

United Nations Country Team Report for the Universal Periodic Review of Lebanon
- Ninth Session, December 2010 -

I. Introduction

1. This joint Universal Periodic Review (UPR) submission was drafted by the United Nations Country Team (UNCT) in Lebanon. The report is a collective analysis of Lebanon's human rights records, challenges and achievements and does not attempt to be exhaustive in its reach. Instead the report seeks to provide an overview of how the UN contributes to improve the exercise and enjoyment of human rights of Lebanese and others living in the country.¹

II. Background and Framework

A. Political context

2. Lebanon has experienced decades of protracted political uncertainty and arrested development. In the last five years, Lebanon has witnessed several political assassinations including that of Prime Minister Rafik Hariri, a major armed conflict with Israel, temporary periodic paralysis of key institutions, a 105-day battle in the Nahr el-Bared Refugee camp and week-long violent clashes in May 2008. The cumulative social and political strain of conflict have not favoured a consistent, nationwide respect for human rights and the application of international human rights standards, but rather been detrimental to the general level of progress in the domain of good governance and human development. Nevertheless, there has been steady economic growth in a context of improved stability in recent years, the conduct of peaceful parliamentary elections and the subsequent formation of a national unity government in late 2009.

3. Periodic recoveries testify to the remarkable resilience of Lebanon and its people. This resilience is due, in no small measure, to 60 national and local political newspapers representing different viewpoints in national debates and another 1835 licensed cultural, social and business publications. Forty privately registered Universities along with the public Lebanese University, operating in several cities, and their affiliated social and technical research institutes and think tanks, create a favorable academic setting for the production and exchange of knowledge and ideas. Finally, over 3360 registered NGOs constitute what is amongst the most vibrant civil societies in the region"

4. The underlying and root causes of Lebanon's instability are concentrated in the nature of its political system. The Lebanese model of consociational democracy, primarily designed to promote political accommodation amongst confessional groupings, presents one key challenge to the universal application of human rights throughout the country. Because of its diverse personal status laws, Lebanon's confessional system has brought differentiated, rather than shared and universal, rights to its citizens. It also tends to make access to political, economic and administrative power dependent upon religious and factional affiliation. In the area of social and economic rights, a market-oriented environment continues to function with limited regulation that at times verges on lawlessness. As a result, confessional networks function as the main avenue to secure employment, or to obtain access to public goods and services. The negative influence of this system is best illustrated by the limited progress on social reconciliation process, ending impunity and consolidating peace since the civil war ended in

¹ For a more detailed presentation of the work performed by the UNCT readers may refer to the Common Country Assessment (CCA), the United Nations Development Assistance Framework for Lebanon 2010- 2014 (UNDAF) and the Lebanon 2008-2009 National Human Development Report: Toward a citizen's state, annexed to this report.

1990. This has contributed to undermining accountability and good governance, and weakened state authority. Moving towards a consistent implementation of international human rights norms and standards to all residents in Lebanon will require concerted measures, cutting across traditional confessional lines and partisan affiliations. In order to strengthen a more stable political system and robust human rights regime and overcome the legacy of a troubled past, Lebanon will need to make fundamental choices of governance and leadership.

5. Lebanon will have to build on its important elements of strength and take advantage of the stability it currently enjoys to meet its domestic, but also formidable regional, challenges. The challenges can be met with the sustained help of the international community.

- Lebanon is encouraged to continue its work towards anchoring peace in the respect for rule of law and addressing a legacy that includes displacements, enforced disappearances and/or abductions by all parties, as well as a persistent culture of impunity.

B. Human Rights Context

6. The state of human rights and good governance in Lebanon has modestly improved in recent years, but much progress is still needed. Most laws in Lebanon do seek to protect human rights, but many are ineffectively implemented, if at all. A major challenge remains the promotion of equal participation. Constructive dialogue on critical national issues may be supported through the strengthening of equality, equal access and democratic participation in the exercise of civil, cultural, economic, political and social rights, as well as gender equality, and the right to a healthy environment.

