



**Security raids in Lebanon:
A legal weapon used to violate refugee rights.**

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Executive Summary



About the Access Center for Human Rights (ACHR)

is a non-profit and non-governmental human rights organization founded in Lebanon in 2017 and was re-established in France in 2020; and consists of a group of human rights defenders with experience in law and local and international advocacy. ACHR launched its activities in Lebanon due to its belief in supporting refugee rights during a rise in grave violations against them.

ACHR is specialized in monitoring and documenting the refugees' human rights situation and publishes periodic publications to raise awareness and contribute to national and international advocacy efforts to ensure the refugees' rights in the countries of asylum until their voluntary, dignified, and safe return to their country of origin.

In this context, ACHR works to protect refugees from human rights violations through monitoring and documenting violations, raising awareness about the issues and conditions of refugees in their host countries, and providing them with legal aid and support when needed.

ACHR also works to support host communities by providing correct information to civil society, the private sector, decision-makers, supporters, and international organizations to help them understand the situation of refugees in a way supported by data with the aim of developing policies that reduce human rights violations and contribute to finding sustainable solutions to the issue.

In addition, ACHR seeks to create a common activity space for human rights defenders, which helps them submit complaints to the special procedures of the Human Rights Council and provides them with the tools and information necessary to continue their human rights and media activities.



Executive Summary

Due to deep political disagreements, differing loyalties, and other precarious external security factors, instability and conflict have always plagued Lebanon's modern history. In these turbulent conditions, which festered an ecosystem of disputes and rivalries, guaranteeing social security became a tremendous and continuous challenge, proven by the country's extreme nature of political and sectarian sensitivity. The security issue remained fragile, with no sustainable solutions to impose control of the state and its security institutions over the general situation in the country, protect individuals, and guarantee their access to a safe living environment.

Since March 2011, The Lebanese government has faced a worrying security challenge, as Syria witnessed civil protests that quickly turned into armed conflict in February 2012. The Independent International Commission of Inquiry on the Syrian Arab Republic confirmed that in March 2011, "the intensity and duration of the conflict, combined with the increased organizational capabilities of anti- Government armed groups, had met the legal threshold for a non-international armed conflict."¹

The security concerns in Lebanon worsened after the participation of unofficial military Lebanese militias in the Syrian armed conflict after "Hezbollah," one of the Lebanese parties in power, declared its official and direct involvement in Syria on the side of Syrian authorities under the pretext of combatting terrorism and protecting the Lebanese borders.

The perceptions expressing fundamental security concerns in Lebanon during the last decade revolve around the absence of security, terrorist acts, basic living needs, and the dangers of grave security disturbances' eruption in Lebanon, as well as the armed conflict in Syria resulting in the influx of Syrian refugees to several Lebanese areas. Currently, fears of security unrest increase with the ongoing dispute between the various political forces over the presidential file and other files due to the ongoing economic and financial collapse as the exchange rate of the Lebanese pound fell to unprecedented levels. In December 2022, the Director General of the Lebanese General Security, Major Abbas Ibrahim, announced that "things will change for the worse, [...] the security sector is one of the most affected sectors and [...] that the social situation will explode sooner or later,"² raising the alarm, especially in light of the difficult living conditions.

Amid these unusual conditions, the Lebanese authorities are intensifying their security measures, as confirmed by the Minister of Interior and Municipalities in the Lebanese caretaker government, Bassam Mawlawi, "tampering with security is prohibited, and military apparatuses will do everything necessary to maintain order." Access Center for Human Rights unreservedly condemns all armed practices or actions targeting civilians and endorses the Lebanese authorities' duty to protect citizens from these practices. However, the testimonies and information documented by ACHR reveal that the application of security measures has often arbitrarily targeted Syrians and included discriminatory and disproportionate behaviors, leading to various human rights violations. Furthermore, it is noted that the security authorities didn't work on putting in place a mechanism to stop the patterns of raids and random sweeps, which facilitate the continuation of other violations against refugees, such as beatings and other forms of ill-treatment, arbitrary arrest, and torture, documented by ACHR in previous reports. This means that victims' access to justice will be complicated.

