



**International Covenant on
Civil and Political Rights**

Distr.
GENERAL

CCPR/C/SR.1578
11 June 1999

ORIGINAL: ENGLISH

HUMAN RIGHTS COMMITTEE

Fifty-ninth session

SUMMARY RECORD OF THE 1578th MEETING

Held at Headquarters, New York,
on Monday, 7 April 1997, at 10 a.m.

Chairperson: Mrs. CHANET

later: Mr. EL-SHAFEI
(Vice-Chairperson)

later: Mrs. CHANET
(Chairperson)

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (continued)

Second periodic report of Lebanon (CCPR/C/42/Add.14)

1. At the invitation of the Chairperson, Mr. Maamari (Lebanon) took a place at the Committee table.

2. Mr. MAAMARI (Lebanon) said that Lebanon was in a transitional situation; the consequences of 16 years of war could not be effaced in a matter of months. His Government had undertaken a gigantic task of reconstruction; electric power had been restored, highways and bridges were being repaired and the international airport had been rebuilt. Displaced persons needed to be resettled and over 200,000 landmines had to be deactivated. There were enormous lags in all areas – the economy, education, the administration, health care, and so forth. About 20 per cent of the population were Palestinians and about one quarter of the population was living under occupation by the Israeli army.

3. While tackling the tasks of development and reconstruction, his Government was also concerned about civil and political rights; there had been some new developments, under pressure from civil society and human rights groups, including legislative changes to end some forms of discrimination against women and the opening of two new rehabilitation centres for young offenders. Legislative elections had been held in the autumn of 1996, with a high level of participation, and preparations were currently under way for general municipal elections.

Part I of the list of issues

4. The CHAIRPERSON read out part I of the list of issues: issue 1: continuous impact of the civil war (articles 4, 6, 7, 9, 10 and 14 of the Covenant): impact of the civil war on the exercise of the rights guaranteed under those articles, safeguards and remedies available, status of the rights in article 4, paragraph 2, of the Covenant, non-use of the notification procedure laid down in article 4, paragraph 3, whether Decree-Laws No. 102 of 1983 and No. 7988 of 1996 were still in force; issue 2: extrajudicial executions, disappearances, torture and arbitrary detention (articles 6, 7, 9 and 10 of the Covenant); measures taken by the police, army and other security forces to investigate such crimes and bring the suspects before the courts; issue 3: use of weapons by the police (article 6 of the Covenant): rules and regulations governing the use of weapons by the police and security forces, any violations, and if so, measures taken; issue 4: death sentence (article 6 of the Covenant): how many death sentences had been imposed and for what crimes over the past five years, how many had been carried out, increase in the number of capital crimes despite General Comment No. 6 (16); issue 5: confession under duress (article 7 of the Covenant): whether confessions or testimony obtained under duress could be used in court proceedings; issue 6: liberty and security of person (articles 9 and 10 of the Covenant): implementation of article 9, paragraphs 3 and 4, of the Covenant, circumstances of detention incommunicado; issue 7: prison

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conditions (article 10 of the Covenant): measures to implement the recommendations by the Parliamentary Commission on Rules of Procedure and Human Rights, arrangements for supervision of places of detention and procedures for investigating complaints of abuse; issue 8: independence and impartiality of the judiciary (article 14 of the Covenant): mode of appointment, independence and impartiality of the judiciary, tenure, dismissal and disciplining, information on the jurisdiction, powers and functions of the Judicial Council and guarantees for a fair trial; issue 9: military courts (article 14 of the Covenant): information on the jurisdiction, composition and activities of the military courts, their relationship with ordinary courts, and right of appeal of their decisions; and issue 10: right to take part in the conduct of public affairs (article 25 of the Covenant): progress in implementing the principles contained in article 95 of the Constitution, steps taken to hold municipal elections.