7. Lebanon's 1990 Constitution incorporates the 1948 Universal Declaration of Human Rights into its provisions. According to the Preamble, the Lebanese Government "shall embody these principles in all fields and areas without exception". International human rights norms and standards thus have constitutional value, and a higher standing than the law according to the Preamble of the Constitution and Article 2 of the Code of Civil Procedure. This singular commitment at the constitutional level distinguishes Lebanon from many other countries, and offers the United Nations a valuable opportunity to assist Lebanon in translating its commitment into appropriate legislation and practice on the ground.

C. Cooperation with human rights mechanisms

8. Lebanon is a State Party to six of the nine major international human rights instruments; it has ratified seven out of the ILO's eight core conventions, and passed, in the last 10 years, more than 90 laws related to human rights, gender equality, and transparency². Despite these positive aspects, gaps remain between Lebanon's legal obligations under international human rights conventions as existing laws, procedures, and practices on the ground, do not incorporate procedural safeguards to ensure the implementation of such treaties.

9. Lebanon's reporting record under these treaties also remains an area of concern. While submitting timely reports to ILO's committee of experts, Lebanon has outstanding reports on

² Lebanon has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, has signed, but not yet ratified the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearances. Lebanon has similarly not yet ratified ILO's core convention C87 Freedom of Association and the Protection of the Right to Organize and the 1951 Convention Relating to the Status of Refugees and the 1954 Convention Relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness. Lebanon has not acceded to the Rome Statute of the International Criminal Court.

the implementation of four of the six human rights instruments it has ratified. Under the ICESCR, ICCPR and CAT, Lebanon is currently more than ten years late, a trend largely attributed to the lack of a central mechanism in charge of human rights, communication with the UN system and the fulfilment of reporting obligations.

- Lebanon should ensure that international standards are adequately integrated into its national legislation, implemented, and monitored when integrated.
- Lebanon should establish a permanent inter-ministerial structure tasked with the responsibility of reporting to treaty bodies and to the universal periodic review.
- Lebanon should consider ratifying outstanding and/or signed international conventions.

III. Promotion and Protection of Human Rights on the ground

Rule of Law:

10. The Lebanese system of governance has several accountability and administrative control mechanisms. However, due to unclear regulations and operational procedures as well as limited financial and human resources, the effectiveness of these institutions remains severely restricted. The principle of equality before the law is also undermined by a political system resting on the individual's confessional affiliation. The reach of the judiciary is frequently hampered by political considerations.

11. There are continuing reports of arbitrary detention and of poor conditions of detention, particularly for migrants and other non-citizens. Ill-treatment, abuse and other practices amounting to torture are reported concerning initial detention in police and other security facilities, and impunity for such violations is widespread. Moreover, accountability and transparency mechanisms with regards to special "judicial" mechanisms, such as the Justice Council and military courts, do not exist.

12. Military courts enjoy broad jurisdiction, extending beyond disciplinary matters. They try both military and civilian persons, in contradiction to international standards of administration of justice. Similar concerns exist regarding the procedural and legal aspects of the Justice Council, where judges are appointed by the executive branch which also takes decisions regarding referral of cases, contradicting the principles of separation of power, independence of the judiciary, and equality before the law. At the same time, aspects related to the right to appeal, retrial and trials in absentia and failure to differentiate between adults and juveniles remain issues of grave concern.

13. Lebanon's efforts to improve human rights include the ongoing work by the Parliamentary Human Rights Committee to articulate a National Plan of Action for Human Rights (NPAHR), in cooperation with UNDP and OHCHR, a process that was reinvigorated in December 2009. In December 2008, Lebanon ratified the Optional Protocol to the International Convention Against Torture and other cruel, inhumane or degrading treatment and Punishment (OP-CAT). Although missing the one-year deadline for the establishment of a National Prevention Mechanism (NPM), as required under the OP-CAT, the process to establish such a mechanism is ongoing and benefits from a broad consensus that torture must end. Discussions are also taking place regarding the possible establishment of a National Human Rights Institution (NHRI), for which different models are currently under consideration. Lastly, it is worth noting the current efforts of the Minister of Justice to remove the death penalty from the Penal Code.

