



**Division des droits de l'Homme
Human Rights Division**

ANNUAL REPORT 2004

Prepared for Canadian government policy makers in February 2005

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EXECUTIVE SUMMARY

Rassemblement Canadien Pour le Liban, also referred to as RCPL (<http://rcplonline.org>), is a Canadian registered non-profit organization. RCPL's Human Rights Division promotes the respect of human rights and democratic values in Lebanon. RCPL achieves its mission by creating awareness among Canadian policy makers about the situation in Lebanon in order to influence Canadian foreign policy.

While monitoring the situation in Lebanon during 2002, RCPL noted a continuing abuse of human rights; Lebanese authorities continued to intimidate the free press, muzzled the media and politically interfered in judicial processes. The authorities also conducted illegal detentions and unfair trials, and were unable to maintain adequate security for Lebanese citizens. In this report, we tried to summarize the main events that have marked year 2002 in terms of human rights abuses and democracy deterioration. We have divided them into the following categories:

1. Freedom of the Press
2. Freedom of opinion, expression and assembly
3. Arbitrary arrests without charges or trial
4. Treatment of refugees and asylum seekers
5. Political interferences in the judiciary system and the elections' process
6. Illegal trial procedures and torture practices
7. Citizens' security
8. Lebanese detainees in Syria and Israel
9. Children's rights
10. Women's rights
11. Homosexual's rights

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1 FREEDOM OF EXPRESSION, OPINION AND ASSEMBLY

The pro-Syrian Lebanese government remains firmly determined to quash peaceful dissent, as evidenced by the frequent use of force against unarmed demonstrators. But there are bright spots in the bleak landscape of what was once the intellectual capital of the Middle East. Despite the government-imposed atmosphere of fear and repression, young Lebanese continued to exercise their rights to assembly and expression, for a variety of causes. In some cases, recent international focus on Lebanon seems to have had the positive effect of imposing restraint on security forces, averting what might otherwise have devolved into more disastrous confrontations with demonstrators.

1.1 Harassment and intimidation of human rights activists

The Lebanese government persisted in its longstanding persecution of Dr. Muhamed Mugraby, one of Lebanon's foremost campaigners for judicial reform and human rights. Over the past years, Mugraby has been subjected to all manner of harassment, including being arrested, being repeatedly summoned for "investigation", having his license to practice law revoked and having his legal appeals ignored by the judiciary.

The government's latest attack on Mugraby follows his testimony before the European Parliament in November 2003 about the state of human rights in Lebanon. Mugraby was summoned for interrogation in February 2004, on the clearly politically-motivated charge that his testimony to the EU was "harmful to the reputation of Lebanon abroad". Mugraby countered the accusation, stating correctly that the government's violation of his rights is the true threat to Lebanon's reputation. Faced with this relentless harassment, Mugraby continues his public and legal struggles to reform Lebanon's corrupt judicial system.¹

Also in February, the Lebanese government responded to a public statement by detainees' rights organization SOLIDE with threats of persecution aimed at intimidating the organization into silence. SOLIDE had issued a call for the public discussion and investigation of the plight of Lebanese prisoners illegally transferred to Syria. On February 5, Lebanese Minister of State for Administrative Reform Karim Pakradouni accused SOLIDE of having "no patriotic and national sense" and of being "remotely-controlled by the outside" and threatened to open "the SOLIDE files" to reveal the organization's "links with secret agencies."² SOLIDE has not been cowed by the threats, whose real effect has been to starkly reveal the Lebanese government's willingness to use its security forces to stifle speech directed against Syrian oppression.

1.2 Lebanon represses its own Kurdish citizens as a favor to "sister" Syria

Lebanese police arrested 7 Lebanese Kurds in raids on their homes in Roweissat al-Jdeida, causing many others to flee their town. The detainees face charges of

¹ Press release: <http://www.combar.info/>

² Press release: <http://www.euromedrights.net/PRVCGI/engelsk-show.asp?id=1828>

“endangering the security of the State” and “disturbing Lebanon’s relations with a sister country” - that is, Syria – and could be sentenced to up to a year in prison. Their offense is to have distributed pamphlets condemning Syria’s crackdown on Kurdish protests presently taking place in several parts of Syria.³ It is shameful for an ostensibly free country like Lebanon to punish its own citizens for peacefully exercising their right to free expression, as a favor to the tyrannical Syrian regime.

1.3 Violent repression at USJ

On March 10, 2004, Internal Security Forces and Army soldiers stormed the campus of Beirut’s St-Joseph University (USJ) to violently suppress a student demonstration. Students were arrested and others were violently beaten and hospitalized, for peacefully expressing their views on their own campus. More than 200 students had been demonstrating to protest against the continuous emigration of young Lebanese, demanding that the Lebanese government take steps to quell the phenomenon. Demonstrators blamed the brain drain on government corruption and Syrian domination, which stifle the intellectual atmosphere, driving Lebanese youth abroad in search of freedoms denied at home.⁴

1.4 Violent repression of demonstration in support of Syrian-held detainees

On April 7, 2004, the Committee of the Families of the Lebanese Detainees in Syria, accompanied by members of SOLIDE and supported by student representatives from various parties, marched on the offices of the United Nations Economic and Social Commission for Western Asia, in Beirut. The demonstrators hoped to deliver a petition of 10,000 signatures, demanding UN intervention on behalf of their disappeared relatives.

Internal Security and Lebanese Army forces violently intercepted the delegation, preventing it from delivering the petition. In the course of the unprovoked assault, at least 25 people were beaten, injured, and/or arrested including human rights defenders, mothers of detainees, and university students, among them SOLIDE president Ghazi Aad, whose wheelchair was broken.⁵

1.5 Army uses excessive force against labour riots, killing 6

In the last week of May, Beirut witnessed almost daily riots following a general strike by labour organizations for the rising price of petrol. This came against amidst the greatest strike seen by Lebanon in years, called by unions to demand improved social services and condemn privatization and corruption. Angry protestors blocked roads with burning tires, burnt down the Labour Ministry’s office building and threw stones at security forces after being doused them with water cannons.⁶ Army soldiers responded with live gunfire, resulting in 6 deaths and dozens of injuries.

