

1303419 [2013] RRTA 814 (7 November 2013)

DECISION RECORD

RRT CASE NUMBER: 1303419
DIAC REFERENCE(S): CLF2012/184296
COUNTRY OF REFERENCE: Lebanon
TRIBUNAL MEMBER: Pauline Pope
DATE: 7 November 2013
PLACE OF DECISION: Sydney
DECISION: The Tribunal remits the matter for reconsideration with the direction that the applicant satisfies s.36(2)(a) of the Migration Act.

Any references appearing in square brackets indicate that information has been omitted from this decision pursuant to section 431(2) of the *Migration Act 1958* and replaced with generic information which does not allow the identification of an applicant, or their relative or other dependant.

STATEMENT OF DECISION AND REASONS

APPLICATION FOR REVIEW

1. This is an application for review of a decision made by a delegate of the Minister for Immigration to refuse to grant the applicants Protection (Class XA) visas under s.65 of the *Migration Act 1958* (the Act).
2. The applicant, who claims to be a citizen of Lebanon, applied to the Department of Immigration for the visas [in] 2012 and the delegate refused to grant the visas [in] 2013.
3. The applicant appeared before the Tribunal on 15 October 2013 to give evidence and present arguments. The Tribunal hearing was conducted with the assistance of an interpreter in the Arabic and English languages.

CONSIDERATION OF CLAIMS AND EVIDENCE

4. The criteria for a protection visa are set out in s.36 of the Act and Part 866 of Schedule 2 to the Migration Regulations 1994 (the Regulations). An applicant for the visa must meet one of the alternative criteria in s.36(2)(a), (aa), (b), or (c). That is, the applicant is either a person in respect of whom Australia has protection obligations under the 'refugee' criterion, or on other 'complementary protection' grounds, or is a member of the same family unit as such a person and that person holds a protection visa.
5. Section 36(2)(a) provides that a criterion for a protection visa is that the applicant for the visa is a non-citizen in Australia in respect of whom the Minister is satisfied Australia has protection obligations under the 1951 Convention Relating to the Status of Refugees as amended by the 1967 Protocol relating to the Status of Refugees (together, the Refugees Convention, or the Convention).
6. If a person is found not to meet the refugee criterion in s.36(2)(a), he or she may nevertheless meet the criteria for the grant of a protection visa if he or she is a non-citizen in Australia in respect of whom the Minister is satisfied Australia has protection obligations because the Minister has substantial grounds for believing that, as a necessary and foreseeable consequence of the applicant being removed from Australia to a receiving country, there is a real risk that he or she will suffer significant harm: s.36(2)(aa) ('the complementary protection criterion').
7. In accordance with Ministerial Direction No.56, made under s.499 of the Act, the Tribunal is required to take account of policy guidelines prepared by the Department of Immigration – PAM3 Refugee and humanitarian - Complementary Protection Guidelines and PAM3 Refugee and humanitarian - Refugee Law Guidelines – and any country information assessment prepared by the Department of Foreign Affairs and Trade expressly for protection status determination purposes, to the extent that they are relevant to the decision under consideration.
8. The issue in this case is whether there is a real chance that the applicant will suffer persecution for reason of his religion as an Alawi if he returns to Lebanon in the reasonably foreseeable future and, if not whether there are substantial grounds for believing that as a necessary and foreseeable consequence of his removal from Australia to a receiving country

there is a real risk he will suffer significant harm. For the following reasons, the tribunal has concluded that the matter should be remitted for reconsideration.

9. The applicant is a [age] year old man. He was born in Tripoli, Lebanon and says that he is unmarried. He is an Alawi Muslim. He completed tertiary education in 2010 and came to Australia to undertake further study in [2011].
10. According to the applicant his plans for postgraduate study in Australia fell apart when his father was no longer able to provide financial support due to the worsening security situation and related problems in Tripoli, and as a direct result of which his business suffered and declined. The applicant claims that he fears serious harm in Lebanon because of his Alawi religion.