- Lebanon should continue its efforts towards ensuring an independent judiciary with judges able to maintain international human rights principles and standards.
- Lebanon is encouraged to continue its cooperation, with UNDP, the OHCHR and civil society, in articulating and implementing its NPAHR.
- Lebanon is encouraged to continue its efforts towards the establishment of an independent NPM.
- Lebanon is encouraged to continue and strengthen its ongoing efforts to establish an NHRI in accordance with all Paris Principles.

Prison conditions:

14. The occupancy level of prisons in Lebanon, based on official capacity, is around 140%. Overcrowded prisons remain one of the most serious challenges confronting any process of penal reform in Lebanon. Detention conditions are poor and the lack of adequate facilities and services present major obstacles for prisoners in accessing their basic rights. In addition, the insufficient and inefficient structuring of space of detention facilities leave detainees, convicted or accused of both serious crimes and minor felonies without separation. Furthermore, custodial staff members do not receive appropriate training on the rights and needs of prisoners, including the need for gender sensitization and training on how to handle juvenile offenders.

15. The new government, in its policy statement, announced that it would transfer prisons administration from the Ministry of Interior to the Ministry of Justice within a 5- year period.

- Lebanon should continue its efforts in the implementation of the 5-year plan ensuring the prison's administration transfer to the Ministry of Justice.
- Lebanon should consider amending its penal code to include alternatives to imprisonment.
- Lebanon should consider providing specialized training to prison personnel on human rights norms and standards with regard to the treatment of prisoners.

Elections:

16. The current electoral law in Lebanon falls short of international standards for free and fair elections on a number of points, including the manner in which ballots are prepared and distributed and restrictions placed on an individual's right to run for and hold office. Furthermore, several categories of persons are not eligible to vote under the Lebanese constitution and legislation – members of the security forces, naturalized citizens until ten years after naturalization and Lebanese citizens outside of Lebanon. Although the age of majority in Lebanon for most purposes is 18, citizens must be 21 to vote. Additional issues include the lack of an independent election management body, regulation and monitoring of campaign financing and the very low representation of women in elected bodies.

- Lebanon should consider adopting the recommendations of the Boutros Commission for a draft electoral law, which was arrived at through broad consensus.

Women's rights:

17. A wide array of laws and practices impede the fulfilment of women's rights in Lebanon. The main source of concern regarding women's equal access to rights stems from Lebanon's personal status laws which are associated with the religious affiliation of the person. Marriage, divorce, guardianship, custody and inheritance are considered aspects of religious practice, or related thereto, and the rules governing personal status are as many as there are recognized

religious denominations. There is therefore no standardized minimum age for marriage, and in some sects, marriage for children under the age of 9 years is allowed.

18. In matters of nationality, Lebanese Law³ restricts jus sanguine to the father. A Lebanese woman cannot grant her nationality to her children or to a foreign husband, a situation that often results in statelessness. In contrast, a foreign woman married to a Lebanese man, becomes Lebanese one year after the marriage is registered. In addition, a foreign mother who has acquired the Lebanese nationality has the right to grant her nationality to her children, if she remains alive after the death of her husband, while a Lebanese women is denied this right.

19. In Lebanon, traditional gender disparities remain prevalent in the educational system and in the division of labour. In 2007, two-thirds of women were neither in education or employment, compared to 46 per cent of men. Although enrolled girls perform better than boys, gender inequalities and discrimination subsist in schools and gender parity is yet to be achieved. Gender stereotypes are also common in textbooks/curricula and teaching practices, vastly affecting the quality of education and, ultimately, women's educational choices and employment opportunities.⁴

20. In public administration, female participation is largely limited and mostly restricted to lower professional grades. Women are almost absent in higher management positions, while 19.3% of women are employed as unskilled workers (compared to 8.7% of men). The Human Development Report 2009 shows that in Lebanon, women earn a meagre quarter of what men earn in comparable positions. As a result, much work remains to be done to achieve equal pay and benefits for women in the workplace, and to eliminate gender discrimination in the area of social and health benefits.

