

THE RIGHTS OBSERVER BY CLDH

Monitoring the Latest Human Rights Violations from the Field

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01 FEAR LOOMS OVER SYRIANS IN LEBANON AS CHALLENGES ACCUMULATE

Following the recent wave of deportations, CLDH's front liners have recorded an increase in incoming calls from Syrians seeking advice, with 105 calls in March and 95 calls in April from beneficiaries fearing deportation and asking for consultations to fix their papers. Many fear that problems with their residency will lead to deportation and separation from family members, following an increase in raids conducted by the Lebanese Army to identify cases of Syrians who entered irregularly after 24 April 2019. CLDH's front liners have referred 9 cases of Syrian refugees to UNHCR who were detained at General Security Offices and were at risk of deportation.

A WORD FROM THE TEAM

"Some may consider that by virtue of their level of education, high social standing, or wealth, they are immune from having their rights violated and, therefore, implicitly agree to the violation of the rights of marginalized communities and foreigners.

When, in fact, accepting the violation of anyone's rights makes us all vulnerable to such treatment."

- Dr. Issam Sbat, Lawyer at CLDH

- **BREAKING FAMILIES APART**

Recent deportation stories encountered by CLDH's front liners include the case of a Syrian girl coming back home from school only to find out that her whole family was deported back to Syria with no means of contact with them.

- **EVICCTIONS ON SHORT NOTICE**

CLDH received reports from a beneficiary stating that more than 30 Syrian families were warned by Jounieh municipality to leave their residential building complex and were given a 5-day notice, after which their belongings were thrown out of their homes. CLDH attempted to report the municipality to the Public Prosecutor's Office, but the latter refused to register our denunciation after reviewing it. Similarly, a Syrian man reported to CLDH that he was evicted from his house in Tripoli by the landlord following 2 days' notice despite paying his rent monthly.

- **LIMITED FREEDOM OF MOVEMENT AMID CHECKPOINTS**

CLDH's team has reported that some of its beneficiaries are not coming to the center to avoid the risk of passing through army checkpoints and in fear of not being able to return home. In Bekaa, beneficiaries have reported being reluctant to go to the hospital to seek medical assistance to avoid checkpoints.

- **WORSENING ECONOMIC CRISIS**

In addition to the above, vulnerable communities have continued to bear the brunt of the deteriorating economic conditions. Front liners in the Bekaa region have noted that refugees have faced obstacles while trying to register their children in schools, either facing rejection or being told that schools are closed or full. Moreover, not all families are able to secure bundles of bread.



"No State Party shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture."

ARTICLE 3 OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT



02 NO MEANS OF COMMUNICATION FOR INMATES

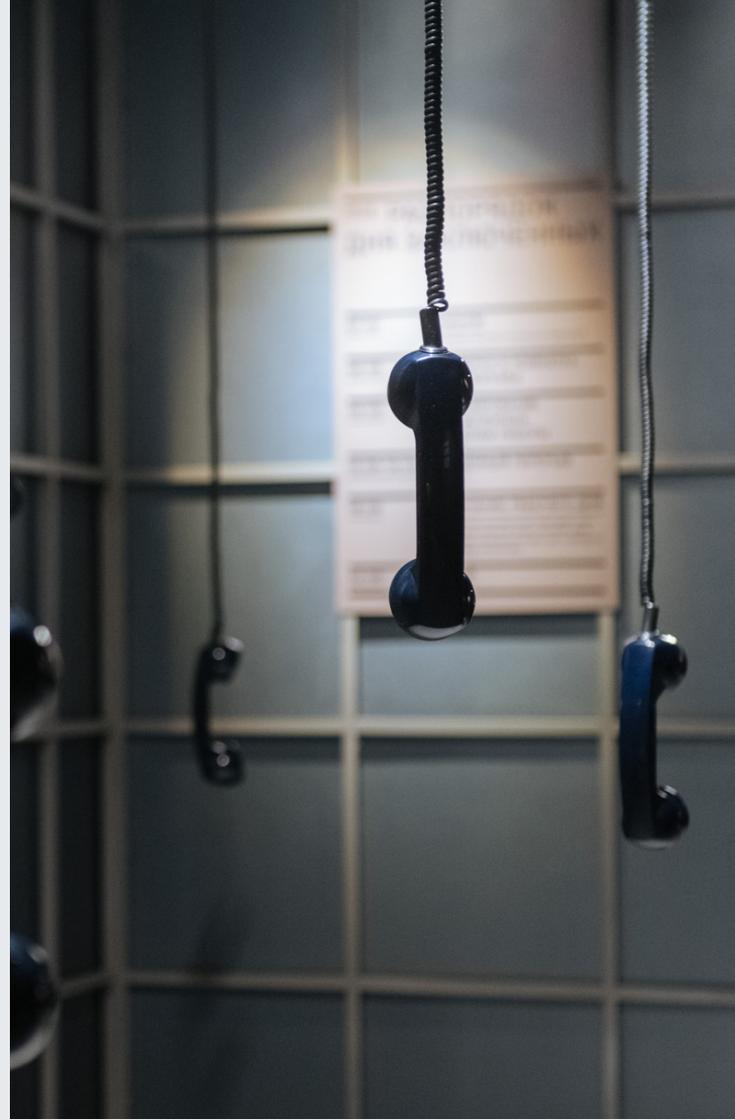
- EXPIRED “TELECARTES” IN ROUMIEH AND DAHR EL BACHEK