Departmental interview and delegate's decision

11. The applicant attended an interview with the Departmental delegate [in] 2012. The tribunal has listened to the recording of the interview.
12. The delegate found that as an Alawi Muslim there is a real chance that the applicant would face persecutory harm for a Convention reason if he returns to Tripoli or the Akkar area of Lebanon. In the decision record the delegate states that she was unable to locate country reports which indicate that *Alawis without any political profile, such as the applicant, are targeted for "serious harm" in the Beirut area or other mixed sect towns of southern Lebanon.*
13. The delegate's findings in relation to relocation elsewhere in Lebanon are thus:

While I acknowledge that the applicant would lack the support of a large, well-established local community in Beirut, reports were not sufficiently indicative of the applicant facing a situation where he will be denied housing and the capacity to earn a livelihood of any kind in Lebanon for reasons of his religion. The applicant indicated that he has practised his religion infrequently and privately and I am not satisfied he would face restrictions in the practice of his faith such that it would constitute persecution. As the applicant is mobile, able-bodied and capable of unskilled, semiskilled or skilled labour I have therefore proposed relocation to Beirut a reasonable and practical option for the applicant.
14. The delegate was not satisfied that members of the Alawi community face a risk of persecutory harm outside of Tripoli and the villages of the Akkar. The delegate accepted that the applicant has presented with a genuine, subjective fear of discrimination in Lebanon. However she found that he could relocate to Beirut where any disadvantage he might suffer would not amount to serious harm constituting persecution. The delegate was not satisfied that there is more than a remote chance that the applicant will be targeted and suffer serious harm if he were to return to Lebanon and relocate.

Tribunal hearing

15. The tribunal established that the applicant was born on [a certain date] in [Village 1], Lebanon. His father was also born in [Village 1]. The applicant's parents are currently living in [Village 2] where they have been renting accommodation for approximately the last six months. According to the applicant [Village 2] is a quiet and relatively safe settlement and removed from the conflict in Tripoli. The family home is in [Street 3] but it is currently empty. The family moved for security reasons and return to check on [Street 3] from time to

time. The premises in [Street 3] are rented. The rent is nominal and hence there is little financial hardship in maintaining the property. The tribunal established that the building in [Street 3] has not been damaged but because it lacks security the family does not feel safe to stay there.

16. The tribunal established that the applicant's father ran a business distributing [certain goods]. The business premises were located in [Village 4] in Tripoli. The premises became vulnerable to attack and damage during Tripoli's recent unrest. The business could not continue and his father virtually had to abandon the premises which were leased and not owned. He continues to conduct a limited amount of business in areas which he considers safe but generates little income; about 30% of what he earned previously.
17. The applicant said that he came to Australia to undertake further study in order to improve his employment and future prospects. When he came to Australia the agreement was that his father would meet the costs of his tuition and the applicant would work to sustain himself. However the financial situation deteriorated when his father's business began to fail because of the unrest in Tripoli.
18. The applicant spoke about recent conflict in Jabal Mohsen and in particular the bombings of two mosques in Tripoli on 23 August 2013. He said that it has been reported that a number of persons from Jabal Mohsen have been charged in relation to the bombings and other suspects are still wanted. The applicant said that because Alawis have been arrested and charged in relation to these offences there will be renewed hostility and retaliation against the Alawi population more widely.
19. The tribunal spoke to the applicant about his religion as an Alawi and the manner in which he and his family have professed or practised their faith. He described his upbringing and instruction in his faith by his father. He said that his education was in a Christian school but his father instilled in the children a deep commitment to their Alawi faith identity and tradition. According to the applicant his father did not attend the mosque regularly and did not regularly take the applicant and his siblings to the mosque throughout their childhood. However, in recent times and particularly since the death of the applicant's [relative] his father has begun to go to the mosque more regularly on Fridays. The tribunal asked the applicant if he attends the mosque for prayer in Australia. He replied that he does not. He added that his morals and his way of life have been passed to him through his father's instruction and example; his identity and his moral code are based on his Alawi religion. He explained that he is known and identified as an Alawi in his social circles and elsewhere in Lebanon. If questioned he would never seek to hide or deny his Alawi faith. He said that it is clear upon walking into his family home that this is an Alawi family, although it seems that the family has not lived within an Alawi community in Tripoli for many years, having relocated from [Location 5] to [Street 3] when the applicant was a child.
20. The tribunal put to the applicant that during his interview with the delegate the delegate had commented that his family is not being targeted for harm in Lebanon because of their religion at this time. The applicant replied that the situation for the Alawi population in Lebanon is poor and deteriorating further. The situation for the Alawi population has worsened because of the conflict in Syria; more recently because Alawi from Jabal Mohsen have been implicated in the recent bombings of the two mosques in Tripoli.
21. On the basis of the applicant's passport which was sighted by the tribunal the tribunal accepts that the applicant is a Lebanese national. On the basis of his oral evidence the tribunal accepts

that he is an Alawi Muslim. It accepts that he lived in the family residence [in] Tripoli before coming to Australia in [2010]. The tribunal accepts that the applicant's family fled the family home due to violence and unrest in Tripoli earlier this year and they now live in a remoter village in [Village 2]. The tribunal also accepts that the business run by the applicant's father in [Village 4] for many years has closed due to the attacks on local businesses, particularly those run by Alawis.

