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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Lebanese Republic**

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## I. Introduction

1. The Lebanese Constitution guarantees full equality in terms of rights and duties for all Lebanese citizens without distinction and regardless of their religious or denominational affiliation, ethnic background or political views. Lebanon has a long history of human rights protection and promotion. It participated, for instance, in drafting the Charter of the United Nations and the Universal Declaration of Human Rights. It is a beacon of democracy and freedom of expression, religion and belief in the Arab world. It is also recognized as a secure refuge for all oppressed religious and ethnic minorities in the Middle East. It has hosted half a million Palestinian refugees since 1948 and it currently hosts more than a million and a half Syrian displaced persons in its territory, a number equivalent to almost half of its own population. Lebanon was the first of the few Arab States that have ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. Motivated by its desire to protect and promote human rights for all its citizens without distinction, and for the foreigners resident in its territory, Lebanon submitted its first report on the human rights situation (universal periodic review) to the fifteenth session of the Human Rights Council on 10 November 2010. The Universal Periodic Review Working Group adopted its first report on Lebanon on 12 November 2010. The final version of the UPR report on Lebanon was adopted in Geneva on 17 March 2013.
3. Lebanon accepted and undertook to implement 69 of the 123 recommendations made to it during the universal periodic review, which focused on the following areas:
  - I. General recommendations;
  - II. Rights of persons with disabilities;
  - III. Protection of all persons from enforced disappearance;
  - IV. Prevention of torture;
  - V. Action to combat human trafficking;
  - VI. Elimination of all forms of discrimination against women;
  - VII. Rights of the child;
  - VIII. Economic, social and cultural rights;
  - IX. Rights of non-citizens:
    - Non-Palestinian refugees;
    - Palestine refugees;
    - Foreign workers.
4. Motivated by its desire to consolidate the principles of the Charter of the United Nations and the Universal Declaration of Human Rights and by its commitment to respect the outcome of the first universal periodic review, the Lebanese Republic has prepared this report so that its continuous efforts since 2010 to implement the recommendations may be reviewed. The Lebanese Government has taken vigorous action to implement the recommendations, notwithstanding the unstable political and security situation in Lebanon and the Middle East region.

## II. Follow-up to the universal periodic review and methodology for the preparation of the report

5. The Lebanese authorities have taken steps, since the adoption of the first report, to implement the universal periodic review recommendations that Lebanon accepted. In June 2012, the Ministry of Foreign Affairs and Emigrants circulated to all relevant ministries a poster designed by the Lebanese civil society organizations involved in the universal periodic review and setting forth all the recommendations accepted by Lebanon before the Human Rights Council. The ministries were asked to report on developments and measures taken to implement the recommendations and were requested to take further action in that regard.

6. A round table on “Mechanisms to follow up universal periodic review recommendations - Lebanon” was held on 28 September 2012. It was organized by the Friedrich Ebert Stiftung, Lebanon, the Coalition of Civil Society Organizations in Lebanon (CCSOL) and the Arab Human Rights Fund, and was attended by deputies and representatives from the Ministry of Foreign Affairs and Emigrants and the Ministry of the Interior and Municipalities, a representative of the Regional Office for the Middle East of the Office of the United Nations High Commissioner for Human Rights, and representatives of civil society organizations. The round table discussed the plans developed by the Lebanese Government for follow-up to the universal periodic review recommendations.

7. A Committee on Follow-up to the Universal Periodic Review Recommendations was established in 2013. It was composed of representatives of the ministries and official administrative bodies responsible for reviewing the universal periodic review report drawn up by the Ministry of Foreign Affairs and Emigrants prior to its submission to the Human Rights Council in Geneva. The Committee held several meetings during which it prepared and drafted the national report.

8. On 22 January 2015, based on a proposal by the Ministry of Foreign Affairs and Emigrants, a general discussion meeting was organized by the Parliamentary Committee on Human Rights to bring together representatives of the Ministry of Foreign Affairs and Emigrants and of civil society organizations. The participants listened to the organizations’ comments and proposals concerning the universal periodic review recommendations. The Ministry of Foreign Affairs and Emigrants requested the civil society organizations that attended the meeting to forward their comments concerning the recommendations to the Ministry. A number of responses were received by 7 February 2015 and were studied.