³ “Lebanese Police Arrest Kurds Agitating Against Syria”, *Naharnet*, March 4, 2004

⁴ “Students suffer beatings”, *The Daily Star*, March 11, 2004

⁵ Press release: http://www.solida.org/communiques/com_07042004_en.htm

⁶ “Five killed as army and protestors clash in Beirut”, Reuters, May 27, 2004

Human rights organizations, left-leaning political leaders and an outraged media condemned the army's heavy-handed response to the clashes, demanding an investigation. But the Lebanese government dismissed any criticism of the army as an attack on national stability.⁷

1.6 Opposition political activists harassed and arrested

Lebanese Military Intelligence agents waged a campaign of intimidation against members of the Free Patriotic Movement (FPM) opposition party. The campaign lasted several weeks, culminating in late July with the arrest of several party activists barred from access to lawyers, held without charge, interrogated and threatened, and their homes were searched. They allege that intelligence agents warned them to discontinue all meetings, accusing them of "threatening Lebanese internal security"⁸. As pointed out by opposition MPs, the Military Intelligence services have no legal basis for questioning Lebanese citizens engaged in practicing their rights to assembly and opinion.⁹ The government's use of the agencies to intimidate political opponents is an egregious abuse of power as well as a serious violation of basic rights.

1.7 Banned opposition group stages rally

Two weeks after the passage of UNSCR 1559 in September, which demands an end to Syrian interference in Lebanon, the outlawed Christian Lebanese Forces (LF) militia staged a massive rally commemorating its fighters who were killed during the civil war. Strida Geagea, wife of jailed LF leader Samir Geagea, used the occasion to call for his release. Addressing over 20,000 supporters, including representatives of all of Lebanon's Christian opposition parties, Geagea urged the government to cease its repression of LF activists and demanded the Ta'if accords, which ended Lebanon's civil war, be implemented fairly.¹⁰

1.8 Anti-Syrian protest evades government crackdown

Thousands took to the streets of Beirut on November 19 to mark Lebanon's independence day with demonstrations protesting Syrian domination. The demonstrators, most of them students from several universities but also members of Christian opposition parties and supporters of Druze leader Walid Jumblatt (who personally led a march to the prime minister's office), defied government warnings, which deemed the protests illegal.

Similar "illegal" and anti-Syrian protests are usually met with brutal government repression resulting in violent street clashes and mass arrests. Although a massive police presence was mobilized around government offices, university campuses and major intersections, the feared and expected confrontations did not materialize. Instead, security

⁷ "Army's reaction to protests 'may have broken international law'", *The Daily Star*, May 29, 2004

⁸ "3 FPM members arrested in Zahle in weekend crackdown", *The Daily Star*, July 20, 2004

⁹ "Arms seized at FPM activist home, Security sources say", *Lebanon Wire*, July 22, 2004

¹⁰ "Massive LF rally calls for release of Geagea", *Lebanon Wire*, September 13, 2004

forces watched in silence as protestors shouted “Syrians out!”, sang the national anthem, and held signs reading “No to hegemony” and “Freedom, Sovereignty, Independence”.¹¹

It is clear that this victory for the freedom of opinion, expression and assembly in Lebanon was facilitated by the recent international attention on Lebanon generated by the passing, two months prior to the protests, of UNSCR 1559. Encouraged by the pressure being applied on Syria by the international community, protest organizers warned the government against violently suppressing the event before the eyes of the world. The government wisely reacted to the new pressure, and Interior Minister Suleiman Franjeh ordered security forces to exercise maximum restraint.¹²

The avoidance of violence in November is a small but tangible victory that must not be squandered. The Syrian and pro-Syrian Lebanese governments have made it clear that only sustained international pressure causes them to reconsider the use of state violence to repress peaceful dissent. It is crucial that the international community keep up its pressure on Syria to respect Lebanon’s sovereignty and independence.

1.9 Pro-Syrian demonstration orchestrated by Lebanese government

On November 30, in response to UNSCR 1559 and September’s anti-Syria protests, Syria’s supporters in the Lebanese government organized a massive counter-demonstration, vowing to bring Lebanese into the streets to express their loyalty to Syria and rejection of international interference in Lebanon’s affairs. Turnout fell far short of Prime Minister Omar Karami’s promise that it would be a “march of one million”, with journalists’ estimates ranging between 100,000 - 200,000, including tens of thousands of schoolchildren who were bused to Beirut to participate.¹³

The contrast between September’s small victory for freedom of expression, and November’s state-managed show could not be more pronounced. Where September’s demonstrators braved government threats and faced heavy security to make their voices heard, the pro-Syrian demonstration enjoyed government sponsorship, protection and logistical organization. To facilitate the event, the government closed Beirut’s main streets to traffic, shut schools for the day and provided military escorts for the protestors. The use of the military did not end there – army helicopters hovering above the marchers were used to for live transmission of the events on television. Some government ministers even provided transportation on public buses from their districts to the capital.¹⁴

Despite government claims that the demonstration was an expression of national will, the participants hailed almost entirely from Shi’a south, where Hezbollah and Amal mobilized large numbers and transported them to Beirut. The rest were drawn from the ranks of smaller pro-Syrian parties like the Syrian Social Nationalist Party (SNSP) and the Lebanese branch of Syria’s Baath Party. There was no mobilization in Christian-

¹¹ “Thousands defy warnings and demonstrate against Syrian domination of Lebanon”, *Lebanon Wire*, November 19, 2004

¹² “Rightist and leftist groups protest Syrian domination”, *Lebanon Wire*, November 20, 2004

¹³ “Pro-Syrian protest falls far short of promised 1 million marchers”, *The Daily Star*, December 1, 2004

¹⁴ “No more than 100,000 in the promised ‘march of millions’”, *Lebanon Wire*, December 1, 2004

majority sectors of the country, a fact speakers attempted to downplay by saluting the Maronite patriarch Nasrallah Sfeir.