CLDH’s front liners have noted that several prisoners in Roumieh prison and Dahr El Bachek have faced issues while using their telecarte, which were out of service. The card, which allows them to communicate with family members and follow up with their lawyers, is usually bought by the prisoner’s relatives. This raises questions about the validity of the cards in circulation and leaves many prisoners with no means of communication.

03 BORN WITHOUT AN IDENTITY

- UNREGISTERED BIRTHS

Birth registrations have been halted in Mount Lebanon-Baabda, Tripoli, and Bekaa after the employees of the personal status department went on strike. Similarly, the departments in Zahle are only processing urgent cases of children about to reach the age of one.



04 BLATANT RACISM TOWARDS MIGRANT WORKERS

- ABSURD CONDITIONS IN EXCHANGE FOR HOME

CLDH’s team has reported instances of some General Security Offices refusing to receive Sierra Leonean migrant workers once they complete their ruling and must be returned to their country unless they present a medical report proving that they are mentally sound. Some GSOs have claimed that foreign workers of this nationality suffer from mental health issues. This new requirement violates fundamental human rights, most notably those enshrined in the International Convention on the Elimination of All Forms of Racial Discrimination, which was ratified by the Lebanese government, as well as national laws and procedures.



- **LOGISTIC AND ADMINISTRATIVE OBSTACLES**

CLDH's legal team is facing many challenges as part of its fieldwork. One obstacle faced by CLDH's lawyers is the inaction in issuing decisions and the delays in completing administrative procedures such as transferring files from the Accusatory Chamber in Mount Lebanon. Despite the absence of any legal reason, files and cases remain stuck in the accusatory chamber in Mount Lebanon for months and years without the issuance of any decision. In the few cases in which the Judge issues a decision, the file remains in the accusatory chamber and is not sent to the general prosecution as per the usual legal procedure, which is a violation of the provisions of the criminal procedure law. According to employees, this is due to the lack of funds for printing and photocopying documents.

- **ARRESTS WITHOUT WARRANTS**

CLDH's team has noted that both minors and adults are being detained for several months without an arrest warrant – a violation of article 107 of the criminal procedure law.

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"After twenty-four hours have elapsed, the officer in charge of police custody shall automatically conduct the defendant to the Public Prosecutor, who shall request the Investigating Judge to question him. If the latter refuses, if he is absent or if he is precluded from questioning the defendant by a lawful impediment, the Public Prosecutor shall request the First Investigating Judge to question him or to appoint an Investigating Judge to do so.

If it proves impossible to question the defendant, the Public Prosecutor shall order his immediate release. If he is held in custody for more than twenty-four hours without being brought before the Public Prosecutor, the detention shall be deemed arbitrary and the responsible officer shall be prosecuted for the offense of deprivation of personal liberty."