5. Mr. MAAMARI (Lebanon), referring to issue 1, said that, in view of the level of external intervention, "civil war" was an inadequate description of what Lebanon had experienced for 16 years. During that period, the situation in Lebanon had been uncontrollable; the multinational force which had been brought in had been forced to withdraw. The international community, which had been powerless to deal with the situation, should now recognize that the current Government of Lebanon had restored internal peace, law and order.

6. No impact of the war remained in terms of article 6 of the Covenant. Although the death penalty had not been abolished, death sentences were carried out in strict compliance with article 6. Articles 7, 8 and 9 were being respected. With regard to article 10, paragraph 4, young persons accused of crimes were held separately from adults and could be interrogated only in the presence of a social worker, whose report guided the judge in determining the sentence. Decree-Laws No. 102 of 1983 and No. 7988 of 1996 were still in force; persons prosecuted under those laws were brought before the civilian courts, unless they were members of the armed forces. The Council of Ministers had prohibited street demonstrations, but public assemblies were permitted and sports, trade union and political, including human rights, meetings were taking place.

7. With regard to issue 2, there had been no cases of extrajudicial execution, disappearance, or torture or serious cases of inhuman or degrading treatment since the end of the war. On 18 December 1996, a Syrian minibus had been attacked, and because a return to anarchy had been feared, the time-limits for preventive detention had been exceeded; the case had been followed closely by the media.

8. The use of weapons by the police (issue 3) was regulated by Decree No. 17 of 1945, under which the use of weapons by members of the police and security forces was permitted only in exceptional circumstances and all missing bullets had to be accounted for. The security forces sometimes had to fire into the air to break up disturbances or prevent criminals from escaping. In one case, after a suspect's home had been surrounded by the police and the suspect had been shot dead, it had been ruled that the killing had not been justified on grounds of self-defence; the policeman responsible had been punished and two senior officers had been referred to the disciplinary board; one of them had resigned.

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9. With regard to issue 4, over the past five years, 12 people had been condemned to death and executed for the following crimes: murder and rape of an eight-year old girl; attacks using explosives which had resulted in the death of a Hezbollah official; the murder of a woman and of the chief of a police station; the murder of three police inspectors; the assassination of a religious leader (three executions); and the murder of two jewellers (two executions), a man and a couple, in robberies. Some Lebanese groups were calling for the death penalty to be replaced by life imprisonment without commutation.

10. With regard to confession under duress (issue 5), criminal judges did not take confessions into account unless they had been freely given, and even then might discount them if it was felt that they were not sincere. A suspect had to be accompanied by a lawyer when he appeared before the examining magistrate. Changes were being considered to the Code of Criminal Procedure to provide for a lawyer to be present at the police stage of the investigation, without the right to intervene.

11. On issue 6, under the Code of Criminal Procedure, no one could be arrested without a judicial warrant except in cases of flagrante delicto or the existence of a prior warrant; arrests in places of worship and house arrests at night were prohibited; when a person was arrested, the Procurator-General had to be informed immediately; and detention for the purposes of preliminary questioning could not exceed three days, after which the suspect must go before the examining magistrate. Any violation of that procedure gave rise to disciplinary measures, including measures against the judge if need be.

12. On the subject of prison conditions (issue 7), there were currently around 4,500 prisoners in Lebanon, of whom about 3,000 were at the Roumié central prison, a recently constructed prison where conditions were generally satisfactory. The women's prison at Baabda, which housed about 60 prisoners, had satisfactory conditions of hygiene, but there was no outdoor recreation yard. The Beirut prison had been demolished at the request of judges and human rights activists because it was old and unsanitary. The Tripoli prison was not fully satisfactory; the Tyr and Zahle prisons were unsatisfactory; the Batroun prison, which had recently reopened, was partially acceptable; the Nabatieh prison, housed in the same building as the regional ministries, was in need of improvement; and the Rachaiya prison, housed in an old fortress, was generally satisfactory. A prison at Baalbek had been abandoned and another prison was being rebuilt. The Lebanese Parliament had allocated 80 million Lebanese pounds to improving prison conditions, but the funds had yet to be spent. The treatment of prisoners depended on individual prison governors; in general, the food and care were acceptable. However, prisoners were provided with no occupation, education or training. Forced labour did not exist, and it was being suggested that the reference to forced labour in the Penal Code should be deleted.