- Lebanon should amend the nationality law to enable Lebanese women to give the nationality to their husbands and children.
- Lebanon should remove its reservation to CEDAW's Art. 9 (2) and Article 16 (1)(c)(d) (f) and (g), as recommended by the Committee (2008).⁵
- Lebanon should consider introducing a single civil personal status law into its national legislation, applicable to all women, irrespective of their religious affiliation.
- Lebanon should introduce legal safeguards in the new Labour code against discrimination in pay, employment and occupation in line with the ILO Conventions ratified by Lebanon.

21. Lebanon is a party to international human rights treaties specifically assuming the obligation to protect women from discrimination and gender-based violence perpetrated by both state and private actors. Nonetheless, women remain significantly under-protected on issues of personal status laws, victims of gender-based violence, including marital rape and so-called honour crimes. Although the rate of domestic violence is high in Lebanon, women faced with violence rarely seek adequate legal or other means of protection, as domestic violence is perceived as a family matter, and legal cases are handled by the 18 religious courts, instead of a single civil court. Furthermore, Article 562 of the Lebanese penal code recognizes mitigating factors for perpetrators of so-called honor crimes, although these have been narrowed by the Lebanese judiciary in recent years.⁶

³ Decision No. 15 of 19 November 1925, amended on 11 January 1960

⁴EFA Global Monitoring Report 2010 (<http://unesdoc.unesco.org/images/0018/001866/186606E.pdf>)

⁵ CEDAW/C/LBN/CO/3

⁶ Criminal Appeal Court, ruling of 23 December 2003

22. Women, including refugees or women under illegal status, such as Palestinians without official documents and female migrant domestic workers, are often unable to access legal processes in cases of abuse, exploitation and domestic violence, which lead to some women not seeking redress out of fear of detention. Ensuring that gender-based crimes are dealt with in accordance with international standards will enhance women's rights in Lebanon and benefit the Lebanese society as a whole, including the rights of the refugee community.

23. The National Commission for Lebanese Women (NCLW) has worked on a revised women strategy on violence against women since 2000, in cooperation with UNFPA. Most recently, in April 2010, a draft law on the Protection of Women from Domestic Violence was approved by the Cabinet and sent for adoption by the Parliament, one of several such instances of civil society not only engaging in advocacy but taking an active and successful role in legal drafting.

- Lebanon should consider amending its laws to provide necessary protection for women against domestic violence, including repealing in full penal code article 562, end impunity of perpetrators and develop comprehensive policies and programmes to eliminate violence against women.
- Lebanon should include domestic violence in the penal code and move cases of domestic violence from religious courts to the civil system.
- Lebanon should provide training to law enforcement officers, the judiciary and social workers to enable them to effectively address cases of gender based violence and honor crimes.
- Lebanon should ensure a female presence on judicial bodies dealing with such cases and recruit and train female police officers to investigate crimes of domestic violence.

Child Rights:

24. While the legal system generally provides for the protection of children's rights, implementation is inconsistent and often deficient. Legal and, in particular, social protection against abuse of children's rights and their exploitation is weak, notably in cases of physical and sexual violence. In practice, there is disregard for the best interests of the child in court cases such as custody, guardianship and adoption, which remains subject to confessional personal status laws. Discriminatory practices are prevalent against children with disabilities, foreign and refugee children and children living in poverty. Discrimination hampers access to education, health and other social services. Compulsory education ends at the age of 12.

25. Involvement of children in armed conflict remains a source of concern in Lebanon. Continuing political volatility combined with pronounced socio-economic disparities, school dropout rates and youth unemployment constitute major risk factors for the increased association of minors with political armed violence. In 2007, a number of children actively participated in armed clashes between opposing political forces, or involving the Lebanese Armed Forces. This has led to the arrest and prosecution of minors on "terrorism" charges.