## III. Main developments in national plans and in the creation and development of governmental bodies for the promotion and protection of human rights

9. With regard to the Lebanese State’s compliance with international treaties and promotion of respect for human rights in Lebanon, the Parliamentary Committee on Human Rights and the Parliamentary Committee on Administration and Justice assiduously studied, discussed and approved:

- **The National Human Rights Plan**, which was launched by the Parliamentary Committee on Human Rights on 10 December 2012 for the period from 2014 to 2019. It was approved in the form of a recommendation and referred to the plenary of the Chamber of Deputies. Twenty-one sections or subjects are addressed in the Plan under the following headings:

- Independence of the judiciary; rules governing investigation and detention; torture and inhuman or degrading treatment; enforced disappearance; prisons and detention centres; the death penalty; freedom of opinion, expression and information; freedom of association; freedom from interference with privacy (eavesdropping); the right to employment and social security; the right to health; the right to education; the right to housing; the right to culture; the right to a safe environment; women's rights; rights of the child; rights of persons with disabilities; rights of migrant workers; social and economic rights of Palestine refugees; social and economic rights of non-Palestinian refugees.
  - A proposal for the enactment of a law on the establishment of an **independent national human rights institution** was discussed on 8 April 2014. It would also provide for the creation of an independent national standing committee for the prevention of torture, as required by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The proposal for enactment of the law was submitted to the plenary of the Chamber of Deputies.
10. Governmental bodies for the promotion and protection of human rights established since 2010:
- Ministry of the Interior and Municipalities:
    - Directorate General of the Internal Security Forces:
 

A committee was established to investigate cases of torture in holding cells and detention centres run by the Internal Security Forces on 14 September 2010. The committee communicates directly with the Director-General of the Internal Security Forces, submitting regular reports so that he can take appropriate measures in each case.
    - Directorate General of Public Security:
 

A Humanitarian Organizations and Affairs Division was established in late 2012 in coordination with national associations and organizations, civil society institutions and international human rights agencies and organizations. The Division cooperates and coordinates with civil society institutions and NGOs in the following areas:

      - Assistance in returning victims of illegal immigration to their countries of origin;
      - Assistance in resettling refugees in third countries;
      - Processing of applications for asylum;
      - Fighting the crime of human trafficking and assisting the victims;
      - Processing of humanitarian files pertaining to foreign nationals in Lebanese territory (more than 500 were processed in 2013).

Coordination with the aforementioned bodies occurs on a daily basis, since the Division is based in the Public Security prison.

The Division also participates in training courses organized in coordination with human rights associations.
  - Ministry of Justice:

- A Directorate of Prisons was created and a judge was entrusted on 30 October 2012, following approval by the Supreme Judicial Council, with the task of preparing the requisite studies, infrastructure and provisions for the establishment of the Directorate;
- Stimulation and promotion of the work of the Penalty Reduction Committee so that it supports basic prisoners' rights;
- Restructuring of the Department of Forensic Medicine with a view to consolidating action by the State to combat and prevent torture.

#### **IV. Progress made in implementing the recommendations accepted by Lebanon during the first cycle of the universal periodic review (2010)**

##### **1. General recommendations (recommendations 80.1, 80.6, 80.7, 80.9, 80.10, 80.11, 80.21, 80.29, 80.35, 80.36, 80.37, 81.1, 81.3, 81.5, 81.9, 81.13, 81.20, 81.22, 81.28)**

11. The proposal to establish a national human rights institution: As noted above, a proposal for a law on the establishment of an independent national human rights institution, including a committee for the prevention of torture, was discussed by the Parliamentary Committee on Human Rights and the Parliamentary Committee on Administration and Justice on 8 April 2014, and was referred to the plenary of the Chamber of Deputies. The proposed institution would be assigned the following functions:

- Monitoring of the situation with respect to human rights and international humanitarian law in Lebanon and preparation of special or periodic reports on the subject;
- Independent participation in the preparation of reports to be submitted by the Lebanese State;
- Reception of complaints concerning human rights violations and involvement in addressing them;
- Action to promote a human rights culture and the implementation and development of human rights education programmes;
- Protection of the rights of detainees and persons deprived of their liberty, in accordance with the provisions of this law and Lebanon's obligations under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, it being understood that the committee for the prevention of torture enjoys independent legal status in all matters pertaining to torture and its prevention;
- The definition of torture in the proposal is consistent with the definition contained in the Convention against Torture.

