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Written statement* submitted by the Arab NGO Network for Development, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Conditions of economic and social rights in Lebanon within the context of the related Universal Periodic Review session

The Arab NGO Network for Development (ANND) welcomes the results of the examination of the human rights situation in Lebanon, which took place in the context of the Universal Periodic Review (UPR) on 10 November 2010 (referred to as review session hereafter).

Many of the reviewing countries thanked Lebanon for its constructive participation, openness and willingness to cooperate in the UPR process and acknowledged Lebanon's efforts in the promotion and protection of human rights. Lebanon as well noted its commitment to the UDHR and stated UPR as an effective tool to promote human rights. ANND hopes that these statements actually include sincere willingness on the part of the Lebanese Government to take active and effective measures towards addressing the gaps and violations that were raised during the review session.

While many of the interventions during the review session highlighted specific progress in areas of ESR, ANND would like to take this opportunity to bring forward specific concerns related to continuous violations and deprivation of economic and social rights (ESR) in Lebanon.¹ ANND would like to put forward as well a set of recommendations for remedial actions.

The national delegation of Lebanon to the review session stressed the long history of political instability and violence, combined with the frequent wars, as factors limiting the capacities of the countries to deliver on the rights front. ANND realizes this fact but stresses that the violations of ESR in Lebanon reflects as well failure of economic and social policies adopted by successive governments in addressing national developmental challenges. Indeed, Lebanon till date lacks a comprehensive rights-based inclusive and applicable social policy. The Delegation noted the establishment of a ministerial committee to coordinate the efforts of the various ministries concerned with social affairs and announced that medium-term comprehensive social development strategy will be adopted. We would like to stress that due to the lack of comprehensive national social strategy relatively high social spending does not provide progressive realization of the right to social security for all citizens.

Although poverty remains a significant challenge facing the realization of social and economic rights and nearly 8% of the Lebanese population lives under conditions of extreme poverty, this challenge was barely addressed during the session, but rather indication of progress in poverty reduction was highlighted. However, it is important to note that despite limited average progress achieved, disparities among region persist and reflect significant rights' violation. Indeed, the percentage of households living with low and very low living conditions is 9% in Beirut, compared to 22% in Mount Lebanon, 34% in Bekaa, 42% in the North, and 45% in the South.

Concerning the right to work, Lebanon received several recommendations highlighting the problematic of enjoyment of right to work by Palestinians and migrant domestic workers. ANND supports all the recommendations raised during the review session; but would like to further stress that labor markets in Lebanon are as well characterized by several barriers to equality in relation to the right to work for national workers, including occupational

¹ All of the data used in this written statement were retrieved from the Joint Stakeholder Submission entitled ANND-Coalition of Civil Society Groups Active in Lebanon, available at http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/LB/ANND_CoalitionofCivilSocietyGroupsActiveinLebanon_JS.pdf

segregation, gender gaps, and consistent unequal opportunities for women and men. The government's employment and labor policies still fail to tackle unemployment and obstacles to full enjoyment of the right to work. Total unemployment rose to 9.0% in 2007, reaching 83% among people with disabilities. Moreover although women represent around 50% of Lebanon's total population, their representation in the total labor force does not exceed 21.5%, with high regional disparities. The highest unemployment is recorded among the 20-24 years age groups (17.3%). Moreover, the Lebanese labor law (especially Article 7, Articles 86/87, and Article 105 of the Lebanese Labor Law as well as Article 15 of decree 112/1959) stands in stark violation of International Labor Conventions, such as Labor Convention number 87 of 1948, which Lebanon have not ratified till date.

With regards to the Palestinians' right to work, the Delegation stated that the right to work was granted to Palestinians residing in Lebanon. Nevertheless, the 1964 law that imposes a reciprocity condition on the membership in professional syndicates- has not been amended and thus the principle of reciprocity continues to present a major obstacle to the ability of Palestinian refugees to work in Lebanon.