22. Having heard the evidence of the applicant the tribunal is persuaded that, whilst the applicant does not attend the mosque regularly in Australia and did not do so in Tripoli, his Alawi religion forms part of his identity and informs his daily life and behaviour. The tribunal accepts that the applicant is genuine and truthful when he says that he could not and would not deny or seek to conceal his Alawi faith for any reason including to remain safe. The tribunal is mindful that the applicant has lived his whole life in Lebanon until coming to Australia. He described one incident of past harm when he says that he was targeted because of his religion as an Alawi about five years before he left Lebanon. The tribunal notes also that the applicant has completed 22 years of education in Lebanon and has attained tertiary qualifications. It seems that he did not suffer discrimination in his educational opportunities because of his Alawi faith.
23. The tribunal has considered the applicant's situation if he were to return to Lebanon in the reasonably foreseeable future. As stated, the applicant and his family have lived in Tripoli for many years having moved there from [Location 5]. The applicant's father conducted business and the applicant attained a sound education. At the hearing the applicant spoke of his identity as an Alawi Muslim. He said that his family and his father, in particular are well-known as Alawi [Muslims]. The applicant asserted that he can be readily identified as an Alawi Muslim through his family connection. If asked he will never deny that he is an Alawi. He is fearful that at this time because of the crisis in Syria he is at greater risk of harm as an Alawi Muslim not only because of his religion but also because of his political views and his support for the Syrian President Bashar al Assad.
24. The tribunal found the applicant credible and persuasive. He did not seek to exaggerate or overstate the harm he fears in Lebanon. As stated the tribunal accepts that he is committed to his religion and his religion informs his identity as an individual and as part of a prominent Alawi family. Given the current sectarian violence in Tripoli and given the impact within Lebanon of the Syrian conflict the tribunal cannot confidently find that the applicant can return to Tripoli and live there in safety as an Alawi Muslim, either at the site of the former family home or with his parents who live temporarily in [Village 2]. The tribunal has considered that an attempt to ensure his safety would likely require the applicant to conceal his religious belief or otherwise to modify his behaviour to avoid serious harm. The tribunal accepts that in the applicant's particular circumstances the denial of a right to freely express his religious identity and belief would constitute serious harm consistent with the level of harm required under s.91R(1)(b).
25. The tribunal finds that while the Lebanese state authorities have taken some steps to intervene in fighting between Alawites and Sunnis in Tripoli the calm has not been maintained and a military presence in the area has failed to prevent ongoing clashes. The tribunal cannot confidently find that the applicant could obtain effective protection from the authorities.
26. The delegate found that the applicant could avoid the harm he fears as an Alawi by relocating to Beirut. On the basis of its finding above in relation to serious harm and on the basis of current country information the tribunal cannot confidently find that the applicant could

relocate safely to Beirut or indeed any other location in Lebanon. The tribunal finds that his fear of persecution for reasons of his religion as an Alawi Muslim and his imputed political opinion in Lebanon is well-founded.

Safe third country

27. The tribunal finds that the applicant has no legally enforceable right to enter and reside either temporarily or permanently and so finds that the applicant has no right to enter and reside in any safe third country for the purposes of s.36(3) of the Act or of Article IE of the Convention.
28. For the reasons given above the tribunal is satisfied that the applicant is a person in respect of whom Australia has protection obligations. Therefore he satisfies the criterion set out in s.36(2)(a).

DECISION

29. The Tribunal remits the matter for reconsideration with the direction that the applicant satisfies s.36(2)(a) of the Migration Act.

Pauline Pope
Member

Independent Country Information

Alawites

Demographics

Alawites are one of Lebanon's 18 officially recognised religious groups, and constitute one of Lebanon's smallest Muslim minorities.¹ However, the absence of recent census data on Lebanon's population makes it difficult to provide an accurate estimate of the size of particular religious groups.²

In March 2008, the Department of Foreign Affairs and Trade (DFAT) provided advice that there was between 100,000 and 150,000 Alawites living in Lebanon.³ A number of media sources were located that provide estimates broadly consistent with the DFAT advice. In a November 2011 article, *France 24* reported that there were an estimated 100,000 Alawite Muslims living in Lebanon.⁴ A similar number was provided by *Agence France-Presse* when it reported in November 2011 that there was between 100,000 and 120,000 Alawites in Lebanon.⁵

In contrast, other sources were located that provide a significantly lower estimate of the size of the Alawite community in Lebanon. In November 2011, the *New York Times* published an article on the impact of Syrian unrest in Lebanon which included claims by the leader of the main Alawite political party, the Arab Democratic Party, that there are "about 50,000 Alawites" in Lebanon.⁶ A similar estimate from the Jamestown Foundation states that the Alawites "number between 50,000 to 60,000 members".⁷ In a report released in August 2008 the *Mideast Monitor* provides a lower estimate still:

Lebanon's tiny Alawite community, estimated to number about 40,000-60,000, is concentrated in the northern port of Tripoli and a few villages in Akkar near the border with Syria.⁸

¹ US Department of State 2011, *2010 International Religious Freedom Report (July-December)*, 13 September, Section I

² US Department of State 2001, *International Religious Freedom Report – Lebanon*, 26 October, Section 1 <<http://www.state.gov/j/drl/rls/irf/2001/5615.htm>> Accessed 2 May 2012

³ DIAC Country Information Service 2008, *Country Information Report No. 08/23 – CIS Request No. LBN9260 – Hizb al Arabi al Demokrati and Alawi Muslims*, (sourced from DFAT advice of 14 March 2008), 17 March

⁴ 'Lebanon's Alawites view Syrian crisis with growing concern' 2011, *France 24*, 16 November <<http://www.france24.com/en/20111116-lebanon-alawites-view-syrian-crisis-with-growing-concern>> Accessed 17 April 2012

⁵ Soubeih, K 2011, 'Standing by Assad, Lebanon's Alawites wait and watch', *AFP*, 6 November <<http://www.google.com/hostednews/afp/article/ALeqM5hW9AA3z0y4vJ2A5PL2gHIQeOP9dg?docId=CNG.5cb7e0af3ad5074fc00d1ee2c45e89d8.11>> Accessed 2 May 2012

⁶ Wood, J 2011, 'Lebanese Fear Syria's Violence May Spill Over', *New York Times*, 9 November <http://www.nytimes.com/2011/11/10/world/middleeast/10iht-M10-LEBANON-TENSIONS.html?_r=2&pagewanted=all> Accessed 2 May 2012

⁷ Jamestown Foundation 2011, *Syrian Unrest Raises Sectarian Tensions in Lebanon*, 4 August, UNHCR Refworld <http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=38285&cHash=3d7ea380efd158d5b6cb4c0178506a04> Accessed 2 May 2012

⁸ Notably, the *Mideast Monitor* article cites as the information sources for its estimate a book titled *The Lebanese 1907 – 2006* published in 2007, and various Western news reports. The *Mideast Monitor* writes that the author of the book listed the number of Alawite identity cards issued by the Interior Ministry as 37,474, and that Western news reports commonly estimated the number of Alawites in Lebanon as between 50,000 and 60,000. The *Mideast Monitor* appears to have combined the numbers provided by these two sources to produce

Tripoli

Sources agree that Lebanon's Alawites are largely clustered in Tripoli and its surrounds.⁹
¹⁰ ¹¹ Reuters describes Tripoli as "a conservative Sunni city where many residents have been enraged by the Syrian government's crackdown on the 14-month revolt against 42 years of rule by the Assad family and their Alawite establishment".¹²

An article on the history of the Alawi sect in Lebanon, *al-akhbar* provides an estimate of the Alawite population in Tripoli:

Sixty percent of them [Alawites] live in the Jabal Mohsen area, which is a short distance from the north Lebanese city of Tripoli. Roughly a third of the community live in the country's northern Akkar region.¹³

Tripoli's Alawite-dominant Jabal Mohsen¹⁴ neighbourhood is approximately four square kilometres in size.¹⁵ Jabal Mohsen is surrounded by Sunni areas to the west (Bab al-Tabbaneh) and to the south (Ba'ear and Ebbeh).¹⁶ Jabal Mohsen has had a long-standing feud with Bab al-Tabbaneh.¹⁷ Paraphernalia supporting the Syrian opposition, such as posters and images of the revolutionary flag, is reportedly visible in Bab al-Tabbaneh.¹⁸ Both Bab al-Tabbaneh and Jabal Mohsen experience poverty,¹⁹ a lack of government services, and unemployment.²⁰ The two areas are divided by Syria Street.²¹

its own estimate for the size of the Alawi population of between 40,000-60,000 members. See Yazbeck, R 2008, 'Return of the Pink Panthers', *Middle East Monitor*, Vol. 3, No. 2

<http://www.mideastmonitor.org/issues/0808/0808_2.htm> Accessed 2 May 2012

⁹ Zambelis, C 2011, 'Syrian unrest dries Lebanese tinderbox', *Asia Times Online*, 6 August

<http://www.atimes.com/atimes/middle_east/mh06ak04.html> Accessed 2 May 2012

¹⁰ Jamestown Foundation 2011, *Syrian Unrest Raises Sectarian Tensions in Lebanon*, 4 August, UNHCR Refworld