##### **Protection of the rights of vulnerable groups (older persons)**

12. With a view to ensuring the quality of the services provided in institutions for older persons, the Ministry of Social Affairs and the Permanent National Commission for the Welfare of Older Persons are developing standards applicable to such institutions with a view to improving their welfare services. Draft standards have been prepared.

13. In addition, the Ministry of Social Affairs covers the costs of some of the social and health-care services provided to poor and marginalized older persons.

**Periodic reports and visits by international human rights delegations to Lebanon**

14. Lebanon has had to contend with difficult circumstances involving oppressive internal, regional and international military, security, economic and social factors. First and foremost among them were the repeated Israeli attacks on Lebanese territory in 1993, 1996 and 2006, which targeted the civilian population and civilian infrastructure. Another major incident was the assassination of Rafiq Hariri, the Prime Minister of Lebanon, on 14 February 2005, which was followed by internal disturbances. In addition, the Syrian crisis has had an adverse impact on the economic, social and security situation in Lebanon during the period from 2011 to 2015. The crushing pressures resulting from this situation have exceeded Lebanon's ability to cope, due to the inflow of Syrian displaced persons on a scale equivalent to more than one third of the country's inhabitants, and the danger of border invasions by terrorist organizations. **All these factors have kept the State and its institutions in a state of permanent alert, and have been largely responsible for delays in the preparation and timely submission of periodic reports.**

15. Lebanon submitted its report on the Convention on the Elimination of All Forms of Discrimination against Women in May 2014. It submitted its periodic reports on the Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights in the first half of 2015. It is currently preparing the country's reports on the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It is expected that some of these reports will be ready for submission prior to the date on which the universal periodic review report is discussed.

16. Reference should be made in this connection to the statement made by the Minister for Foreign Affairs and Emigrants during the high-level segment of the 28th regular session of the Human Rights Council on 2 March 2015. He stated that he intended to propose to the Council of Ministers the creation of a national commission (composed of experts from relevant ministries, departments and agencies), which would be tasked with preparing the periodic reports that Lebanon is required to submit to human rights treaty bodies. Work is currently under way on the proposal, in accordance with the established procedures, with a view to submitting it to the Council of Ministers. The idea is to create a permanent mechanism, with specific duties and responsibilities, which will operate on the basis of a clear and methodical timetable.

17. In recent years Lebanon has hosted a number of international human rights delegations and provided all the facilities requested by the delegations to ensure the successful performance of their duties. The relevant Lebanese bodies organized meetings with the persons responsible for overseeing human rights files. The following is a list of some of the visits:

- A visit by the Special Rapporteur on contemporary forms of slavery from 10 to 18 October 2011;
- A visit by a delegation of the Committee against Torture from 8 to 18 April 2013;
- A visit by the Special Rapporteur on freedom of religion or belief from 23 March to 2 April 2015.

18. Administration and oversight of prisons (see part I of annex 13):

Principal achievements of the transfer of prison oversight authority to the Ministry of Justice:

- Creation of a Directorate of Prisons section on the webpage of the Ministry of Justice, which contains regularly updated statistical data that are used to provide rehabilitation services and programmes for inmates and for the preparation of studies;
- Drafting of a decree concerning the Directorate of Prisons that specifies the competencies and duties pertaining to prison administration with a view to ensuring that it is consistent with the national plan for the relocation of prisons;
- Effective judicial oversight and speeding up of judicial proceedings by means of the automated prison administration programme known as “Basem”, which contains the names of all Lebanese prison inmates, the dates of the judicial proceedings concerning them and the dates of the final legal actions taken. Act No. 216 promulgated on 30 March 2012 provides for a reduction in the prison year from 12 to 9 months;
- Training of prison staff in the Institute for Judicial Studies so that they can perform their duties in prisons and interact with the inmates in a professional manner;
- A special training course was launched in the Ministry of National Defence on 26 and 27 June 2014 for officers and civilian medical staff employed by the army in military prisons;
- Keeping of a health file for each prisoner in coordination with the Health Department of the Internal Security Forces and in cooperation with the Medical Faculty of St. Joseph’s University.