13. There was a plan to transfer responsibility for the supervision of prisons from the Ministry of the Interior to the Ministry of Justice, but funds were needed to hire social workers to replace police officers, and to redesign and equip offices. Two rehabilitation centres had been established for young offenders, in which inmates were monitored by psychologists and social workers and were able to attend classes, learn a trade and play sports; however, only

250 adolescents could be accommodated and some remained at the Roumié central prison, although in a separate wing; girls, who made up only 7 per cent of the total prison population, were housed in the women's prison at Baabda.

14. With regard to issue 8, Lebanese judges enjoyed full independence in passing sentence; the appointment of judges to the Higher Council of the Judiciary by executive decree left something to be desired, although in practice no reservations had been expressed about any appointments.

15. With regard to the military courts (issue 9), there were three levels of jurisdiction: first, a military judge, and military lawyers unless the defendant designated a civilian lawyer; second, a military court, headed by a career civilian judge; and third, the military appeal court, with a career civilian president. In times of crisis, the powers of the military courts were broadened to include cases in which not all the defendants were members of the armed forces, but there were plans to reduce those powers.

16. With regard to issue 10, legislative elections had been held in the autumn of 1996, with a high level of participation, and municipal elections would soon take place throughout Lebanon.

17. Mr. EL-SHAFEI noted that the second periodic report of Lebanon had been due in 1988, but had not been received until 1996. The report was very sketchy; more information was needed, in particular, on the impact of the civil war in Lebanon. The adverse effects of foreign intervention on Lebanon's infrastructure, the occupation of southern Lebanon and the refugee burden were all significant factors.

18. Given the widespread criticism of the 1996 elections by the opposition, more information was needed on article 25 of the Covenant, especially on the electoral law, electoral districting and the low level of popular participation.

19. He requested information on the general amnesty of 16 August 1996, including the conditions in which it had been promulgated and whether it applied to members of the armed forces as well as to civilians. In relation to Decree Law No. 7988 of February 1996 entrusting the army with maintaining security, he asked what procedures had been followed and whether the Government had had to apply to Parliament for an extension of the state of siege.

20. Further information was needed on the military courts, including their jurisdiction over civilians, reports of arrests of suspects without authorization from the Ministry of the Interior, the holding of accused persons in solitary confinement without access to a lawyer, and cases of torture.

21. Some reports received by the Committee pointed to an increase in the number of people arrested by the judicial police, in some cases without authorization from the Procurator-General, and indicated that such people were being held under articles 102 and 103 of the Code of Criminal Procedure. The Lebanese delegation should inform the Committee whether any measures had been taken against those responsible for such irregularities. He also requested additional information on measures taken by the Government to prevent sectarian or civil conflict.

22. Mr. TÜRK noted that there were still tensions in Lebanon and that the situation was precarious in several respects. It appeared from the report that states of emergency could be imposed in a very wide variety of situations. He asked what plans there were to amend the relevant legislation in order to make it more restrictive and bring it into line with article 4 of the Covenant. The emergency measures in effect in Lebanon had not been communicated to the United Nations, which should be informed of any declaration of emergency measures and notified of any derogation from the Covenant, in accordance with article 4, paragraph 3 thereof. He wondered what consideration had been given to rectifying that situation. He also recalled that the Covenant provided for notification of the lifting of emergency measures.

23. With regard to the right to a fair trial under article 14 of the Covenant, he noted that the jurisdiction of military courts had been extended, so that they could also try civilians. That was an unwelcome development and he wondered whether the Government had given any thought to rectifying it and whether there was any provision for civilian courts to oversee the actions of military courts.