- Lebanon should amend existing legislation regarding access to compulsory education to include children of non- citizens.
- Lebanon should raise the age of compulsory education to 15 and take necessary measures to implement current and new legislation.
- Lebanon should establish a monitoring and reporting mechanism, tracking emerging patterns of child involvement in armed clashes, which was agreed upon during the SG's visit to Lebanon in 2006.

26. A number of reforms were introduced to the juvenile justice system through law 422 in 2002. As a direct impact, the number of juvenile detainees in Lebanon decreased by 48%. The average age of juveniles in closed institutions is 16.7 years. Children and adult prisoners are detained together in most detention facilities in Lebanon, as only two prisons; Roumieh prison for boys and Moubadara prison for girls, have introduced due separation. Although detention conditions generally may best be described as poor, rehabilitation in closed institutions has been improved by enhancing conditions as well as by refining a set of education and vocational activities provided by the Ministry of Interior and by NGOs. Children in detention may also benefit from rehabilitation programmes in juvenile facilities, until they turn 21 years old.

- Lebanon should strengthen its efforts to prevent juvenile delinquency and develop policies to provide aftercare release services for children offenders.

27. According to the ILO, the number of working children in Lebanon is estimated at around 100,000 (10% of the child population). A number of factors have contributed to this phenomenon, including slow growth, a fragile socio-economic environment and school drop-outs. As a response, the Lebanese authorities have taken initial measures to combat child labour manifested in the ratification of the ILO's Worst Forms of Child Labour Convention No. 182, the Minimum Age Convention No.138 in 2001 and 2003; the adoption of the National Policy and Programme Framework (NPPF) in 2005 and the formalization of the National Tripartite Steering Committee (NSC) on Child Labour.

28. The Government is currently amending the Labor Code to prohibit the employment or work of children under 15 years, and the employment or work of children less than 18 years, in work which, by its nature or the conditions in which it is carried out, is likely to expose them to danger, as well as include provisions relating to the sale and trafficking of children.

- Lebanon should ensure that the amendments to the Labor Code include the following:
 - Prohibition of the employment or work of children before the age of 15
 - Prohibition of the employment or work of children before they reach 18 years in work which, by its nature or the conditions in which it is carried out, is likely to expose them to danger
 - Provisions relating to the sale and trafficking of children

a. Rights of Non- Palestinian Refugees:

29. Refugees enjoy few, if any, legal rights in Lebanon. The right to seek asylum is not applicable, and there is no specific official mechanism for seeking asylum. Consequently, refugees and asylum seekers may be detained for illegal entry or stay. The only document that specifically regulates the status of asylum seekers and refugees in Lebanon, is a 2003 Memorandum of Understanding (MOU) signed between the General Security Office and UNHCR. This MOU accepts in essence UNHCR's status determination procedures and the agency's protection role, against the expectation that UNHCR-recognised refugees be resettled within a six-month period (which can be extended once by three months). As a result, refugees and asylum seekers suffer from a precarious situation and may be subject to arrest, prolonged detention and/or expulsion. They often avoid contact with the authorities, even to report abuses, out of fear of being detained for illegal entry or forcibly expelled. Moreover, refugees and asylum seekers do not have the right to work. As a positive development, the Ministry of Education and Higher Education issued a circular (No. 134) in October 2008 instructing all schools to allow the enrolment of refugee children, on the basis of their UNHCR refugee certificate.