19. The proposal to create additional national mechanisms to promote and protect human rights of vulnerable groups: Under the National Programme for Local Socioeconomic Development, the aim of which is to support the National Social Development Strategy drawn up by the Ministry of Social Affairs in coordination with the United Nations Office on Drugs and Crime, focusing on the protection of vulnerable groups, the Ministry of Justice implemented a prison project based on Decree No. 6583 of 12 October 2011, the aim of which is to improve the quality of services offered to women inmates of Lebanese prisons.

20. Expansion of opportunities for training and awareness-raising for members of the security forces:

- Ministry of the Interior and Municipalities:
  - The Directorate General of Public Security organizes training courses in proper conduct vis-à-vis detainees for soldiers who perform investigative duties with a view to ensuring compliance with legal provisions applicable to detention and investigation procedures and respect for the provisions of the Universal Declaration of Human Rights.
  - Human rights is a compulsory subject in basic training courses for all ranks at the Institute of the Internal Security Forces. A new training card based on international human rights standards, the country’s human rights obligations and Lebanese laws applicable to investigation, arrest and detention has been issued.
  - The Code of Conduct for the Internal Security Forces is also a compulsory subject for those required to attend training courses. The Code is based on international treaties, the Lebanese Constitution and applicable legislation.

- The curriculum also includes the following subjects: community policing, international humanitarian law and domestic violence.
- The Directorate General of the Internal Security Forces cooperates closely with NGOs that are active in the area of human rights in organizing training courses attended by officers, non-commissioned officers and privates in active service with the Internal Security Forces, the aim being to increase their familiarity with human rights concepts and the human rights norms that are applicable to the duties they are required to perform.
- Ministry of National Defence:
  - International humanitarian law has been added to the training curriculum for military units of the Lebanese army, with three levels of training for officers and three levels for privates. The Ministry has also launched a course aimed at familiarizing training staff with international humanitarian law and has taken steps to generate awareness among the military of all treaties and legislation on the subject. It has distributed the Code of Conduct applicable to the Lebanese army to all soldiers, and it monitors all courses and conferences concerning human rights.

21. Guarantee freedom of expression: Freedom of expression is protected by the Lebanese Constitution and is a right enjoyed by the whole population. Freedom of the press and the audiovisual media is a defining characteristic of public life in Lebanon and enjoys both official and popular support. The same applies to the social media, which are accorded a high degree of freedom.

22. Intensify efforts to spread a culture of human rights through educational curricula and awareness-raising campaigns, and continue efforts to strengthen human rights:

- The subject of “Fundamental norms in judicial proceedings and human rights” has been added to the curriculum of the Institute for Judicial Studies for trainee judges;
- Lebanese authorities with relevant responsibilities have attended conferences and workshops on human rights;
- Coordinated action has been taken with civil society organizations to generate awareness of human rights concepts. In particular, they have been involved in drafting laws with a human rights dimension and in organizing training courses for judges, lawyers and jurists;
- The Lebanese army organized two one-week courses for university students on international humanitarian law in January and September 2014. In addition, a number of lectures on international humanitarian law were delivered in schools and universities during the 2014 academic year;
- The Adyan Foundation, in cooperation with the Centre for Educational Research and Development, organized a workshop entitled “A citizenship curriculum integrating religious diversity” for lifelong educators from the Centre and for teachers of civics and sociology from the Directorate of Guidance and Counselling of the Ministry of Education and Higher Education. The curriculum in question was published during the 2013-2014 academic year. It covers all stages of education and is designed “to promote education on living together and citizenship that embraces religious diversity in educational curricula and policies, thereby enhancing partnership in the homeland and freeing mentalities from the residue of sectarianism and isolationism”. The following are the most important objectives:



- Commitment to rights and duties conducive to equality for all, guaranteeing the inherent value and dignity of the human person;
- Respect for the right to diversity, and acceptance of freedom to express one's views and beliefs;
- Respect for others' individuality and privacy and rejection of stereotyping;
- Commitment to fundamental principles enshrined in the Lebanese Constitution and aimed at promoting respect for public freedoms, in particular freedom of opinion and belief.

23. In addition to the curriculum, a National Charter for Education on Living Together in Lebanon in the framework of inclusive citizenship was published.

