

Lebanon: refugees and asylum-seekers at risk

Asylum-seekers and refugees may face immediate deportation to countries where their human rights are at risk if the Lebanese authorities do not reconsider their decision that all "irregular" foreigners must leave the country by 28 February, Amnesty International said today.

In August 2000, the Lebanese Directorate-General gave Arab and foreign "illegal" residents a two-month period to regularize their status. This period has been extended until the 28th of this month and it appears this will be the last extension. Amnesty International is concerned at the potential effects of this decision on recognized refugees or asylum-seekers having their claims or appeals examined.

Amnesty International also expressed concern that hundreds of refugees and asylum-seekers in Lebanon -- mostly from countries suffering from war or systematic human rights violations such as Iraq, Sudan, and Somalia -- are at risk of arrest, torture during detention and forcible return.

Since September 2000 more than 300 asylum-seekers were reportedly forcibly returned to their country of origin. Almost all had been arrested and detained on charges of illegal entry and residence in Lebanon.

In February 2001 Khamis Kaskel Murad, a Sudanese asylum-seeker who had a pending application before the United Nations High Commissioner for Refugees (UNHCR), was forcibly returned.

In May 2000 'Ammar Kazim Shams, an Iraqi national who had been recognized as a refugee by UNHCR, was deported from Lebanon to an unknown destination. Amnesty International fears that he may have been forcibly returned to Iraq.

“Illegal entry to a country should not prejudice the right of potential asylum-seekers to a fair and adequate asylum determination procedure,” Amnesty International said.

Under customary international law, no one should be forcibly returned while their claim is being examined or appealed, or if they have been granted refugee status.

Asylum-seekers are reportedly subjected to torture while in detention. Torture is used systematically to force them to sign voluntary requests for repatriation even though they may face persecution in their countries of origin.

The death in custody of 19 year-old asylum-seeker Awad Allah Jumaa Jarkum in November 2000 appears to have been linked to the ill-treatment he suffered while in detention.

Asylum seekers who have travelled through Syria are mostly handed over to a Liaison Committee of the Syrian security forces where they face interrogation and either deportation or detention.

Background

*Even though Lebanon is not a state party to the 1951 UN Refugee Convention and its 1967 Protocol the country is bound by international customary law. The principle of *non-refoulement* -- the cornerstone of refugee protection as set out in Article 33 of the UN Refugee Convention and in numerous human rights instruments -- which prohibits the forcible return of persons to countries where they might face serious human rights violations has been generally recognized as a principle of customary international law.*

Furthermore, Article 14 of the Universal Declaration of Human Rights -- to the formulation of which Lebanon has actively contributed -- stipulates that “Everyone has the right to seek and to enjoy in other countries asylum from persecution.”

Lebanon has shown its commitment to international refugee protection through its membership of the UNHCR's Executive Committee (EXCOM), the main international standard-setting forum on refugee protection. The presence of a UNHCR office in Lebanon since 1963 also testifies to Lebanon's willingness to abide by these standards and to contribute to the protection of refugees by giving them temporary stay and freedom of movement until they are re-settled to a third country.

The recent arrests and detentions, coupled with allegations of torture and ill-treatment to asylum-seekers and refugees in Lebanon, constitute a violation of both international and human rights law.

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