This report includes ACHR's documentation which confirms the violations committed against human rights in the context of security measures taken by the Lebanese authorities to achieve security and stability in the country.

The Lebanese government must ensure that respect for human rights is at the heart of any security measures taken to protect individuals and ensure that the methods used to fight security threats do not violate the prohibition of torture and other ill-treatment, nor should illicit, arbitrary, inconsistent or discriminatory restrictions be imposed on refugees' rights to freedom, movement, privacy, family life, and work.

ACHR recommends that the Lebanese authorities commit themselves to reforming the security sector concerning monitoring the movements of those suspected of threatening public security, providing legal guarantees to prevent the arbitrary use of the law, ending impunity for officials who engage in torture and ill-treatment through thorough and independent investigations, and ensuring that the treatment of refugee suspects during raids and pre-charge searches on suspicion of terrorism-related offenses, in full accordance with international law and standards.

¹ Report of the independent international commission of inquiry on the Syrian Arab Republic, 16 August 2012, <https://cutt.us/4mB8D>

² <https://today.lorientlejour.com/article/1321287/abbas-ibrahim-again-warns-of-increased-insecurity-risk-amid-presidential-vacuum.html> Abbas Ibrahim again warns of increased insecurity risk amid presidential vacuum. L'Orient Today, December 2022. Retrieved from

Research Methodology

ACHR's documentation phase begins when team members present their data to gain victims' trust and introduce the mediator relationships that contributed to achieving communication. The team is also keen to confirm its commitment to principles stipulated in work policies, including information confidentiality, data keeping, and prior approval to obtaining information. Communication setting is set according to the extent to which team members, victims, or their families are likely to face security dangers. Interviews are based on a consolidated list of questions set forth on a pre-prepared questionnaire by the team. Occasionally, ACHR consults a forensic expert. In all monitoring, documentation, and review operations, the team takes specific precautions for evaluating and using the monitored and archived information.

The information present in this report was gathered using the documentation methodology adapted by the team during their interactions with victims of human rights violations. The report analyses the impact of security measures on the everyday lives of refugees and stresses the lack of accountability for the violations committed in this context. In addition, the report documents cases of unlawful searches of refugee residences and camps and highlights the repercussions of arbitrary arrests that happen during raids.

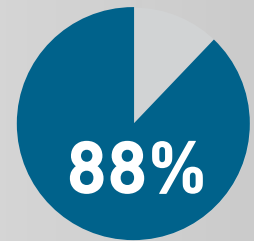
Introduction

Security fears are the primary reasons the Lebanese authorities impose more restrictions on Syrian refugees. Despite the involvement of some Syrians in terrorist attacks during the battle of Sidon in June 2013, the confrontations in Aarsal in August 2014, and their involvement in car bombings in several areas in Beirut from July 2013 until December 2014³, there is not enough evidence indicating a Syrian refugee wide-scale rebellion against the Lebanese government. Most Syrian refugees are trying to secure their basic living needs, as 88% live in extreme poverty⁴. Therefore, it is hard for the Lebanese government to differentiate between Syrian refugees who threaten security from those who don't.

In addition to the above, raids on refugee camps and residences are still widespread in different Lebanese regions. **These raids are often illegal and are not based on legally compelling grounds.** Moreover, according to what ACHR monitored, these operations are carried out on a large scale using unnecessary force: doors are removed if refugees do not open them immediately, which causes panic and fear and intimidates people. Furthermore, arbitrary security raids impede the ability of refugee families to live safely and with dignity.

ACHR documented four security raids on refugee homes in 2020 and four others in 2021, whereas this number increased to reach at least 15 arbitrary security raids in 2022. The low number of raids conducted in the previous two years results from the spread of the COVID-19 pandemic and the accompanying measures to limit its spread.