- A Peacebuilding and Conflict Resolution Programme was implemented during the period from 2007 to 2013. A number of secondary-school teachers were trained in conflict resolution and reliance on dialogue and non-violence in dealing with others. Texts with four titles were circulated. Each one dealt with a specific human right and described how it could be achieved. In addition, the Programme organized training courses in peacebuilding for young people in 12 clubs in 12 private universities. It also created a national alliance for reconciliation and openness involving 10 peacebuilding associations;
- In 2011 the United Nations Children's Fund (UNICEF) organized training courses for teachers, in cooperation with the social movement, on citizenship/discrimination/violence/conflict resolution.

There has been considerable progress in recent years in the area of human rights in Lebanon. The Government's action in support of a human rights culture, especially in the field of education, has produced the following results:

- Increased expertise throughout the country in human rights education;
- Publication of material that supplements the existing standard educational curriculum and focuses on human rights norms, for instance supplementary material on citizenship that embraces religious diversity, and supplementary material on reproductive health;
- Development of educational material for the first cycle of basic education that builds pupils' confidence in their abilities and hence develops their personalities in a manner conducive to the assumption of responsibilities and the performance of duties;
- Development of educational methodology, and organization of extracurricular activities and activities in young peoples' clubs that have a human rights dimension;
- Organization of human rights awareness-raising campaigns in educational establishments;
- Development of a human rights culture in educational establishments;
- Development of partnerships and cooperation programmes with governmental bodies, national institutions and Lebanese civil society organizations.

## **2. Rights of persons with disabilities (recommendations 80.2, 80.3, 80.4)**

24. Legislation, treaties, decisions and plans pertaining to persons with disabilities:

- As a reaffirmation of the rights of persons with disabilities, provision was made for the first time in the Middle East for the participation of women and men with disabilities, as candidates and voters, in the general elections held on 29 July 2012; in addition, institutions and organizations of persons with disabilities and their relatives participated with a view to the establishment of a national agency for disability affairs.

25. Annex 1 reviews the main activities conducted under the Programme to Guarantee the Rights of Persons with Disabilities implemented by the Ministry of Social Affairs. Other activities undertaken in this area include the following:

- The Ministry of Social Affairs has published 11 documents concerning motor disabilities and a number of studies concerning various related subjects, in cooperation with civil society associations, and a guide to services provided by the private sector. Training courses have also been held for staff of the Ministry of Social Affairs and the Ministry of Finance;
- The Ministry of Social Affairs, in coordination with the Ministry of Public Health, announced an enhancement of oversight and the development of mechanisms to guarantee the right of persons with disabilities to free treatment in public and private hospitals under contracts with the Ministry of Public Health;
- An announcement was made on the organization of training and awareness-raising programmes, in coordination with the Alzheimer's Association and the Autism Association, in all regions of Lebanon;
- On 11 September 2011, the Ministry of Social Affairs launched two mechanisms for fact-finding, the reception of complaints, and follow-up through hotline 1714 and the Observatory of the Rights of Persons with Disabilities.

26. In addition to the activities of the Ministry of Social Affairs, many other ministries, public institutions and official bodies are active in the area of disability, for instance the Ministry of Youth and Sports, the Ministry of the Interior and Municipalities, the Ministry of Finance, the Ministry of Labour, the Ministry of Industry, the Ministry of Tourism, the Ministry of Public Health, the Civil Service Board and the National Social Security Fund. However, their efforts remain insufficient and have not yet lived up to the hopes and aspirations invested in them.

#### **National Plan for the Integration of Persons with Disabilities**

27. The **National Plan for the Integration of Persons with Disabilities** was launched in January 2012 as a cooperative initiative involving the Ministry of Education and Higher Education and the Centre for Educational Research and Development. Its content is consistent with the section entitled "Quality of Education for Development" of the Education Sector Development Plan, which the Chamber of Deputies agreed to implement on 23 April 2010. The following are some of the objectives of the Plan for the integration of people with special needs:

- Broadening of the basis for admission to schools in line with the principle of equality of opportunity;
- Improvement of the conditions, circumstances and quality of basic education;
- Development of mechanisms to cater for all kinds of deficiencies with a view to compensating for inadequate family environment capacities of the most vulnerable social groups;
- Consideration of school support arrangements for persons with disabilities;

- Special training for some teaching staff in methods of instruction and support for persons with disabilities;
- Establishment of integrated schools with the requisite structures and equipment;
- Monitoring of the quality and suitability of curricula for different groups of students.