Addressing the crowd, Hizbullah's deputy secretary general Sheikh Naim Qassem warned, "the blood of martyrs is ready to defend Lebanon's dignity [against US-Israeli interference]," adding, "Lebanon is either with Israel or with Syria, there is no third option. We are with Syria." Lebanese MP Nasser Kandil claimed God himself supported the Syrian presence, exclaiming, "Who other than God can affect the weather and give clear skies?" Gebran Oreiji, President of the SNSP, accused supporters of UNSC 1559 of wishing violence on Lebanon: "In supporting the resolution, they support the return to civil war".¹⁵

The pro-Syrian Lebanese government and its allies hoped to send the world a message of unity with Syria and defiance of the international community. In fact, the state-sponsored demonstration resembled only the mass rallies organized by the most unpopular Arab dictators, such as those orchestrated by Saddam Hussein well into the final days of his regime's hold on power. The difference between genuine popular defiance in the face of government repression, and demonstrations stage-managed by leaders to create the illusion of national support, is not lost on the world.

2 PRESS FREEDOM

Lebanon's status as a haven of media freedom in the Middle East is fast eroding, continuing the trend of the last few years. Freedom House's 2004 survey ranks Lebanon's press freedom near the bottom of the pile: 142nd out of 193 countries, with a rating of 'Not Free'. In fact, Lebanon's performance is dismal even by regional standards, placing us in 7th place in Middle East category¹⁶. We must come to terms with the fact that with regard to press freedom Lebanon has become, at best, a better-than-average Arab country.

There are external and internal reasons for this decline. We are a nation under foreign occupation, and our rulers in Damascus create the conditions under which our media is allowed to operate, beginning with the 1991 treaty between Syria and Lebanon, which compels Lebanon to ban all media activity deemed harmful to Syria.¹⁷ Inspired by this example by our Syrian master, the Lebanese authorities are happy to play along and place media restrictions of their own. Combinations of fear, corruption and conflict of interest result in an environment where politicians who own media organizations or are connected to them are free to express themselves, while the rest of the media establishment practices self-censorship. Caught between Lebanon's constitutional guarantees and its long

¹⁵ "Pro-Syrian demonstrators flock into Beirut", *Naharnet*, December 3, 2004

¹⁶ "Freedom of the Press: A Global Survey of Media Independence", Freedom House.

Global rating: <http://www.freedomhouse.org/research/presssurvey/allscore2004.pdf>

Regional ratings: <http://www.freedomhouse.org/research/presssurvey/regionaltables2004.pdf>

¹⁷ "Lebanon-Syria Defense and Security Agreement", accessed at:

http://www.prominentlebanese.com/historic_documents/1991_lebanon_syria_defense_treaty.asp

tradition as a bastion of free media on one hand, and the arbitrary abuse of state power by the Lebanese government on the other, Lebanon's journalists defy the government at their own risk. The charges concocted to stifle speech are made in the unmistakable language of authoritarianism, as is evident from the cases below.

2.1 Pierre Atallah case

In February, Lebanese journalist Pierre Atallah was charged with "harming Lebanon's relations with a sister country" – Syria, of course – and summoned to Lebanon to stand trial.¹⁸ The Paris-based journalist escaped persecution in Lebanon for his criticisms of the Lebanese government and its Syrian master. His latest offence was to post an article online about the plight of Lebanese detainees in Syrian prisons. Not content with silencing critical journalists at home, the Lebanese government believes it can bully foreign-based writers into silence from a distance.

2.2 Antoine Bassil case

Another journalist opposed to Syria's interference in Lebanon, Antoine Bassil, was released from prison in February. He had been convicted by a military tribunal of collaborating with Israel and agitating against Syria, and was sentenced to 30 months in prison, a term he served to completion. Refusing to be silenced, Bassil immediately expressed his intention to return to journalism.¹⁹

2.3 Ibrahim Awad case

In March, Ibrahim Awad, the Lebanese editor of the London-based newspaper *Asharq Al Awsat*, was sentenced to 1 year in prison and a fine of \$30,000. He was convicted in absentia of "disturbing national security" and "harming the president's dignity" for a 2001 report in which he alleged Lebanese President Emile Lahoud had been the target of an assassination attempt while vacationing in Monte Carlo. Lahoud's denial had been promptly printed on the newspaper's front page the subsequent day, but this did not deter the Lebanese authorities from pursuing the charges against the journalist. Awad claims he was never informed of the charges or even the verdict against him, and as a result was never given the opportunity to defend himself. He has vowed to fight the charges.²⁰

3 LEBANESE DETAINEES IN SYRIA

There has been no progress on the issue of Lebanese prisoners held illegally in Syrian prisons. Despite staunch denials about the presence of any Lebanese prisoners in Syria from both the Syrian government and the pro-Syrian Lebanese government, activists in Lebanon and abroad have not relented in their campaigns on the prisoners' behalf. These efforts have been met with denial, repression, and violence.

¹⁸ "Aounists Deplore Atallah's Prosecution as Muzzling Freedom", *Naharnet*, February 9, 2004

¹⁹ "Journalist Bassil Serves Out 30 Months in Jail for Anti-Syria Agitation", *Naharnet*, February 18, 2004

²⁰ "Editor of Pan-Arab Newspaper Sentenced to Jail in Absentia", *Dar Al Hayat*, March 23, 2004

The Lebanese human rights organization SOLID (Support of Lebanese in Detention) estimates that at least 200 Lebanese political prisoners still languish in Syrian prisons. Some have been missing for over 20 years. Syria's human rights record, being among the world's poorest, leads one to fear the worst about the prisoners' conditions. The steady reports of torture from recently released ex-prisoners, including Syrians held for political reasons, confirm these fears.

3.1 Denial of information and international access

In denying their existence, Syria deprives its Lebanese detainees them of basic rights: family members have little or no information about their plights and international monitors are barred from accessing them. The rights to information and to international access are the minimum demands being made by supporters of the detainees.

Friends of Karam and Ziad Morkos, believed to be held by Syria since 1984, attempted to send them letters through the Quebec branch of the International Committee of the Red Cross (ICRC). In response, the ICRC issued a statement in December 2004, officially acknowledging for the first time that the Red Cross is banned from Syrian prisons, and has no access to the prisoners within their walls.