24. Ms. EVATT said that the report should have contained more detailed information throughout, rather than a set of general statements. The Committee's task was to identify areas in which further measures were needed to implement the Covenant. The requirements of article 4 did not appear to have been met; paragraph 23 of the report failed to explain fully the circumstances which had led to derogations from the Covenant or to acknowledge the Government's obligation to report them. The Lebanese representative had responded only briefly to issue 2, which had been raised by the Committee in response to numerous allegations received from independent sources such as Amnesty International.

25. Information had been received from the United States Government concerning a statement, attributed to the Lebanese Prime Minister, that some 200 Lebanese citizens were in custody in Syria. Such a matter could not simply be ignored by the Government in its report to the Committee. Regarding the attack on a Syrian minibus in December 1996, the representative of Lebanon had acknowledged that the usual rules for arrest and detention had not been observed, but more comprehensive information should be provided on how many people had been arrested, what powers had been used, what charges had been brought and within what legal framework the authorities had acted. Many of the basic rights of those detained appeared to have been violated. The Committee had been informed that the rules governing arrest and detention were often flouted, particularly in the case of arrests by members of the armed forces.

26. Further information should be provided on the Judicial Council and its jurisdiction; it appeared that the right of appeal and other normal guarantees were not observed in cases heard by the Council. The Committee also required far more information on the many cases, mostly involving civilians, dealt with by the military courts.

27. Mr. KLEIN said that the report should have given more details about the human rights situation in practice in Lebanon. Information available to the Committee seemed to suggest that the situation was far less encouraging than it

appeared from the report and from Lebanon's initial response to the list of issues. He also wondered to what extent the Government was really in control of the country and what part the Syrian forces deployed in Lebanon were playing. There was evidence of considerable numbers of enforced disappearances from Lebanese territory, for which the Syrian armed forces or security forces appeared to be responsible. The Committee should be informed of the Government's attitude to that situation and the steps it was taking to protect its citizens.

28. It was always a warning signal when the jurisdiction of military courts was expanded; such courts always had structural defects and it was hard to see how they could have any real independence. The delegation should also specify whether the Lebanese legal system permitted trials in absentia and, if so, whether sentences of life imprisonment or death could be pronounced in such cases and whether that procedure also existed in military courts.

29. Mr. POCAR asked for more information on the content of the 1996 declaration of a state of emergency, particularly on the specific rights which had been derogated from and the additional powers which had been given to the armed forces. It was difficult to determine whether that declaration had been compatible with the Covenant. Paragraph 23 of the report stated that the army had been entrusted with maintaining security for three months. He wondered whether the three-month period had been adhered to strictly. He also asked why paragraph 23 stated that the army had been authorized to prohibit certain rallies, whereas paragraph 74 stated, in connection with article 21, that the Government had temporarily prohibited demonstrations. As for the statement in paragraph 23 that persons who endangered security were all to be referred to the military courts, he asked whether that was the case only during states of emergency, how many persons had been so referred and whether cases involving only civilians were also dealt with in that way.

30. Referring to paragraph 39 of the report, he asked how a defendant could be assisted by a lawyer if he was questioned by the examining magistrate "immediately". Regarding paragraph 24, it was a matter of concern that the death penalty had been extended to three additional cases. He requested details of the application of extenuating circumstances in capital cases and asked whether the death penalty was mandatory in certain cases or whether the court always had the option of taking extenuating circumstances into account. He asked whether the transfer of responsibility for the prison system from the Ministry of the Interior to the Ministry of Justice had been completed and expressed surprise that the Lebanese representative had described conditions at the Roumié prison as satisfactory, when paragraph 50 of the report indicated that there were 2,328 prisoners at Roumié despite its theoretical capacity of 900.