<http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=38285&cHash=3d7ea380efd158d5b6cb4c0178506a04> Accessed 2 May 2012

¹¹ Yazbeck, R 2008, 'Return of the Pink Panthers', *Middle East Monitor*, Vol. 3, No. 2

<http://www.mideastmonitor.org/issues/0808/0808_2.htm> Accessed 2 May 2012

¹² Siddiq, N 2012, 'Alawite-Sunni fighting erupts in Lebanon, 3 killed', *Reuters*, 13 May

<<http://www.reuters.com/article/2012/05/13/us-lebanon-sects-fighting-idUSBRE84C03K20120513>> Accessed 15 May 2012

¹³ Nazzal, M 2011, 'Lebanon's Alawi: A Minority Struggles in a Nation of Sects', *al-akhbar*, 8 November

<<http://english.al-akhbar.com/content/lebanon%E2%80%99s-alawi-minority-struggles-%E2%80%99nation%E2%80%99-sects>> Accessed 17 April 2012

¹⁴ Alternative spellings of this neighbourhood include Jebel Mohsen, Jabal Muhsen, Jebel Mohsin, Baal Mohsen, and Ba'al Mohsin.

¹⁵ DIAC Country Information Service 2008, *Country Information Report No. 08/23 – CIS Request No.LBN9260: Lebanon: Hizb al Arabi al Demokrati and Alawi Muslims*, (sourced from DFAT advice of 17 March 2008), 17 March

¹⁶ Kazimi, N. 2008, 'Sunnis and Alawites Clash in Northern Lebanon', Talisman Gate blogsite, 12 May

<<http://talismangate.blogspot.com/2008/05/sunnis-and-alawites-clash-in-northern.html>> Accessed 27 September 2010

¹⁷ 'Lebanon – Displaced families struggle on both sides of sectarian divide', 2008, *IRIN News*, 31 July

<<http://www.irinnews.org/Report.aspx?ReportId=79538>> Accessed 27 September 2010

¹⁸ 'Syrian uprising sparks new Lebanon clashes' 2012, *ebr News*, source: *Associated Press*, 14 May

<<http://news.ebru.tv/en/world/syrian-uprising-sparks-new-lebanon-clashes>> Accessed 15 May 2012

¹⁹ 'U.S. Government Supports Tripoli Community Development' 2009, *USAID*, 14 July

<http://www.usaid.gov/lb/articles/story_761.html> Accessed 27 September 2010

²⁰ 'Rival Tripoli residents united in wait for compensation' 2011, *The Daily Star*, 27 September

<<http://www.dailystar.com.lb/News/Local-News/2011/Sep-27/149790-rival-tripoli-residents-united-in-wait-for-compensation.ashx#axzz1Z87DZ0kZ>> Accessed 27 September 2011

The Jabal Mohsen and Bab al-Tabbaneh neighbourhoods have a history of engaging in violence, which has reflected larger political tensions between Lebanon and Syria.²² Tripoli itself is approximately two hours' drive from the Syrian city of Homs.²³ *Asia Times Online* explains the division between the city's Sunni and Alawite communities:

Tripoli's predominantly Sunni community is aligned with Lebanon's March 14 Alliance, a US and Saudi Arabian-backed bloc featuring Saad al-Hariri's Future Movement. The March 14 Alliance opposes Syria and its Lebanese allies, namely the ruling March 8 Alliance that includes Hezbollah and its benefactor, Iran... In contrast, Tripoli's Alawite minority is allied with the March 8 Alliance and looks to Syria for support.²⁴

Syria's President Assad is an Alawite²⁵ and armed Alawites with allegiance to Assad have sporadically fought with Sunni militias in Tripoli.²⁶ A 1986 incident between pro-Syrian supporters and troops and the Islamic Tahwid movement resulted in several hundred deaths.²⁷

Current Situation

The security situation for Tripoli's Alawite enclave remains unstable. Recent news reports cite violence affecting Tripoli's Alawites, including reports in light of the security situation in Syria. In February 2012, the *Inter Press Service* reported that "[t]he conflict between the groups [Lebanese Sunnis and Alawites] has been on-going for generations and seems set to continue for long".²⁸

On 14 May 2012, *BBC News* reported sectarian clashes taking place in Tripoli, between "Alawite supporters of Syrian President Bashar al-Assad and Sunnis, who back the Syrian opposition". The violence was apparently sparked when a Sunni cleric was arrested on terrorism charges – the cleric's Sunni supporters claim that he was actually detained because he had provided Syrian refugees with support. According to *BBC News*, five people were killed and approximately 20 injured during the clashes, which involved heavy gunfire in Jabal Mohsen and Bab al-Tabbaneh.²⁹ A *Reuters* article reports that rocket-propelled grenades and automatic rifles were employed during the violence, and that troops