The statement of Lebanese MP Marwan Fares, head of the Parliamentary Committee for Human Rights, is a typical example of Lebanese government denial. Commenting on the issue on a television talk show, Fares said, "We should not presume that every one lost during the civil war was taken to Syrian prisons."²¹

3.2 The case of the Antonine monks

In a case revealing the continuing obstructionism of the Syrian and Lebanese authorities, and the ongoing, persistent efforts of supporters to shed light on the issue, the long-suspected presence of two Lebanese monks detained in Syria has been confirmed.

In June 2004, SOLID made public the testimony of Syrian political prisoner Haytham Naal, who was released in August 2002. Naal confirmed the presence in Syria's Tadmor prison of two Lebanese Antonine monks, Suleiman Abu Khalil and Albert Cherfane, who have been missing since their disappearance from Lebanon in 1990.

The new information comes follows meetings in held in France between SOLID and former Syrian political prisoners, aiming to uncover the locations of Lebanese detainees. A SOLID spokesperson stated, "We were informed that Tadmor prison was full of Lebanese detainees [in addition to Cherfane and Abu Khalil]"²², and that the Syrian and Lebanese authorities were reluctant to discuss the new evidence despite repeated attempts by SOLID to engage them in dialogue.

²¹ "Red Cross officially recognizes it has no access to Syrian prisons", *The Daily Star*, December 30, 2004

²² "Group: 2 Lebanese monks in Syrian jail", *The Daily Star*, June 23, 2004

Lebanon's official stance, asserted by the State Prosecutor in 2001, is that both men lie buried in a mass grave along with an unidentified number of soldiers in Baabda. Requests from SOLID, that the grave be located and the bodies exhumed for identification, were to no avail.

4 DEMOCRACY AND ELECTIONS

Lebanese democracy is an empty shell. It contains all the institutions, exhibits all the trappings, and performs all the rituals of a democracy. In tragic fact, Lebanon is ruled by an unscrupulous elite whose power of Lebanon's people and resources is directly proportional to its subservience to Syria.

World Audit gives Lebanon a democracy ranking of 119th out of 150 countries surveyed, placing it below Zambia, Nigeria and Pakistan. Even within that club of sheikhs and tyrants known as the Arab League, Lebanon's democracy is below average, with a pitiful ranking 10th out of 17, placing it just below Algeria and just above Yemen.²³ Freedom House gives Lebanon scores of 6 and 5 on press freedoms and civil liberties respectively, on a scale of 1 – 6 where 1 represents the most free, and 6 the least free – a score comparable to Afghanistan's.²⁴

While many nations in 2005 live under foreign occupation, or are oppressed by a domestic authoritarian regime that rules over them, Lebanon is the last country in the post-Cold War world that suffers from the intersection of the two, a situation comparable only to that of the Eastern European Soviet satellite states that gained their freedom around a decade and a half ago. So long as the Baathist dictatorship in Damascus dominates Lebanon, it will never become the free and lively nation of our dreams.

4.1 Municipal Elections: low expectations, apathy, chaos, violence

Lebanon's 2004 municipal elections were marked by low turnout, political in-fighting among allies, and sporadic violence – usually within rivals on the same side instead of opponents. According to Walid Choucair, an analyst at *The Daily Star*, the elections were marked by personal rather than political disputes.²⁵ Only by Lebanese standards do a few explosions and some gun battles here and there qualify as “mostly calm”, in the words of a May 3 headline from *The Daily Star*. Among the disturbances reported were:

- Explosions and firefights were reported in Shweifat in skirmishes between candidates for the municipal elections.
- A violent clash took place between the candidates backed by the Industry Minister, George Frem and the candidates supported by the Environmental Minister Fares Bouez, in Jounieh.

²³ World Audit, “Country Report on Lebanon”: <http://www.worldaudit.org/countries/le.htm>

²⁴ Freedom House, “Freedom in the World 2005”, <http://www.freedomhouse.org/research/freeworld/2005/table2005.pdf>

²⁵ “Politics drowned out by other electoral concerns”, *The Daily Star*, May 3, 2004

- It was noted in the national media that Syrian forces intervened and stopped the clash in the Druze Shweifaf, but did not interfere in Christian Jounieh.²⁶
- In the Metn area, there were several clashes were reported between opposition supporters and the authorities.
- Some Free Patriotic Movement partisans were arrested after engaging in a fight with supporters of the Armenian Tashnak Party.²⁷
- Authorities arrested people caught bribing voters in Bsalim, according to Interior Minister Elias Murr.

The Secretary General of the Lebanese Association for Democratic Elections (LADE), Ziad Baroud described the elections as “not bad”, but proceeded to give a damning report of infractions. LADE’s findings include:

- "In the run-up to the elections, some candidates and their representatives were subjected to intimidation that included getting arrested," notably in Jal al-Dib where the pro-Michel Aoun FPM challenged the authorities-backed list supported by former Minister Michel Murr.
- Some people were not granted their voting IDs in time for the elections.
- There was an "unwarranted" presence of Internal Security Forces inside polling stations.
- There was “some tension in certain areas that was not necessarily between the opposition and the authorities, but among candidates from the same camp.”²⁸

The most tangible sentiment at the elections’ completion seemed to be one of relief, that voting took place relatively without incident. But it is only against the lowest possible expectations that these results can be viewed as favourable. Another example of relief engendered by low expectations is the telling remark of Minister of Public Works and Transport Najib Mikati, who thanked Syria for its “very cooperative” role in the municipal elections. Why? Because, in his words: “They didn’t interfere or impose any candidate”.²⁹

4.2 Presidential (Non)Election: a timeline of key events

Syria benefits greatly from the chaotic Lebanese political scene, and enjoys nothing more than the status quo. Thus it was only natural for the unimaginative authorities in Damascus to contemplate altering Lebanon’s Constitution in order to extend the term of their puppet, President Emile Lahoud. After all, Syria did precisely that in 1995, when the term of pro-Syrian President Elias Hrawi expired: Hrawi’s 6-year term (as mandated by the Constitution) was extended by three years, although his extension was opposed by a