31. Mr. SHEININ said that the report contained important information, such as that on the measures taken under article 3 of the Covenant to promote gender equality. While public awareness was clearly an important factor, legislative obstacles persisted in that area, such as the concept of "crimes of honour" and the fact that Lebanese women could not transmit their nationality to their children.

32. Taken generally, the report was too brief and bypassed many important issues. It contained very little information on articles 15, 16 and 17; for example, the issue of telephone tapping was not mentioned. The absence of information made the Committee's task more difficult. A dialogue between the Government and human rights organizations would have been useful in preparing the report.

33. He asked whether the recent resignation of the President of the Constitutional Council had been partly in protest at the Government's interference with the independence of the judiciary. That raised serious issues under article 14 of the Covenant. In that connection, he also wished to know whether the Judicial Council was a truly independent body, whether it heard cases involving the death penalty and, if so, whether its decisions could be appealed to a higher court. If not, that would be incompatible with article 6 of the Covenant. The Lebanese delegation should also confirm whether, some weeks previously, a number of individuals had been executed following a decision of the Judicial Council. While Lebanon was not a party to the Second Optional Protocol to the Covenant, the extension of the death penalty to new crimes was clearly incompatible with the general thrust of article 6 of the Covenant.

34. Mr. El-Shafei, Vice-Chairperson, took the Chair.

35. Ms. MEDINA QUIROGA said that the report and the replies by the Lebanese representative had been extremely brief. She agreed with Mr. Scheinin that it would have been helpful if the reports had been prepared with the input of non-governmental organizations and other sectors of civil society. She also shared the view that Lebanese emergency legislation was inconsistent with article 4 of the Covenant and regretted that the Lebanese representative had failed to comment on the increase in the number of cases subject to the death penalty.

36. She asked what the real situation was with respect to forced labour. As to who actually conducted preliminary investigations, she wished to know whether the police had any legal basis for conducting such investigations or whether that decision that they should do so rested with the judge. Referring to a press conference given by the President of Lebanon concerning the transfer of Lebanese detainees to Syria, she asked what the legal basis was for such a transfer. She also enquired about the rights of foreigners awaiting deportation and how their situation was regulated.

37. She shared Mr. Pocar's concerns about the Roumié prison. In that connection, she wished to know what was the ratio of unconvicted to convicted prisoners, whether unconvicted prisoners were segregated from convicted prisoners, whether girls were segregated from women prisoners and what the age of criminal responsibility was in Lebanon.

38. She had been surprised to read in the report that, in certain circumstances, a person could be detained for non-fulfilment of civil obligations. The right guaranteed under article 11 of the Covenant could not be restricted in any circumstances. She shared the concerns expressed about the military courts. In that connection, the Lebanese delegation should indicate whether there was any direct government oversight of the military courts. She

asked whether there were any religious courts and, if so, how they were established, what their relationship was with the ordinary courts and whether an ordinary court could have any input into the final decision of a religious court.

39. Noting that political posts in the Government were shared among the various religious communities, a fact which was inconsistent with article 25 of the Covenant, she wondered whether non-believers could hold political office.

40. Mr. ANDO said that he shared the concerns of previous speakers that Lebanon's second periodic report was long overdue and gave little information on how the Covenant's provisions were being implemented in practice. He also shared the concerns expressed about Lebanon's state of emergency and the legal provisions governing it, and about the independence of the judiciary. In that connection, more information was needed on the jurisdiction of the military courts and their relationship to civilian courts. Expressing concern about the representation of religious communities in Lebanese public life, he asked whether atheists were allowed to vote or stand for election and whether any judicial remedies were available to atheists wishing to stand for election.