ACHR stresses that the use of force in law enforcement operations should be extremely limited and governed by international rules and standards. ACHR also calls for holding accountable those responsible for any violations during the raid operations of Syrian refugee homes, reviewing policies and measures related to using force to avoid future violations, and training all security forces participating in these raids.



of syrian refugees
in extreme poverty

number of security raids
was documented by ACHR



in 2020



in 2021

at least



in 2022

³ <https://cutt.us/2dGol>, 2013, 15 أغسطس / آب، تقرير لبي بي سي، "قتلى وجرحى في انفجار ضخم يهز الضاحية الجنوبية في بيروت"، تقرير لبي بي سي، 15 أغسطس / آب 2013، <https://cutt.us/2dGol>

⁴ UNHR, LEBANON- NEEDS AT A GLANCE- 2022, <https://cutt.us/BrKbS>

Circumstances accompanying arbitrary security raids

Since the beginning of 2012 and until now, the Lebanese Security Forces have raided hundreds of camps and refugee residence areas across the country. In some cases, there were legitimate reasons for the authorities wanting to interrogate persons whose residencies were searched. **Still, in many instances documented by ACHR, the reasons for the raids and searches were dubious as to whether they were based on legal grounds.** According to facts and testimonies, it is certain that the way these raids are being conducted is illegal, as many camps were raided and searched without judicial search warrants and outside the allowed times for raids/searchers of civilians' residencies, according to Lebanese law. Also, there was a noted use of excessive and illegal force during the raids.

During the last few years, ACHR has documented systematic security raids targeting camps and Syrian residential areas by the Lebanese Army Intelligence Forces. The residents of these camps, especially the men, **were beaten and subject to other forms of cruel, degrading treatment and harassment that diminished their human dignity.** Other cases relate to camp, and compound sweeps on various charges, including "terrorism" because of the refugees' political opinions in Syria. However, the raids and sweeps are often not based on confirmed evidence and do not happen in the interrogation context.

Lebanese law stipulates that homes may not be searched without a permit issued by an investigative judge, and it is also prohibited to enter homes to search for a criminal in the event that there are criminals or fugitives from justice after eight PM and before five AM, unless the owner of the house gives his consent during this period, with the exception of public places and homes, which acquired the character of public property.

In practice, the Public Prosecutor or the assigned judicial officer can conduct searches and search for suspects at any time⁵.

Article 571 of the Penal Code stipulates imprisonment for a maximum period of three years for any public official who enters the home of another person to search it at night without following legal obligations and procedures, and without the consent of the homeowner.

In the cases documented by ACHR, many house raids were conducted at different times of night and day at the hands of many armed personnel, usually belonging to the Lebanese Army Intelligence or State Security in Central and Western Beqaa. In many of the cases documented by the center, security personnel were armed with rifles. They used excessive and unnecessary force, smashing doors, and aiming their rifles toward the camp's residents or compounds, with the presence of children and, in some cases, firing shots in the air. And according to many of those whose homes were searched, the authorities did not give them any information concerning the specific reasons for the raid and sweep. In addition, security personnel never showed them a search warrant issued by the Ministry of Interior, the investigative judge, or the public prosecutor. These practices show that house searches were often arbitrary and discriminatory, and biased against refugees living in camps or compounds. They also show that raids are not based on evidence indicating that camp residents are involved in activities that require house searches or security raids. Moreover, in most cases, during the camp searches, refugees who don't have a valid residency permit in Lebanon are arrested.



House searches were often arbitrary and discriminatory, and biased against refugees living in camps or compounds



⁵ المادة 33 من قانون أصول المحاكمات الجزائية اللبناني.
<https://cutt.us/j0VBo>



The frequent camps and compounds have had long-term negative effects on the mental and psychological health of the entire refugee family.