Although the achievements and measures taken with respect to right to education, (such as the initiative Education for All and programs to combat illiteracy) were appreciated by several countries during the review session, ANND would like to emphasize that the education policy in Lebanon has failed so far in achieving a public education system that secures equal access, quality, and needed capacity. Moreover, the practical implementation of the declared programs and related mechanisms has not been set in place in manner that addresses the existent disparities.

Regarding the right to health, Lebanon stated that 12% of the public budget has been allocated to health. Nevertheless, this relatively high per capita expenditure on health does not explain the unequal access to healthcare nor the persistent regional disparities in the distribution of health coverage. We would like to also underline that Lebanon as well acknowledged in the National Report that although health indicators continue to improve, the Lebanese health system remains beset by numerous problems, including the high cost of health services, the fact that health services operate under a free market economy and absence of a health map.

Last but not least, although the effects of the trade liberalization on human rights have not been mentioned by UN Member States participating in the review session, ANND would like to draw attention to the fact that Lebanon continues to neglect its obligations under national and international law when negotiating trade liberalization agreements, with no a priori assessment of their expected impact on ESR.

Furthermore, ANND regrets that much of the regress and persistent violations in ESR in Lebanon have not been addressed during the session. In light of this context, we urge the Council to reiterate that the Lebanese government:

- Enable the availability and accessibility of information on household resources at a finely disaggregated level that consider regional and gender disparities
- Give due consideration to the geographic dimension of poverty in programs addressing poverty reduction.
- Establish a well-resourced well trained labor inspection unit to: (1) monitor working conditions and (2) ensure enforcement of legislation requiring employers to provide equal wages for work of equal value and (3) enforce work contracts that include reasonable working hours, daily and weekly rests, minimum wage, and legal protection from any abuse, and adequate age of work
- Tackle the de jure and de facto discrimination against Palestinians in Lebanon, ameliorating the conditions of the refugee camps, ending all practices that prohibit or

hinder the reconstruction, development of, and free access to Palestinian refugee camps, and take responsibility for accelerating the process of rebuilding Nahr El Bared.

- Bring the Lebanese labor law in alignment with the International Labor Conventions, and ratify Labor Convention number 87 of 1948.
- Enhance the quality of public education, developing a new unified curriculum, introducing a drop-out prevention program, establishing and implementing quality-oriented strategies especially for public schools in rural areas, and adapting the school environment to the basic needs of children and people with disabilities, while working towards banning double shifts in schools.
- Reform the health system in order to establish a health policy that prioritizes protection of the citizen in need of health services, preserves the right to adequate information in the health sector, and promotes a stable and long-lasting partnership between the public and private health sectors
- Develop a comprehensive social strategy, including an approach integrating comprehensive social security, development, and human rights. Such a strategy should address social infrastructure, social stabilizers within macro-economic policies, a special strategy to protect the unemployed, and a calculation of the added-value of the care economy and decent work.
- Ensure that (1) trade liberalization processes negotiated by the Lebanese government do not lead to the entrenchment of discrimination (2) agricultural-related trade agreements contain special safeguards that protect human dignity and the right to food security and sovereignty (3) undertake corrective procedures and supportive tools for temporary periods in order for Lebanese production to be able to compete at the regional and international levels and (4) exercise the right to re-impose Quantitative Restrictions in instances of import surges and to protect rural livelihoods and development.
- To sign and ratify the optional protocol to the International Covenant on Economic, Social, and Cultural Rights.

We call upon the Lebanese government to immediately act to translate all the recommendations accepted during the review session into comprehensive, concrete and effective action. To ensure full compliance with these recommendations arising from the review session, as well as those put forward by the UN High Commissioner for Human Rights, we invite the Lebanese Government, in cooperation with the Human Rights Council, to establish a comprehensive monitoring and follow-up mechanism, that provides effective space for participation by civil society.