- Lebanon should consider amending its 1962 Law on Entry and Stay of Foreigners, with a view to provide for the issuance of temporary residency permits to UNHCR-recognised refugees and asylum-seekers, pending the identification by UNHCR of a durable solution for them.
- Lebanon should establish a protection mechanism for unaccompanied asylum-seeking children.

b. Rights of Palestinian Refugees:

30. Access to basic rights for Palestinian refugees, many of which have resided in Lebanon for 62 years, remains of great concern. They are regarded as foreigners and effectively excluded from the enjoyment of most civil and socio-economic rights, including the right to work. Although ministerial decrees allow Palestinian refugees to work in the private sector and in certain professions, decrees were not accompanied by any administrative implementing measures. Moreover, the decisions do not exempt Palestinians from the provision of reciprocity applied to all foreigners in Lebanon, particularly in the syndicated professions, which in the absence of a Palestinian state, creates an insurmountable impediment. Palestinians are in addition required to obtain a work permit and to be "sponsored" by an employer - a process that is costly and unwieldy, and often leaves Palestinians unable to access the labour market. Although employers pay for social security on their behalf, Palestinian workers are excluded from the benefits of Lebanon's Social Security system. As a result, Palestinian refugees have a very high unemployment rate and those who do work are in the informal labour market and as such exposed to exploitation and limited job security.

31. Socio-economic conditions in all twelve camps in Lebanon remain deplorable. An increased number of Palestinian refugees in Lebanon are deprived of the enjoyment of a decent standard of living and poverty levels are higher than in any other country hosting Palestinian refugees. Efforts have been made since 2005 by the Lebanese government and the international community to improve the living conditions in the camps, however without reaching expected results. At the end of 2009, an agreement between the Ministry of Health and UNRWA allowed for access by Palestinian refugees to some Government hospitals, at UNRWAs expense. UNRWA is pursuing similar forms of cooperation with the Ministries of Education and Social Affairs, amongst others, to facilitate access to basic rights.

32. An estimated 3,000 Palestinian refugees continued to live without Government issued identification card (so called non-IDs), causing restrictions of movement, risk of arrest and difficulties registering births and deaths. By the end of 2008, the Government had issued ID cards to around 750 persons, before suspending the process only to reinstate it in late February 2010, creating some hopes that the issue may be resolved conclusively during 2010.

33. A 2000 law banned Palestinians from purchasing properties with retroactive effect. Palestinians may currently only acquire real estate by virtue of power of attorney, but face increased legal obstacles to do so.

34. Restrictions to freedom of movement remain in place in most of Nahr El bared camp, where fierce fighting pitted the Lebanese Armed Forces (LAF) against an Islamist group, which had sought refuge in the camp, in 2007. Despite some positive improvements with regard to Lebanese citizens, who can now access the camp unhindered, the LAF restrict access to the adjacent areas of Nahr el-Bard camp for Palestinian refugees who do not live in the camp area. A permit is similarly required to cross the checkpoint.

- Lebanon should continue efforts towards removing obstacles hindering Palestinian refugees' enjoyment of full economic and social rights, including the right to work, social protection, ownership of property and exemption from the condition of reciprocity which they cannot fulfill.
- Lebanon is encouraged to remove restrictions on movement around Nahr El-Bared refugee camp and normalize relations between its residents and the surrounding Lebanese community, as is the case in other parts of Lebanon.

c. Rights of Migrant workers:

35. There is a notable and long-standing presence of foreign workers in Lebanon, from Syria primarily, and to a lesser extent other Arab States. They tend to work in construction, agriculture and the service industry. In recent years migrant streams have been bolstered by migration of, mainly women, domestic workers, mainly from South-east Asian and Eastern African countries, a migrant population currently estimated to be in excess of 200,000.

36. While most migrant workers, engaged in the informal labor market, enjoy little, if any, social protection, Migrant Domestic Workers (MDW) remain particularly vulnerable. MDW are specifically excluded from the protection of the Lebanese Labor Law under Article 7, which views their work in private households as different from normal work places. These gaps in Lebanese laws, in combination with weak oversight, have manifested themselves in the depraved working conditions and continuous violations of their basic rights. A number of reports over the years have confirmed abuses by employers and recruiting agents, including the non-payment or delayed payment of wages, withholding of identity papers, inadequate food and housing, forced confinement to the workplace, prohibition of rest time in addition to verbal, physical and sexual abuse. These concerns are compounded by the fact that most migrant workers are often not aware of their rights and responsibilities in Lebanon. When faced with abuse and exploitation, they do not know where to go, who to turn to, or how to protect themselves.