One of the cases documented by ACHR is the raid of a camp where 150 young men live. They were all arrested and sorted according to the validity of their residency in Lebanon. As a result, 55 men who had valid residency permits were released without investigation. The others were released after questioning, where they were sorted according to their political opinion regarding the armed conflict in Syria (pro or against the Syrian regime). Hate speech and discriminatory language used by the members of the Security Forces against refugees and their presence on Lebanese soil are among the violations resulting from security raids and searches. According to ACHR's documentation, in refugee camps, the names of camp residents are registered at the camp's prefect (Chawich). In the absence of a refugee's name from the list, they are deported along with their family. During 2022, there was an increase in security raids that targeted communication devices in camps, as ACHR published in its previous report, "Internet Restriction...Refugee Camps Under Security Surveillance", where it is explained how the Lebanese authorities were forbidding refugees from accessing the internet, as the raids involved the breaking of internet devices, radio, television, phones, and satellites, confiscating devices without legal reasons, which prohibits refugees' access to internet and communication with others. As a result, refugees face great difficulties accessing their fundamental human rights of accessing services and information, especially in the Beqaa area (most notably Zahle, Chtaura, Rashaya, and Baalbek). Lebanese Security Forces use security raids and sweeps to deport refugees to Syria. In some raids, ACHR monitored the arrest of a group of Syrian refugees and the confiscation of their official documents prior to their release. If one of them wishes to refer to the security branch to retrieve their official papers, he is informed of a deportation decision issued against him. The documented cases in this report show that camp searches are often arbitrary and discriminatory and are used to intimidate and harass refugees. Refugees are suspected of belonging to armed groups because of their political opinions or expired identification documents. The frequent camps and compounds have had long-term negative effects on the mental and psychological health of the entire refugee family. In some cases, refugees needed urgent healthcare because of the trauma they experienced when security forces violently broke into their tents or rooms.

During the period from 2019 to 2022, Access Center for Human Rights (ACHR) documented **297 cases of arbitrary arrest** targeting refugee camps and residential gatherings. During the last two years, specifically between 2021 and 2022, ACHR recorded the arrest of about 420 refugees in those cases.

According to ACHR, the number of refugees who were arrested because of **arbitrary security raids amounted to about 378 refugees in 27 cases of arbitrary raids.**

It should be noted that these incidents witnessed about **76 cases of forced eviction**, as approximately 2,868 refugees, both male and female, were documented between 2021 and 2022. About 415 male and female refugees were documented in the same years during raids.

Testimonies

ACHR talks to several individuals whose homes were raided at night by the Lebanese security forces, and excessive force was used during these operations. ACHR's documentation includes live testimonies about the sweeps and arbitrary security raids.

First testimony

On the 15th of December 2022, at dawn, a Lebanese army patrol raided a residential compound in which Syrian refugee families have lived since 2011. This compound comprises 52 residential rooms. Each room accommodates a family of at least four persons. The forces comprised ten vehicles that surrounded the compound and stormed in using excessive force, breaking doors and smashing furniture while sweeping the houses, looking for suspects and weapons.

The security forces forced the men and teenagers of age fourteen and above to wait in the compound's yard, taking their identification documents and standing against the wall with their heads on the back of their heads. It is noted how they were treated as criminal outlaws. Their identification papers were checked, photocopied, and their data recorded. Most men were subjected to ill-treatment, hate speech, and discrimination by some officers. One man objected to ill-treatment, so several officers beat and kicked him, cursing him, and he was taken back to a military car to be arrested and released two days after the arrest.



Second testimony

On the 16th of September 2022, a Lebanese army intelligence patrol raided a Syrian refugee camp in The Karak area in Zahle. The raid was arbitrary and resulted in the arrest of 16 refugees, four below the age of 15; they were transferred to Ablah Army Intelligence Center in Zahle. They were arrested because they did not have valid residence permits. Eleven refugees were released on the second day, four were released on the third, and one remained under arrest, his fate unknown.