41. Mrs. Chanet resumed the Chair.

42. Mr. PRADO VALLEJO said that the report lacked detailed information on substantive issues of concern to the Committee, such as the application of laws in practice. Further information on the application of human rights legislation would be particularly appreciated. The Committee had received allegations of torture and ill-treatment. However, the report simply stated that measures had been taken to address the problem in cooperation with the Ministry of Justice. He wished to know what those measures were, what effect they had had, whether ill-treatment and torture had occurred, whether those responsible had been punished and whether the victims had been compensated.

43. Information should also be provided on the 219 known cases of Lebanese detainees who had been transferred to Syria. In that regard, he wished to know what kind of agreement existed between Lebanon and Syria for detaining Lebanese citizens and extraditing them to Syria and whether the pressure for such action came from Syria. While the Committee was aware of the difficulties facing Lebanon, the Government simply could not renounce its sovereign duty to guarantee the rights of its citizens to a fair trial in their own country.

44. There were practical restrictions on freedom of the press and freedom of expression in Lebanon. According to information received by the Committee, there had been a public outcry in 1996 about a controversial press law, yet the report made no mention of it. The delegation should provide further information on that issue.

45. Mr. MAAMARI (Lebanon) said that the 1992 legislative elections had been boycotted by a considerable proportion of the population, but that many of those who had boycotted the earlier elections had participated in the 1996 elections. As far as the general amnesty was concerned, at the end of the war it had been felt that it was preferable to wipe the slate clean. It had been impossible to determine responsibility for all the crimes and atrocities committed during the

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war, and fruitless efforts had been made to locate the disappeared. The amnesty law applied only to crimes committed by the militias, as long as those were not recurrent crimes such as the repeated assassination attempts that had occurred after the law was enacted. Decree-Law No. 102 on emergency measures remained in force and could be applied without additional recourse to Parliament. In a state of emergency, persons arrested by the Lebanese army in the field were normally brought before the ordinary courts. It was, however, true that Decree-Law No. 7988 had not been accompanied by notification and that there was no oversight of military courts by civilian courts.

46. Military courts dealt with cases involving members of the armed forces. There had been no cases of torture, although there had been cases of ill-treatment and cases where individuals had been detained for longer than the authorized period. Information on cases of alleged torture had been provided to the Commission on Human Rights, which had decided to consider the issue closed. No one was currently in prison for political reasons.

47. Public meetings were allowed, and only demonstrations were banned. All kinds of public assemblies took place every day. The immediate questioning of a detainee by a magistrate was designed to ensure that detention was not prolonged, rather than to circumvent the detainee's right to legal counsel. Counsel was present at the questioning. It was now being suggested that counsel should be present as a witness at the first stage of judicial proceedings. There had been improvements in the laws on gender equality, although much remained to be done. There was no telephone tapping in Lebanon; that practice had been banned.

48. As far as the preparation of the report was concerned, non-governmental organizations did not consult the Government when they drafted their reports. However, it was desirable that a genuine two-way dialogue be established. Imprisonment for non-payment of a civil debt was allowed only in cases of non-payment of alimony to a former spouse. The government commissioner for military courts was a career judge who acted as public prosecutor.

49. Each religious community had its own marriage laws, and religious courts existed to determine the status of religious marriages. It was impossible to celebrate a non-religious marriage in Lebanon. Couples wishing to marry in a civil ceremony had to go abroad to do so.

50. Classification of the population on the basis of religious affiliation had originally been seen as a way of guaranteeing the rights of each community. Religious affiliation was akin to ethnicity as a defining factor. Proposals to move towards a secular society in which religious courts would be monitored by civilian courts acting as courts of appeal had been fiercely opposed by the religious authorities. Incidentally, a special category already existed for individuals who did not wish to belong to a particular religious community. Religion was used as a basis for distributing Government and civil service posts among the various communities. However, atheists could vote and stand for election. Religious affiliation had little to do with religious faith; it had more in common with ethnic origin.

