLENGES

- **WITHOUT PAPERS AND WITHOUT A STATE**

Several of CLDH's beneficiaries are undocumented, which goes back to extensive patterns of statelessness across generations, impeding the provision of aid.

- **SECURITY AT RISK**

Human rights defenders often face a wide array of challenges in the field. According to CLDH front liners in Tripoli, sudden roadblocks by armed groups continuously hinder the provision of services and increase dangers. Furthermore, CLDH's Tripoli office is situated close to the Central Bank, and the team has noted an increase in safety concerns amid road closures and clashes.