28. A special education unit was established pursuant to Decree No. 27 of 2012 with a view to integrating people with special needs into public schools, thereby guaranteeing their educational welfare, rights and services.

29. Decree No. 595 of 2013 proclaimed 22 June as the National Day of Students with Learning Difficulties.

30. Rights and benefits for persons with disabilities: The Parliamentary Elections Act facilitates the enjoyment by persons with disabilities of the right to vote and to be elected. The Construction Act was amended to ensure respect for construction standards aimed at ensuring that buildings meet the needs of persons with disabilities. The Ministry of Social Affairs issued notifications concerning the possibility of exemption from a number of fees charged by the Ministry of Finance, the Ministry of the Interior and Municipalities, and other institutions such as the municipalities and the Traffic Management Authority.

31. Other related services are also provided (wheelchairs, help for incontinence, prevention of infertility, etc.) and special care is afforded to children with disabilities.

32. Every person with a disability in Lebanon is issued with a personal disability card granting him or her all social, health-care, educational and other rights.

33. The number of persons issued with personal disability cards between 1995 and 2012 totalled about 79,000. It should also be noted that 13 per cent of the members of the team that implements the programme in support of the rights of persons with disabilities are themselves persons with disabilities.

34. Pursuant to Decree No. 10331 of 15 May 2013, the Lebanese Government referred a bill to the Chamber of Deputies, which provided for the addition of two paragraphs to article 87 of Act No. 220 of 29 May 2000 concerning the proposal to exempt holders of a disability card issued by the Ministry of Social Affairs from passport fees and from fees for the entry and residence of domestic workers, for whom they or cohabiting family members are responsible. In addition, persons with disabilities are exempted from the fee for prior approval and the certificate of deposit (under article 6 of Act No. 283 of 30 December 1993) and from the fee for the issuance and renewal of a work permit for a person in domestic service.

35. Persons with disabilities in Lebanon enjoy 100 per cent treatment coverage under Act No. 220 of 29 May 2000. This includes basic services for the attachment of artificial limbs and orthopaedic devices, and other basic health-care services that are provided free of charge by the Lebanese State.

36. With regard to employment, the Lebanese authorities announced measures in 2011 aimed at admitting persons with disabilities to employment contests in the public sector, on the understanding that priority would be given to the recruitment of successful applicants. In addition, mechanisms were launched for fact-finding, the reception of complaints and follow-up through a hotline and the Observatory of the Rights of Persons with Disabilities.

37. The Ministry of Labour also guarantees the payment of unemployment benefits to persons with disabilities, pursuant to article 71 of Act No. 220 of 29 May 2000 on the rights of persons with disabilities, which fixes them at three quarters of the minimum wage.

### **3. Protection of all persons from enforced disappearance (recommendation 80.12)**

38. A decree providing for the establishment of an independent national authority on forcibly disappeared and missing persons has been drafted. The authority would be mandated to investigate the fate of such persons during the period from 14 April 1975 to 26 April 2005, establishing a comprehensive database so that the information could be stored in a central register. It would also set the standards to be applied in managing and protecting the information and in applying the applicable Geneva Conventions, particularly Additional Protocol I, which the Lebanese Government ratified pursuant to Act No. 613 of 28 February 1997, especially articles 33 and 34. The authority would act on behalf of the family members of forcibly disappeared and missing persons, whether military or civilian, without any distinction founded on race, colour, sex, language, religion, political opinion, national or social origin, social or material affiliation or status, age, physical or mental disability, or any other criteria.

39. On 4 March 2014, the State Consultative Council adopted a decree enshrining the right of relatives of forcibly disappeared and missing persons to be apprised of the fate of the persons concerned.