²¹ Fisk, R 2008, 'Al-Qa'ida sends its warriors from Iraq to wage jihad in Lebanon', *The Independent*, 15 August, <<http://www.independent.co.uk/opinion/commentators/fisk/robert-fisk-alqaida-sends-its-warriors-from-iraq-to-wage-jihad-in-lebanon-897557.html>> Accessed 17 April 2012

²² Ghaddar, H 2008, 'Talking To Hazem al-Amin', *NOW Lebanon*, 3 July <<http://www.nowlebanon.com/NewsArchiveDetails.aspx?ID=49657>> Accessed 31 October 2011

²³ Fisk, R 2011, 'Uneasy times in Lebanon as Syrian revolt simmers', *Ya Libnan* website, 21 May <<http://www.yalibnan.com/2011/05/21/uneasy-times-in-lebanon-as-syrian-revolt-simmers/>> Accessed 31 October 2011

²⁴ Zambelis, C 2011, 'Syrian unrest dries Lebanese tinderbox', *Asia Times Online*, 6 August <http://atimes.com/atimes/Middle_East/MH06Ak04.html> Accessed 31 October 2011

²⁵ Zambelis, C 2011, 'Syrian unrest dries Lebanese tinderbox', *Asia Times Online*, 6 August <http://atimes.com/atimes/Middle_East/MH06Ak04.html> Accessed 31 October 2011

²⁶ 'Syria's unrest seeps into Lebanon' 2011, *The New York Times*, 4 May <http://www.nytimes.com/2011/05/05/world/middleeast/05iht-M05-SYRIA-REFUGEEES.html?_r=1> Accessed 19 July 2011

²⁷ 'Rival Tripoli residents united in wait for compensation' 2011, *The Daily Star*, 27 September <<http://www.dailystar.com.lb/News/Local-News/2011/Sep-27/149790-rival-tripoli-residents-united-in-wait-for-compensation.ashx#axzz1Z87DZ0kZ>> Accessed 27 September 2011

²⁸ Alami, M 2012, 'Syrian Crisis Spills Over Into Lebanon', *Inter Press Service*, 15 February <<http://www.globalissues.org/news/2012/02/15/12727>> Accessed 17 April 2012

²⁹ 'Five killed in sectarian clashes in Lebanon's Tripoli' 2012, *BBC News*, 14 May <<http://www.bbc.co.uk/news/world-europe-18057407>> Accessed 15 May 2012

were deployed to the area.³⁰ However, *BBC News* reported that the army was not able to enter all of the affected areas. According to one commentator, the army was reluctant to intervene “without political cover”.³¹

Clashes between Bab al-Tabbaneh and Jabal Mohsen also occurred in mid-February 2012, apparently sparked by pro-revolutionary rallies which were held near Alawite areas.³² An article in *al-akhbar* describes the conflict:

While the rest of Tripoli held its breath, the neighborhoods Bab al-Tabbaneh and Jabal Mohsen saw clashes flare up once again over the weekend.

Short yet intense, the clashes served as a chilling reminder of widespread concerns that violence in Syria might yet spill over into Lebanon.

Around sunset Friday, the exchange of fire was so intense between the mainly Alawi Jabal Mohsen, and the predominantly Sunni Bab al-Tabbaneh neighborhoods, that it sounded like heavy rain.

...the new reason to fight was encapsulated in the Lebanese divide over the Syrian uprising that began in March 2011.³³

The *Inter Press Service* reported that the February 2012 clashes resulted in three deaths.³⁴

Clashes between the Alawite and Sunni communities in Tripoli were also reported to have occurred on 17 June 2011, when anti-Syrian protests by Sunni militias degenerated into fighting, between pro- and anti-Syrian demonstrators in the area. Reports vary as to whether the clashes resulted in eight deaths and over 20 injuries,³⁵ or seven deaths, and almost 60 injuries.³⁶ The clashes mainly occurred in Jabal Mohsen and Bab al-Tabbaneh, after an anti-Assad protest took place in the latter.³⁷ In the month prior to this incident, *The New York Times* had reported that violence in Tripoli since the beginning of the Syrian uprising had been largely contained “to a few unclaimed grenade attacks and some

³⁰ Siddiq, N 2012, ‘Alawite-Sunni fighting erupts in Lebanon, 3 killed’, *Reuters*, 13 May <<http://www.reuters.com/article/2012/05/13/us-lebanon-sects-fighting-idUSBRE84C03K20120513>> Accessed 15 May 2012