37. In response, two normative initiatives were adopted in early 2009, namely the unified standard contract for migrant domestic workers and the ministerial decree for the regulation and monitoring of private placement agencies. However, it is worth noting that further harmonization of the relevant ministerial decrees from Ministry of Labor and Ministry of Interior needs to be achieved to ensure congruence and effective and timely application.

- In line with ILO's Multilateral Framework on Labor Migration, Lebanon should take steps to improve the governance of labor migration, and promotion and protection of migrant workers' rights in line with ILO's Multilateral Framework on Labor Migration.
- Lebanon should continue its efforts to review its labor law to include migrant workers.
- Lebanon should consider making the necessary efforts to advance the ratification of ILO Convention No. 97 No. 143 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Poverty, Social Justice and regional disparities:

38. Poverty and regional disparities remain a serious problem in Lebanon, despite improvements in the last decade. 28 % of the population lives under the upper poverty line, of which 8 % are considered extremely poor. Thus, almost 300,000 individuals in Lebanon are unable to meet their basic food and non-food needs. There are large regional disparities in the distribution of wealth and opportunities, with concentrations of poverty in the North and the

South, home to 2/3 of the extremely poor and half of the entire poor population, though they represent less than 1/3 of the Lebanese population. It is also worth highlighting that the armed civil clashes in May 2008 were particularly severe in the country's impoverished zones.

39. Though educational attainment has improved in Lebanon, education quality and standards have not. A 2007 study found that education status is strongly correlated to poverty levels and that children are more affected by deprivation in Lebanon.⁷ Persons living in poorer areas thus tend to rely more on public schools of sub-standard quality.⁸

40. In the meantime, national policies to address the poverty challenge and alleviate the disparities between the regional and social groups remain insufficient. Existing elements of national planning for basic services, such as health, education, water and sanitation, are not sufficient to secure accessible and affordable services for the disadvantaged and excluded populations, while commercially oriented private operators dominate in both sectors, providing between 50- 90 % of services in education and health respectively, increasing patterns of social segregation and disparities.

41. The government, through an inter-ministerial committee, supported by UNDP, is currently developing its first National Social Development Strategy, expected to be released before the end of 2010.

IV. Achievements, Best, Practices, Challenges and Constraints:

42. In spite of prolonged political instability in the period between 2005 and 2009, Lebanon has undertaken measures to enhance the human rights situation in order to fulfill its obligations under international human rights treaties. Specific measures include, the launch of a process towards establishing a NHRPA, introducing a unified contract for MDWs as an intermediary efforts towards including them in the new labor code, allowing refugee children to access public schools and Palestinian refugees to access public hospitals. The ratification of the OP-CAT and the ongoing process towards establishing a NPM is also noteworthy, as is the intended establishment of an independent NHRI in accordance with all Paris Principles. In establishing such an institution, it is equally important that Lebanon establish a governmental counterpart in the form of a permanent inter-ministerial structure, tasked with the responsibility of reporting to treaty bodies and to the universal periodic review and with monitoring implementation of recommendations.

43. Lebanon will need to make concerted efforts towards a consistent implementation of international human rights norms and standards into its national legislation and practices. The country will need to face its legacy from the civil war and its current culture of impunity, and will have to regain people's trust in law enforcement agencies. Specific measures will need to be introduced to reduce gender discrimination, which is still anchored in laws, culture and traditions. The protection of rights for all vulnerable groups including, women, children, refugees, stateless persons, migrant workers, and persons living with disabilities, should equally be made a national priority. Lebanon's political stability and economic development as well as the human rights of its inhabitants will remain vulnerable as long as individuals' affiliations matter more than common citizenship and equality before the law.

⁷ UNDP and the Ministry of Social Affairs, "Poverty, Growth and Inequality in Lebanon", 2007.

⁸ National Periodic Report to the CRC Committee, 2003; assessment of public schools by the Ministry of Education and Higher Education.