All the arrested suffered beating and torture at the hands of Army Intelligence officers in Ablah. They were beaten, harassed, and intimidated; one suffered broken teeth due to the beating. Their fear of being arrested once more prevented them from filing any report or complaint against the security officers, in addition to their inability to file complaints since it is necessary for refugees to hold valid residence permits to submit complaints when they are subject to violations.



Third Testimony

On the 14th of October 2022, a Lebanese army patrol raided a refugee camp using two military vehicles. The camp was chaotically searched, the residents' identities checked, and internet devices were dismantled. Refugees were subjected to racist and discriminatory insults, and officers beat several men under the pretext of not expediting the dismantling of communication devices. As a result of one of the refugee's delays in opening the door of his residence, he was beaten by three officers who gathered to kick him while he lay on the ground.

The sweeps and security raids often happen arbitrarily and suddenly without further notice and anytime during the day or night. The patrol usually comprises three military vehicles carrying 8 to 15 officers. Refugee camps all over Lebanon are subjected to raids almost weekly at the hands of security state apparatuses. They usually come at night, and the camp or compound is gradually raided and swept, tent by tent/ room by room. The Forces check the validity and authenticity of refugees' official papers. If the raid is arbitrary, the neighboring camps often await their turn in an atmosphere of intense tension, fear, and social instability.



Refugee camps all over Lebanon are subjected to raids almost weekly at the hands of security state apparatuses.



Relevant legal and international law

The Lebanese legislator recognized the principle of inviolability of places of residence in article no. 14 of the Lebanese constitution⁶, where the sanctity of the place of residence was confirmed, and no person can enter it except in cases and methods indicated by law. Lebanese laws provide for the inviolability of the residential space and punish violations. Article 571 of the Penal Code stipulates that “whoever forcibly enters, against the wishes of the lawful occupant, a house, premises, or any other place used for living in, or dwelling and forming part, is liable to imprisonment for six months at most. Imprisonment from three months to three years shall be imposed if the act is committed at night, by means of breaking or violence against persons, by using weapons, or if it is committed by several persons together. The prosecution shall not take place in the case stipulated in the first paragraph except based on a complaint by the aggrieved party”⁷.

In legal usage, a home is a place with a private status and where a person is protected from prying eyes. Lebanese law states that houses are not to be searched except without a permit issued by an investigative judge. It also forbids entering homes to sweep or look for a criminal – in case there are criminals or fugitives from justice – after 8 PM and before 5 AM unless the owner of the house consents to different times. The law excludes public places or houses that acquired the character of public property, where the public prosecutor or the assigned judicial officer can conduct sweeps and search for suspects at any time⁸. Article no 571 of the Penal Code provides a maximum term of three years to any public official who enters another person's home to search it at night, without following legal obligations and measures and without the house owner's permission.

States can usually derogate from certain obligations in exceptional law enforcement circumstances defined by Lebanese law and international human rights treaties. However, this is subject to strict conditions; such derogations are not allowed except in the officially declared state of emergency by the concerned governmental authorities, where the situation threatens the country's general security⁹. Any measures taken should be exceptional, temporary, and limited to the requirements of the situation. Under no circumstances is it allowed to derogate from their rights, such as the right to life, the prohibition of torture and other ill-treatment, and the principle of non-discrimination¹⁰.

The Lebanese constitution protects the house's inviolability, which no one can enter except in cases and methods stipulated in the law. The Lebanese Penal Code punishes any employee of any security agency who enters a house or a dwelling and forming part against the wishes of the lawful occupant, as he is liable to imprisonment for a period not exceeding six months or imprisonment to a period ranging from three months to three years if the act occurs at night. The Code of Criminal Procedure indicates the specific times for carrying out raids and searches and the legal measures that should be taken.