51. The increase in the number of crimes punishable by death had not led to greater use of the death penalty in practice. Every effort had been made to stamp out the summary executions that had been a feature of life in Lebanon during the civil war. There was no forced labour in Lebanon; the allusions to forced labour in certain articles of the Penal Code were merely procedural references which were scheduled for eventual deletion. Owing to improvements in prison conditions, young offenders aged between 12 and 18 were now housed separately from adults. While it was true that the Roumié prison was overcrowded, it was nevertheless very advanced in terms of hygiene and sanitation.

52. There was no press censorship in Lebanon. Radio and television stations were not subject to censorship either, although the sheer proliferation of stations had recently led to calls for their consolidation, resulting in a decline in the overall number. However, the Government had decided to place restrictions on certain satellite-broadcast programmes which threatened to damage relations between Lebanon and certain other States. An appeal against the decision was currently pending before the Lebanese courts.

53. The Lebanese Government deemed the Syrian presence in Lebanon to be entirely legal, since Syrian forces had been invited into the country during the civil war. By contrast, the Israeli presence was completely illegal.

54. Ms. MEDINA QUIROGA asked whether the provisions outlined in paragraph 53 of the report regarding imprisonment for debt were still applicable, and which courts settled the marital disputes of spouses who had been married abroad.

55. Mr. BHAGWATI said that the Lebanese representative had given insufficient information on the independence and impartiality of the judiciary and the provision of legal aid. Specifically, more information was required on the nature of the judicial system and whether there was a superior tribunal with overarching jurisdiction. The reporting State should also clarify the position with regard to the composition, mandate and jurisdiction of the Judicial Council and the mode of appointment of its members, and whether it had appellate and administrative superintendence over other courts, and if so, precisely which courts. It would be helpful to know whether the Council could review cases brought by citizens by way of appeal, or whether it was restricted to reviewing cases referred to it by the Council of Ministers. The mode of appointment of judges to the ordinary courts also required further clarification. The delegation should indicate whether such judges were appointed by an independent body or by the executive branch.

56. Mr. ANDO asked whether religion or ethnicity was the deciding factor in assigning an individual to a particular community.

57. Mr. MAAMARI (Lebanon) said that he did not have sufficient information to respond fully to the questions on imprisonment for debt and segregation of women and girls in prisons. In the event of problems in a civil marriage that had been entered into abroad, the case would be submitted to a civil court, which would have to apply the law of the State where the marriage originally took place.

58. He regretted that his outline of the Lebanese judicial system had been insufficiently detailed for the Committee's purposes, but assured the Committee that Lebanese judges were fully independent and were appointed on the recommendation of the Higher Council of the Judiciary. It was perhaps a flaw of the legal system that the Higher Council was itself appointed by the executive branch. Proposals had been put forward to make it an elected body, with appeal court judges and judges of courts of first instance making the appointments. However, those plans had yet to be carried out. The recent resignation of the President of the Constitutional Council could perhaps be interpreted as demonstrating the judiciary's refusal to tolerate any interference in its work.

59. Religious community and ethnic group were similar but not interchangeable classifications. After all, it was possible to change one's religion but not one's ethnic group. Generally speaking, however, classification by religion did not presuppose genuine religious faith. Plans were under way to phase in a more secular approach, but so far nothing had been done.

60. Mr. KLEIN said that the Lebanese representative had not addressed his question about alleged human rights violations by the Syrian armed forces in Lebanon and what the Lebanese Government was doing to investigate those allegations.

61. Mr. MAAMARI (Lebanon) said that the Lebanese Government was not aware of any such violations, but was surprised that the Committee had not asked for more information about the plight of Lebanese citizens who had been illegally detained and tortured by the Israeli armed forces.

62. The CHAIRPERSON said that the Committee was a legal body established to monitor the implementation of the Covenant. The purpose of its questions was to establish the extent of Lebanon's jurisdiction over its citizens. In the circumstances, the State party should confine itself to acknowledging that it lacked jurisdiction over a part of its territory or some of its citizens.

The meeting rose at 1 p.m.