²⁶ “Elections Violence Hits Jounieh, Building Afire, Posters Scorched”, *Naharnet*, April 30, 2004

²⁷ “Authorities arrest several voters in Metn area”, *Lebanon Wire*, May 3, 2004

²⁸ “Municipal polls mostly calm”, *The Daily Star*, May 3, 2004

²⁹ “Limited turnout for elections in Northern Lebanon”, *The Daily Star*, May 31, 2004

whopping 89% of Lebanon's population³⁰. At the end of his second term in 1998, yet another extension was contemplated, until Army Commander General Lahoud rose to prominence as an even more pro-Syrian challenger for the post. And even his candidacy required tinkering with the Constitution, which bans the election of an army officer for the two years after his retirement.³¹

Admittedly, finding a loyal puppet and grooming him for power is an overly painstaking task, especially when the present servant is doing such a good job. So instead of risking the election of a new president less pliable to Syrian orders, or having to go through the tiresome process of summoning Lebanese MPs to Damascus for "consultations" on whom to elect, Syria decided to push Parliament to amend the Constitution at its behest, for the third time, this time to extend Lahoud's term by another three years. The countdown to the present crisis begins here.

April: The US appoints a new ambassador to Beirut. Jeffrey Feltman begins his tenure with a strong statement backing Lebanese independence: "I want to emphasize anew that the United States believes the time has come for Syrian forces to depart from Lebanon and for the Syrian government to respect Lebanon's full sovereignty," he states. "Syria should realize that it has to stay out of Lebanon's presidential elections. It should not select Lebanon's next president."³²

May: Syria's dictator, President Bashar Al-Assad gives an interview to Al-Jazeera revealing his intentions to maintain his control of Lebanese politics. The message to the Lebanese people is to expect the same relationship between Damascus and the President no matter who that is: "We supported presidents Hrawi and Lahoud, and to the same extent we will support any president coming through the institutions, but *all the options remain open*... [We cannot accept a President] who wants to turn back the situation."³³

June 8: Al-Assad denies planning to interfere in Lebanon's race for President. "My statement to Al Jazeera that all options are open in Lebanon's presidential elections has been misread and misinterpreted," he claims. "I did not speak of a 'decision' when I said all options are open. I meant that we will support any president that comes through a consensus among the Lebanese, not that we will bring him in." To show what a straight-talker he is, Al-Assad did not deny Syrian influence on Lebanese affairs. "Anyone who contends otherwise is a utopian."³⁴

³⁰ "With Lebanese President's Second Term, Democracy Suffers a Sever Blow", *Washington Report on Middle East Affairs*, December 1995

³¹ "Minister launches presidential race", *Arabic News*, October 3, 1998

³² "US Bans Syria From Selecting Lebanon's Next President", *Naharnet*, April 30, 2004

³³ Transcript of Al-Assad's interview with Al-Jazeera, translated by *Middle East Media Research Institute*

³⁴ "Assad Says He Won't Select Lebanon's Next President", *Naharnet*, June 8, 2004

- June 8: On the very same day, in a rare outburst of frankness, Vice Speaker of the Lebanese Parliament Elie Firizly publicly boasts that Syria will decide whether President Lahoud's term is prolonged, blatantly contradicting his Syrian master. "All options are open," he echoes, apparently unaware that this was last month's position. "The choice will be made in light of the prevailing regional and international conditions at the time and the final say will be Syria's 100%." Firizly warns the Lebanese opposition against looking to the US for assistance.³⁵
- June 29: The tense relationship between Lahoud, and Prime Minister Rafiq Hariri begins to boil over. On the surface is a battle between Beirut's Mayor, who was recently popularly elected, and the city's Governor, appointed by Lahoud. Below the surface is Hariri's opposition to an extension of Lahoud's term. The Mayor and his Municipal Council resign en masse, less than two months after their election³⁶.
- August 25: The influential spiritual leader of Lebanon's Christian community known for his moderation, Patriarch Nasrallah Sfeir, comes out fiercely against Lahoud's extension: "I [reject] amending the constitution and will continue to sound the alarm. [An extension would] cancel out democracy and make Lebanon like other Arab states such as Syria, Iraq and Libya." With Prime Minister Hariri at his side, the Patriarch condemns Syria's "massive interference", noting the pilgrimage of Lebanese MPs to Damascus, a ritual which precedes Lebanese 'elections', noting, "Most of these politicians go to Damascus rejecting the constitutional amendments and change their stance after returning."³⁷
- August 26: The very next day, in a surprise announcement in defiance of Patriarch Sfeir's objection (usually tantamount to a veto), Lahoud formally announces his intention to seek a second term, stating, "If the majority of parliament designates me to this mission, I am ready for it." As the *An Nahar* article explains:
 "The constitutional changes required to allow him to stand for reelection need a two-third supportive majority in the legislature which is hard to bring about without a Syrian intervention to strong-arm such major bloc leaders as Premier Hariri, Speaker Nabih Berri and Druze overlord Walid Jumlat."³⁸
- August 27 Hariri and Berri, both of whose support is necessary in order to achieve the two-thirds parliamentary vote necessary to amend the constitution, duly make the pilgrimage to Damascus to receive their orders. (Jumlat, who has been less guarded than Hariri in his criticism of Syria's plans, is

³⁵ "Firizly Says Syria Will Select Lebanon's Next President by Nov. 22", *Naharnet*, June 8, 2004

³⁶ "Beirut's City Council Resigns in New Lahoud-Hariri Power Clash", *Naharnet*, June 29, 2004

³⁷ "Patriarch Says Re-election Demolishes Lebanon's System", *Naharnet*, August 25, 2004

³⁸ "Lahoud Formally Stands for Reelection, Patriarch Reasserts Veto", *Naharnet*, 26 August 2004

disinvited). In 15 minute meeting, Al-Assad announces his decision to extend Lahoud's term and orders Hariri (who intended to resign if a Lahoud extension was forced through) to remain the government to authorize the constitutional amendment. There are two opposing plans for Lebanon, Al-Assad is alleged to explain, one Syrian, the other American-French. The threat is clear. Hariri keeps silent upon his return, but meets with Syria's Military Intelligence chief in Lebanon. It is widely believed that in this meeting, Brigadier General Rustom Gahazaleh made explicit whatever was left open to doubt by Al-Assad.³⁹

September 2 Led by Washington and Paris, the United Nations Security Council issues UNSCR 1559 affirming Lebanon's sovereignty and demanding the evacuation of the Syrian military apparatus from the country.⁴⁰

4.3 The humiliation of Lebanese democracy

In a three-hour extraordinary session led Speaker of the House Berri on September 3, the Lebanese Parliament went through the motions of amending Article 49 of the Constitution, allowing President Lahoud to continue his mandate for another three years. There were 96 votes in favor, 29 against and 3 absentees. Hariri's coalition, which could have single-handedly defeated the bill, joined Berri's in supporting the amendment, while Jumblat sided with the Christian opposition in voting against.