³¹ ‘Five killed in sectarian clashes in Lebanon’s Tripoli’ 2012, *BBC News*, 14 May <<http://www.bbc.co.uk/news/world-europe-18057407>> Accessed 15 May 2012

³² ‘Syrian refugees in Tripoli pledge unity with under-siege Homs’ 2012, *The Daily Star*, 27 February <<http://www.dailystar.com.lb/News/Local-News/2012/Feb-27/164732-syrian-refugees-in-tripoli-pledge-unity-with-under-siege-homs.ashx#axzz1nXVU7VxB>> Accessed 15 May 2012

³³ Assir, S 2012, ‘Tripoli Clashes Keeping Conflict Alive’, *al-akhbar*, 14 February <<http://english.al-akhbar.com/content/tripoli-clashes-keeping-conflict-alive>> Accessed 17 April 2012

³⁴ Alami, M 2012, ‘Syrian Crisis Spills Over Into Lebanon’, *Inter Press Service*, 15 February <<http://www.globalissues.org/news/2012/02/15/12727>> Accessed 17 April 2012

³⁵ ‘Tripoli’s Future MPs urge arms-free city in talks with Mikati, Sleiman’ 2011, *The Daily Star*, 27 June <<http://www.dailystar.com.lb/News/Politics/2011/Jun-27/Tripolis-Future-MPs-urge-arms-free-city-in-talks-with-Mikati-Sleiman.ashx#axzz1sLl6xDvK>> Accessed 17 April 2012

³⁶ ‘Rival Tripoli residents united in wait for compensation’ 2011, *The Daily Star*, 27 September <<http://www.dailystar.com.lb/News/Local-News/2011/Sep-27/149790-rival-tripoli-residents-united-in-wait-for-compensation.ashx>> Accessed 17 April 2012

³⁷ ‘Tripoli’s Future MPs urge arms-free city in talks with Mikati, Sleiman’ 2011, *The Daily Star*, 27 June <<http://www.dailystar.com.lb/News/Politics/2011/Jun-27/Tripolis-Future-MPs-urge-arms-free-city-in-talks-with-Mikati-Sleiman.ashx?searchText=alawite#axzz1RU3tu214>> Accessed 19 July 2011

damage”.³⁸ After the violence, Tripoli’s politicians from the Future Movement bloc pressed for the city to be declared arms-free.³⁹ A further Sunni-Alawite clash in late 2011 resulted in one death.⁴⁰

According to *The Daily Star*, there was a heavy police deployment to Jabal Mohsen and Bab al-Tabbaneh neighbourhoods after the June 2011 clashes which resulted in several deaths and tens of injuries; however the *Ya Libnan* website maintains that there was already a military presence in the area which had failed to prevent the clashes.⁴¹

Conflict between Alawites and Sunnis also occurred in mid-2008, when clashes between the two sides resulted in at least 23 deaths and over 100 injuries. During this time, the Lebanese army took up positions between Jabal Mohsen and Bab al-Tabbaneh.⁴² The Lebanese army also set up a checkpoint near Bab al-Tabbaneh in November 2008.⁴³ An article from *The Christian Science Monitor*, dated during this period of conflict, reported that Alawis were beaten and robbed if they left Jabal Mohsen, and that Sunnis were also beaten and robbed if they left Bab al-Tabbaneh.⁴⁴ Similarly, threats of violence reportedly forced Alawis living or owning businesses in Sunni areas to relocate to Jabal Mohsen.⁴⁵

Up to 6,000 families were reportedly displaced as a result of the 2008 conflict.⁴⁶ The Internal Displacement Monitoring Centre reported that the majority of Alawi families in Tripoli who were displaced had returned after both communities agreed to a peace agreement in September 2008.⁴⁷ However, by October 2010 the International Crisis Group had reported that Bab-Tabbaneh and Jabal Mohsen neighborhoods had “witnessed both

³⁸ ‘Syria’s unrest seeps into Lebanon’ 2011, *The New York Times*, 4 May
<<http://www.nytimes.com/2011/05/05/world/middleeast/05iht-M05-SYRIA-REFUGEEES.html>> Accessed 17 April 2012

³⁹ ‘Tripoli’s Future MPs urge arms-free city in talks with Mikati, Sleiman’ 2011, *The Daily Star*, 27 June
<<http://www.dailystar.com.lb/News/Politics/2011/Jun-27/Tripolis-Future-MPs-urge-arms-free-city-in-talks-with-Mikati-Sleiman.ashx?searchText=alawite#axzz1RU3tu214>> Accessed 19 July 2011