ARTICLE 107 OF THE CODE OF CRIMINAL PROCEDURE

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- **GOING AGAINST NON-ARREST DECISIONS**

Despite the decisions issued regarding the non-arrest of minor offenders, front liners are still witnessing arrests for simple acts.

- **TRANSPORTATION OF DETAINEES**

A main challenge encountered by CLDH's legal team is the transportation of detainees to their court sessions and hearings, especially from Roumieh prison. In one of the Zahle Assize court chambers, the transportation of detainees is based on the Judge's discretion. Even when lawyers manage to secure transportation for detainees to attend their scheduled hearings, the judge is refusing to proceed with the hearing unless he had previously agreed on the detainee's name, stating that "his word shall prevail".

- **VULNERABLE GROUPS STRUGGLE WITH THE VALUE OF BAIL**

CLDH's team is witnessing an unprecedented increase in the value of bail, which is being increased to match the dollar rate. It is important to note that the vulnerable groups targeted by these bails are still being affected by the economic crisis.

CLDH'S LEGAL AND PROTECTION TEAM PROVIDES LEGAL ASSISTANCE AND CONSULTATIONS FOR VULNERABLE GROUPS IN LEBANON.

- **ILLEGAL DEPORTATIONS**

A new challenge that has arisen is the absence of judicial decisions on deportation. CLDH's legal team is witnessing the absence of the necessary legal procedures when it comes to the deportation of Syrians, such as presenting their case to the competent courts or issuing a decision to deport them.

DISRUPTIONS IN COURTS ACROSS THE COUNTRY

- **A NEVER-ENDING PROCESS**

At Saida, Baabda, and Zahle courts the Public Prosecution is taking a considerable time to present its final submissions. These delays are in violation of Article 121 of the Code of Criminal Procedure, which states that the Public Prosecution Office shall present its submissions within a period not exceeding one week.

- **STATIONERY SHORTAGES**

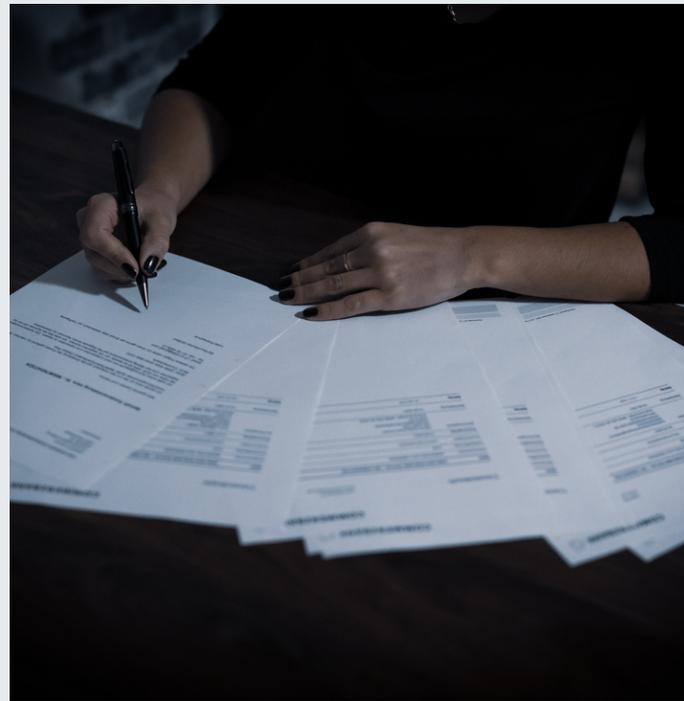
A shortage of stationery in Tripoli court is hindering the work of the clerks who often ask lawyers to provide them with what they need.

- **INCREASED BURDEN ON LAWYERS**

Lawyers in Tripoli court have faced difficulties when following up with clerks on cases with investigative judges. Even though clerks are aware of CLDH's legal aid provision to vulnerable prisoners, they are refusing to share information regarding court dates with lawyers without presenting a power of attorney, which renders the lawyers' work more difficult and increases expenses.

- **COURT CLERKS NOT CARRYING OUT THEIR DUTIES**

The Zahle assize court clerks are failing to notify parties such as prisons, detention centers, and individuals about court dates, which forces lawyers to take on this additional task.



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