Presidential aspirant MP Nayla Moawad, said: "Today is a black day in Lebanese history. This was a revolt against the Constitution, and not even a white revolution, since many MP's received threats." One brave member of Hariri's bloc, MP Ghattas Khoury, despite receiving several threats, broke the ranks and voted against the extension, to audible gasps of shock. He was later praised by his less courageous colleague Nabil de Freij, who described the events as "a sad masquerade". "Of the 96 people who voted for the amendment, I can guarantee not even seven are really for it," he said, admitting "I am one of those..."⁴¹

Soon afterward, Jumblat, followed by Hariri, announced the resignations and pulled their bloc members from the government. Jumblat aligned himself squarely with the Christian opposition while Hariri maintained a low profile, leading to speculation that he was planning a comeback. Thus, after bending himself to Syria's will one last time by granting it the constitutional amendment it demanded, Hariri defied Syria by resigning his post, finally breaking loose from Syria's grasp.

The story from here to the present situation is one of rapidly rising tension between the Christian-Druze Opposition and the pro-Syrian Lebanese government, and escalating

³⁹ "It's Final. Syria Wants Lahoud to Stay on for 3 or 4 More Years", *Naharnet*, August 27, 2004. For more on Al-Assad's threats to Hariri, see "Lahoud's term to be prolonged by 3 years" and "Berri, Hariri Silent on Syria Talks," both in *The Daily Star*, August 27, 2004

⁴⁰ Full text available at: <http://www.un.org/News/Press/docs/2004/sc8181.doc.htm>

⁴¹ "Lebanese MPs give Lahoud 3 more years", *The Daily Star*, September 4, 2004

rhetoric between the international community led by the US and France on one hand, and Syria on the other.

The best summary of the state of democracy in Lebanon in 2004 is statement made on September 2 by the Maronite Archbishops' Council, the body's harshest commentary to date. It accurately depicts Lebanon's tragic reality, and provides an apt conclusion to this report:

"Syria gives orders, appoints leaders, organizes parliamentary and other elections, brings in whoever it wants and drops whoever it wants and interferes in all aspects of life: in the administration, the judiciary, the economy and particularly politics, through its representatives here and his aides," said the fifth call written by the council following its monthly meeting headed by Patriarch Nasrallah Sfeir in Diman. Syria, it said, "compromises Lebanese interests in international forums and protects the corrupt and the corrupters, while some of its nationals and some Lebanese share the spoils and trade in power.

"We say it simply: Syria deals with Lebanon as though it were a Syrian province."⁴²

5 DEATH PENALTY

After Lebanon's grisly public hanging in 1998 of Wissam Issa and Hassan Abu Jabal, whose corpses were left hanging for an hour for a crowd of 1,500 people (including young children, some of whom were reportedly traumatized by the experience) to see, most Lebanese thought they had seen the last of the death penalty. Citing his moral opposition to capital punishment, incoming Prime Minister Salim Hoss declared his refusal to authorize the executions of prisoners sentenced to die. Since Lebanese law requires death sentences be approved by the President, the Prime Minister, and the Minister of Justice, Hoss's veto put a stop to capital punishment for the 5 years that he was in power.

So when Lebanon put three men to death in January 2004, it came as a shock to many. It is indeed a dismaying regression for a nation that likes to consider itself civilized.

5.1 Outraged mobilization tries to prevent the executions

Upon receiving news that Lebanon was about to carry out its first executions in six years, the human rights community at home and abroad erupted in outrage. On January 3, a press conference was organized by Ensemble Contre La Peine de Mort and Human Rights Movement in Lebanon, to condemn the planned executions in the hope of preventing them. Speakers denounced the death penalty as inhumane and useless as a

⁴² "Lebanese presidential crisis boils over", *The Daily Star*, September 3, 2004

deterrent.⁴³ Activists, religious figures, politicians and intellectuals joined the chorus, citing the stance of the Catholic Church and the Declaration of Human Rights as bases for their opposition to the death penalty. George Haddad, a lawyer and member of the Foundation for Human and Humanitarian Rights in Lebanon, explained the especially heinous nature of capital punishment in Lebanon. “[Execution] here is usually based on a political decision and not on a legal basis,” leaving prisoners languishing on death row at the mercy of Lebanon’s politicians, who put off making the life-and-death decisions until they can be reaped for political advantage before election days.⁴⁴

By January 16, international voices including the European Union, Amnesty International and the International Federation of Human Rights Leagues, were calling personally on President Emile Lahoud to block the executions; Prime Minister Rafik Harir and Justice Minister Bahij Tabarra had already given their approval. Referring to the period when previous Prime Minister Salim Hoss was in office, Amnesty International declared, “Beams of hope lit by a de facto five-year moratorium on the death penalty have been dimmed by Lebanon’s decision to kill these men.”⁴⁵ The exhortations were to no avail.