⁴⁰ ‘Teen dies in northern Lebanon amid tension over Syria’ 2011, *Agence France Presse*
<<http://www.nowlebanon.com/NewsArticleDetails.aspx?ID=336804>> Accessed 29 November 2011

⁴¹ Fisk, R 2011, ‘Uneasy times in Lebanon as Syrian revolt simmers’, *Ya Libnan* website, 21 May <<http://www.yalibnan.com/2011/05/21/uneasy-times-in-lebanon-as-syrian-revolt-simmers/>> Accessed 17 April 2012

⁴² ‘Army deployed to calm Tripoli’, 2008, *Al Jazeera*, 26 July
<<http://english.aljazeera.net/news/middleeast/2008/07/2008726105727478390.html>> Accessed 17 April 2012

⁴³ Joshi, M 2008, ‘One killed, 9 wounded in shooting incident in northern Lebanon’, *Top News*, 21 November
<<http://www.topnews.in/one-killed-9-wounded-shooting-incident-northern-lebanon-291579>> Accessed 17 April 2012

⁴⁴ Blanford, N 2008, ‘Can Lebanon douse political fires?’, *The Christian Science Monitor*, 26 June
<<http://www.csmonitor.com/World/Middle-East/2008/0626/p06s05-wome.html>> Accessed 17 April 2012

⁴⁵ Perry, T 2008, ‘Sectarian tension hangs over north Lebanon city’, *Reuters*, 1 August
<<http://www.reuters.com/article/idUSL1708192>> Accessed 17 April 2012

⁴⁶ ‘Lebanon – Displaced families struggle on both sides of sectarian divide’, 2008, *IRIN News*, 31 July
<<http://www.irinnews.org/Report.aspx?ReportId=79538>> Accessed 17 April 2012

⁴⁷ Internal Displacement Monitoring Centre 2009, *Difficulties continue for people displaced by successive conflicts*, 28 September <[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/7477F5A7D2C2844AC125763F00535B41/\\$file/Lebanon_Overview_Sep09.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/7477F5A7D2C2844AC125763F00535B41/$file/Lebanon_Overview_Sep09.pdf)> Accessed 17 April 2012

verbal and military escalation, including the firing into the latter neighborhood of a rocket that injured two”.⁴⁸

As recently as November 2013 Tripoli continues to experience ongoing sectarian violence and there are reports of attacks on the Alawi population. Battles continue between Alawite fighters in Tripoli’s Jabal Mohsen neighbourhood and Sunni militants in the neighbouring Bab al-Tabbaneh area resulting in 14 deaths from both sides.⁴⁹

More generally, Department of Immigration and Citizenship (DIAC) advice from 2008 stated that attaining accurate information on the situation for Lebanese Alawites could be difficult as they live as a “closed and secretive community”.⁵⁰ Additionally, whilst two Alawites were elected to Lebanon’s parliament in 2010,⁵¹ the sect has historically been unrepresented in government and the military. A 2011 article in *al-akbar* notes:

...unlike other sects, Alawis have not been represented by a Lebanese government since independence. No Alawi has served as a minister in Lebanon’s history. There are no Alawi governors, mayors, lawyers, or high ranking military officers. Their first representatives in parliament only appeared after the first elections in 1992 following the Taif Accord, when they were assigned two seats.⁵²

⁴⁸ International Crisis Group 2010, *New Crisis, Old Demons in Lebanon: The Forgotten Lessons of Bab-Tebbaneh/Jabal Mohsen*, Middle East Briefing N°29, 14 October <<http://www.crisisgroup.org/en/publication-type/media-releases/2010/mena/new-crisis-old-demons-in-lebanon%20.aspx>> Accessed 17 April 2012

⁴⁹ DIAC Cisnet CX315236: LEBANON:19 Alawites wounded in wave of north Lebanon attacks , *Agence France Presse (AFP)* - France, 2 November, 2013, , <https://now.mmedia.me/lb/en/lebanonnews/518746-19-alawites-wounded-in-wave-of-north-lebanon-attacks> Accessed 5 November 2013.

⁵⁰ DIAC Country Information Service 2008, *Country Information Report No. 08/23 – CIS Request No.LBN9260: Lebanon: Hizb al Arabi al Democrati and Alawi Muslims*, (sourced from DFAT advice of 17 March 2008), 17 March

⁵¹ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Lebanon*, 8 April, Section 2(d)

⁵² ‘Lebanon’s Alawi: A Minority Struggles in a Nation of Sects’ 2011, *al-akhbar*, 8 November <<http://english.al-akhbar.com/content/lebanon%E2%80%99s-alawi-minority-struggles-%E2%80%98nation%E2%80%99-sects>> Accessed 17 April 2012