The entrusted officials must respect and protect human dignity and preserve human rights while applying Lebanese law. Lebanese and International law determine the human rights referred to in this case. Among the relevant international instruments ratified by Lebanon are the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

The use of firearms is considered an extreme measure. All efforts should be exerted to prevent it, especially against children. Generally, “firearms should not be used except when a suspected offender offers armed resistance or otherwise jeopardizes the lives of others and less extreme measures are not sufficient to restrain or apprehend the suspected offender.”¹¹

In accordance with the general rules derived from international human rights law regulating the use of force¹¹, the Lebanese Security authorities should, as much as possible and while carrying out their duty, use non-violent methods before resorting to force and firearms. However, when such non-violent methods remain ineffective or unable to achieve the desired outcomes, force is allowed only in the following cases:

- When it is provided by the law
- When it is necessary to achieve a legitimate law enforcement objective
- When the use of force is proportionate to achieve its protective function. The requirement of proportionality means that the force used must be the least amount necessary and that it must be proportionate to the interest to be protected.
- the use of force must comply with the prohibition of discrimination.

Alleged violations of these rules must be subject to effective independent investigations. Where appropriate, those responsible must be held accountable.

⁶ The Lebanese Constitution, https://biblioteka.sejm.gov.pl/wpcontent/uploads/2017/06/Liban_ang_010117.pdf

⁷ Lebanese Penal Code issued in 1943, <http://www.madcour.com/LawsDocuments/LDOC-1-634454580357137050.pdf>

⁸ المادة 33 من قانون أصول المحاكمات الجزائية اللبناني، <https://cutt.us/jOVBo>

⁹ المادة 4 من "العهد الدولي الخاص بالحقوق المدنية والسياسية"، <https://cutt.us/KUEP5>

¹⁰ اللجنة المعنية بحقوق الإنسان، التعليق العام رقم 29، المادة 4، الدورة 72، عام 2001، <https://cutt.us/xFn2A>

¹¹ Code of Conduct for Law Enforcement Officials, Human Rights Instruments, <https://www.ohchr.org/en/instruments-mechanisms/instruments/code-conduct-law-enforcement-officials>

Conclusion and recommendations

This report shows clear indications that - in many documented cases - the Lebanese Security Forces practices violent and inappropriate measures to maintain general security in the country. These methods violate the basic rights of people affected by it, often Syrian refugees, as security forces arbitrarily raid their tents and places of residence and practice arbitrary arrest, which is discriminatory and biased. They also restrict refugees' right to movement by confiscating their identification papers upon arrest and repeatedly searching their camps without judicial permission. Moreover, in emergencies, The Security Forces go beyond the necessity and proportionality requirements when derogating from basic human rights.

The arbitrary systematic raids reveal the Lebanese authorities' disregard for its legal national and international commitments. The absolute prohibition of ill-treatment under any circumstances is violated, considering the right of persons to dignity as a right that cannot be derogated or infringed. The actions of security authorities restrict refugees' right to freedom and personal life and impede their ability to guarantee a normal life, which represents a violation of basic human rights.

According to the above, ACHR offers recommendations to the Lebanese authorities and the international community.

To the Lebanese authorities:

- The Lebanese authorities should implement national laws and international treaties related to the prohibition of violence, torture, and other forms of ill-treatment.
- The Lebanese authorities must ensure the nonuse of excessive and unnecessary force during raids and searches on refugees' camps and places of residence.
- The necessary institutional reform must be done to guarantee the effective implementation of laws prohibiting torture and regulate law enforcement and reparation measures, including compensation, and rehabilitation.
- Harassment and intimidation of refugee families, if they are suspected of committing terrorist acts, must be put to an end, and family members must be protected during raids and camp searches that happen without a warrant.
- No refugee should be deprived of his freedom unless he commits a clear crime by the law, in which case this deprivation should be based on duly legal procedures.

To the International community:

- The Lebanese government's commitments to Syrian refugees and its efforts to control public security in the country must be monitored.
- Ensure the existence of a mechanism in place to verify the Lebanese government's commitment to holding law enforcement officials accountable if they are accused of torture and other ill-treatment and, if there is sufficient acceptable evidence to convict them, they should be tried before independent and impartial courts and by international standards of justice.





Security raids in Lebanon: a legal weapon used to violate refugee rights.



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