5.2 January 17: was a dark day for Lebanon

Dozens of black-clad protestors held an all-night vigil, staged a sit-in before the Lebanese Parliament, and performed a die-in at a public square, carrying banners proclaiming “Do not kill” and “No to capital punishment”. The demonstrators were met, unsurprisingly, with a heavy-handed response as Lebanese soldiers backed by tanks and jeeps blocked the streets and prevented the crowd from approaching Roumieh prison, in whose courtyard the triple execution was taking place.⁴⁶ A SOLIDA press release describes the scene inside:

Ahmed Mansour was hanged before the crack of dawn Saturday [while] Badieh Hamadeh and Remy Zaatar died simultaneously before firing squads.... Mansour's body was dangling from the gallows at one corner of the prison's courtyard when Hamadeh and Zaatar, tied blindfolded to makeshift poles in another corner, were shot by firing squads. An officer then advanced and fired the coup de grace into Hamadeh and Zaatar's heads.⁴⁷

Mansour, convicted of killing eight colleagues and injuring five during a gun rampage at the office of the teacher’s pension fund where he worked, reportedly pleaded for his life and begged for forgiveness before being hanged. Hamadeh, who is accused of being an Islamic militant, was convicted of killing three security officers (two Lebanese and one Syrian) who stormed his fiancée’s apartment in 2002. Hamadeh claimed he fired in self-defense, believing the armed plainclothes officers who burst into the house were robbers.

⁴³ “Rumors of capital punishment ignite human rights activists”, *Lebanon Wire*, January 3, 2004

⁴⁴ “Capital punishment called inhumane”, *Lebanon Wire*, January 7, 2004

⁴⁵ “EU, human rights groups urge Lebanon to stop three scheduled executions”, *Lebanon Wire*, January 16, 2004

⁴⁶ “Lebanon executes first prisoners in 6 years”, *ABC News*, January 17, 2004

⁴⁷ SOLIDA press release, available at: <http://www.clhrf.com/human%20rights/execution17.1.04.htm>

He died after asserting his innocence for the last time. Zaatar was convicted of killing three Civil Defense officers in the course of a robbery. Because their death sentences were issued by military courts, Hamadeh and Zaatar were shot, rather than hanged.⁴⁸

5.3 Aftermath: is this the end?

The Lebanese authorities who ordered January's executions miscalculated by thinking the moves would be popular, mistaking the people of Lebanon for a bloodthirsty mob to be satiated. Surely they did not anticipate Lebanon's widespread disgust at their barbarism, nor the international repercussions, including harsh condemnation from Ireland (whose country held the EU presidency at the time), and France, which described the executions as "contrary to the spirit of the association accord signed between the European Union and Lebanon in June 2002"⁴⁹. The Lebanese government's low opinion of its own people is evident in the condescending language officials used to shield themselves from European criticism, arguing that Lebanon, having recently emerged from civil war, was "not yet mature enough" to abolish the death penalty⁵⁰.

One laudable quality of the Lebanese government, however, is that it responds to concerted pressure. In a move to appease his detractors while saving face by going ahead with the executions, Lahoud commuted the sentences of six death row prisoners to life in prison with hard labor, one day before Mansour, Hamadeh and Zaatar were put to death. As for Hariri, his *Al-Mustaqbal* newspaper estimated that, in view of the public outcry, January 17 was likely the last day of its kind.⁵¹ Perhaps the mobilization of civil society in opposition to capital punishment showed them that Lebanon is "mature enough" after all.

6 WOMEN'S RIGHTS

Not much has changed for Lebanon's women. The legal system is shockingly ill-equipped to protect women – it either remains silent on issues of critical importance or it discriminates blatantly against women – and no significant progress has been made in this regard. To make matters worse, the patriarchal mentality still thoroughly dominates Lebanese culture; gender discrimination has deep roots in Lebanon's religious and tribal traditions. Resisting cultural conceptions of gender inequality may be a difficult task, but Lebanon can start by taking concrete steps, like reforming the inadequate legal system and implementing gender-conscious reforms to education.⁵²

There are hopeful signs that deserve acknowledgement, on compliance with international conventions, and political representation. Lebanon is recently beginning to wake up to its

⁴⁸ "Lebanon executes 3 after 5-year lull", *CNN*, January 19, 2004

⁴⁹ "Lebanon executes first prisoners in 6 years", *ABC News*, January 17, 2004

⁵⁰ "Lebanon to execute three in first imposition of death penalty since 1998", *EUbusiness*, January 15, 2004

⁵¹ "Lebanon executes first prisoners in 6 years", *ABC News*, January 17, 2004

⁵² Unless otherwise attributed, information is based on the US Department of State's 2004 report on human rights in Lebanon: <http://www.state.gov/g/drl/rls/hrrpt/2003/27932.htm>

role in the horrific international trade in humans, particularly women, and is taking commendable steps toward meeting international standards to combat the phenomenon. The government must be pressured to follow through on its commitments.

And 2004 was a year of small breakthroughs concerning women's involvement in government. In a country that prides itself on its liberalism relative to other Arab countries, the prevalence of women in Lebanese governmental posts is comparable to that in countries like Syria and Jordan. But Lebanon's women are inching their way forward, as evidenced by the developments outlined below. We hope that 2005 will witness a continuation of this trend.

6.1 The legal system: failing to protect women

There are no laws against domestic violence. Domestic disputes are the jurisdiction of religious courts, which often compel women to remain in abusive marriages and return to homes where they are in physical danger.

Specific provisions allow for the commuting of sentences for crimes where the aggressor can show he was responding to socially unacceptable sexual behavior by the victim. Thus "honor crimes" are frequent and are committed with virtual impunity.

Civil laws favor males on matters such as custody over children after a divorce, and citizenship granted to foreign-born spouses and children.

Abortion remains illegal, creating a black market in which abortions take place under dangerous conditions.

6.2 Cultural barriers to women's equality

Only a tiny fraction of rapes and domestic abuse cases are reported, because a survivor chooses, or is compelled by others, to remain silent for fear of bringing shame to herself or her family.

Although women have full political rights, they are drastically underrepresented in government.

Workplace discrimination limits women's opportunities for promotions, leaving few women in senior positions.

Women are often paid less than men for equivalent work.

Even where rights are guaranteed, such as the right to own property, women often choose, or are pressured into, passing decision-making power to their husbands or male relatives.

6.3 Human trafficking: Limited steps in the right direction

According to the US State Department report on human rights Lebanon is a destination country for African, Asian and Eastern European women trafficked for servitude and sexual exploitation. The report states, "Many victims travel to Lebanon voluntarily and legally, but end up in coercive or forced labor conditions, or are subjected to physical and sexual abuse, physical confinement, withholding of wages, and confiscation of their

passports.”⁵³ Lebanon lacks anti-trafficking laws but the government has promised to create them. Shortly after the report’s release, Justice Minister Bahij Tabbara, claimed Lebanon was rapidly advancing toward its goal of becoming party to global treaties related to human trafficking. Lebanon’s efforts to achieve global standards on the issue received praise from the United States.⁵⁴

6.4 Political representation

The cabinet formed by Prime Minister Omar Karami in October had the virtue of being the first in Lebanese history to include women: Leila Solh, who was appointed as Minister of Industry, and Wafaa Hamza, who was named a Minister of the State. "Women form half of the society," Karami said. "They have been demanding this for a long time."⁵⁵

The municipal elections of 2004 increased the number of women in office from 139 to 204, bringing the percentage of women in office from 1.7% to 2.3% – still a tiny proportion in a country where women constitute the majority, but a small advance nonetheless.

In September, Lebanese MP Nayla Moawad, a popular member of the opposition, announced her candidacy for President, becoming the first Lebanese woman to enter a presidential race. The public’s response to a female candidate remains untested however, as Syria pressured the Lebanese Parliament to extend the term of the sitting president, thereby canceling the election. The experiment will have to wait until a legitimate election finally takes place.

7 CHILDREN’S RIGHTS

Since Lebanon’s participation in the World Summit for Children in 1990, UNICEF gives Lebanon a mixed scorecard on its follow-through. Important strides have been made in the fields of health and nutrition, while economic and social problems continue to restrict the well-being of children. Unless otherwise attributed, the following information comes from UNICEF’s 2004 report on Lebanon, which traces the country’s progress until 2003.⁵⁶

7.1 Health and nutrition: Significant achievements

The infant mortality rate and under-five mortality rate have steadily declined with no significant gender disparity.

National immunization coverage is 96%, and no case of polio has been recorded since 1994.

⁵³ “U.S. Classifies Lebanon as Center of Servitude, Sex Trafficking”, *Naharnet*, June 16, 2004

⁵⁴ “Washington pleased with Lebanon’s efforts to combat human trafficking”, *The Daily Star*, June 16, 2004

⁵⁵ “New Prime Minister forms cabinet”, *Associated Press*, October 26, 2004

⁵⁶ “At a Glance: Lebanon”, United Nations Children’s Fund, <http://www.unicef.org/infobycountry/lebanon.html>

Most national nutrition goals have been achieved for both boys and girls. Nearly all pregnant women have access to prenatal care and trained attendants during childbirth.

7.2 Literacy: Slow but steady progress

Lebanon has a decent literacy percentage, placing it just in the top half of the world's countries when ranked according to literacy. Tracing Lebanon's progress over time reveals slow but certain progress on this front:

Men's literacy in 1990:	88%	in 2000:	92%
Women's literacy in 1990:	73%	in 2000:	80%

Not only has there been clear progress for both men and women, but the gender gap is decreasing too, which is an improvement in its own right. The CIA World Factbook's 2003 figures suggest these trends continue in the years after 2000, estimating male literacy at 93% and female literacy at 82%.⁵⁷

7.3 Education: Room for improvement

98% of children aged 6 to 11 are at school, with no gender disparities.
91% of children aged 3 to 5 are enrolled in pre-schools and child-care programs.

While these figures are heartening, further analysis reveals that serious problems abound: A law calling for free compulsory education for all children under 14 years old exists but has yet to be satisfactorily implemented, and should be expanded to include all children under 15. UNICEF notes a general deterioration of the educational system and infrastructure. There is a disparity between private and public schools, the latter being seriously inferior in quality. This means quality education is available only to those children whose parents can afford private tuition fees. There is a high drop-out rate, especially from public schools. UNICEF identifies the following fields as requiring attention and improvement: persistence of gender stereotypes that hinder individual development, inadequate counseling, and services for students with learning difficulties.

7.4 Protection: Still unsatisfactory

Child labor is still a serious phenomenon, particularly on tobacco plantation with which the problem has traditionally been associated, but also in other sectors. Between 1999 and 2003, 8% of boys and 4% of girls (aged 5-14) engaged in labor.

UNICEF reports that between 1986 and 2003, 11% of rural children were subjected to child marriage – an unacceptably high rate.

7.5 Delinquency: Positive developments

⁵⁷ "The World Factbook, 2004", Central Intelligence Agency, <http://www.cia.gov/cia/publications/factbook/geos/le.html>

Under the patronage of Lebanon's First Lady Andree Lahoud, Lebanon is moving forward on UN's "Project To Support Juvenile Justice Reform in Lebanon", which is co-sponsored by Canada.

A new residential institution for female juvenile delinquents was established in February to separate child offenders from adult prisoners. The facility will provide services in vocation, education, and social rehabilitation.⁵⁸

Lebanon's Ministry of Justice released a report addressing the root causes of juvenile delinquency. The report attributed juvenile delinquency to poor education, mistreatment, exposure to violence and early employment. It found 58% of delinquents were victims of sexual abuse, 41% of physical violence, 1% of parental negligence.⁵⁹

8 HOMOSEXUALS' RIGHTS

The Lebanese press reported continued violence against gays and lesbians in 2004. Moreover, new cases of state and societal persecution, which occurred in previous years were brought to the attention of human rights organizations. However, neither legal measures nor any kind of follow up on these cases was possible due to the victims' persistent fear from undergoing further persecution.

On a positive note, the Ministry of Interior has approved the official registration of Helem, a gay and lesbian rights advocacy and health awareness non-profit organization, whereas the human rights organization Hurriyyat Khasa (Personal Freedoms) has been increasingly vocal in support of gay rights. Both organizations are actively seeking the annulment of Penal Code Article 534 which criminalizes "unnatural sexual intercourse" interpreted as homosexual relationships.

⁵⁸ United Nations Office on Drugs and Crime, http://www.unodc.org/egypt/news_and_events.html

⁵⁹ *Al-Anwar*, September 29, 2004