### **4. Combating torture (recommendations 80.13, 80.14, 80.15, 80.16, 80.17, 80.38, 81.4)**

#### **Compliance with the Convention against Torture (see part II of annex 13)**

40. With regard to the amendment of legislation concerning the crime of torture to bring it into line with the United Nations Convention against Torture, which Lebanon ratified in 2000, a bill has been drafted which provides for an amendment to article 401 of the Criminal Code concerning torture with a view to aligning it with the definition of torture contained in the Convention and prescribing penalties consistent with the gravity of the crime. The bill was discussed by the Administration and Justice Committee on 19 December 2012 and is to be discussed by the Parliamentary Committee on Human Rights.

41. With regard to the recommendation to take all necessary measures to stop acts of torture and cruel, inhuman or degrading treatment, the Directorate General of the Internal Security Forces has adopted a Code of Conduct for its members that is consistent with the provisions of international human rights law. The Code has been circulated to all members and it was launched in the presence of the Prime Minister and numerous officials working in the area of human rights. Mandatory training in the Code is provided by the Institute of the Internal Security Forces. Courses are also provided for staff in active service, for example the awareness-raising programme for officers of the Internal Security Forces. About 700 officers of different ranks have participated in the programme to date.

42. It should be noted that when the bill amending the legislation on torture that is before the Chamber of Deputies is adopted, the human rights textbook will be amended and the provisions of the new law will be incorporated so that it is consistent with the legislation.

43. The Directorate General of the Internal Security Forces has set up a committee on combating torture composed of officers from different units. It conducts regular unannounced visits to all detention centres run by the Directorate General of the Internal Security Forces and submits reports immediately afterwards to the Director-General so that the requisite legal action can be taken.

44. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment forms part of the human rights textbook currently studied by members of the Internal Security Forces in the Institute. The Code of Conduct also contains compulsory provisions and clauses concerning respect for human dignity, and avoidance of all unnecessary violence and subjection of people to any form of cruel or degrading treatment and/or punishment during the stages of investigation or detention, or during the performance by officers of the duties assigned to them.

45. Vigorous steps are also being taken to prevent torture by prosecuting perpetrators of torture and either sentencing them to imprisonment or subjecting them to severe disciplinary measures, such as dismissal from office.

46. In 2012 the Directorate General of Public Security issued instructions concerning the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. A committee was set up to inspect holding cells, to ensure that all the above-mentioned instructions were being properly implemented, to investigate detainees' comments, complaints and objections, and to ensure their proper treatment.

47. The Ministry of National Defence took steps to add text to the manual of practical military instructions that would define the crime of torture as any act by which severe harm, pain or suffering, whether physical or mental, is intentionally inflicted for the purpose of obtaining information or a confession or of punishing the person concerned.

48. On 9 May 2011, the provisions of article 47 of the Code of Criminal Procedure were made binding on all military judicial officers. The article provides for the protection of suspects from acts of torture during the preliminary investigation, and guarantees them a number of rights laid down in the Convention against Torture.

49. Article 23 of the Criminal Code stipulates: "Lebanese law is also applicable to any foreigner or stateless person who is resident or present in Lebanon and who, acting abroad as a perpetrator, co-perpetrator, instigator or accomplice, committed a felony or misdemeanour other than those cited in articles 19.1, 20 and 21, if his or her extradition has not been requested or granted." It follows that the judicial authorities have full jurisdiction to prosecute, in accordance with Lebanese legal procedures, anyone who has committed the crime of torture abroad and is present in Lebanese territory.

## **5. Combating human trafficking (recommendations 80.18, 80.19, 80.20, 81.6, 81.7)**

50. Lebanon continues to combat human trafficking and guarantee protection for its victims. The following are the main steps taken by the Lebanese authorities:

- The Chamber of Deputies adopted Act No. 164 of 24 August 2011 on punishment of the crime of trafficking in persons. It was immediately incorporated in the Lebanese Criminal Code and therefore entered into force. The Act prescribes the penalties to be imposed on perpetrators of the crime;
- The Act stipulates that trafficking in persons constitutes a separate category of crime, which it defines. It provides for assistance and protection for victims and witnesses, and authorizes the judiciary to adopt measures aimed at protecting all victims and witnesses of the crime of trafficking in persons;
- Serious and urgent steps are being taken to promote the effective implementation of the Act by the judicial authorities and official institutions in cooperation with relevant NGOs and the Human Rights Institute of the Bar Association. A small

committee established for the purpose has held a large number of meetings and workshops and devised a national strategy for the effective implementation of Act No. 164 of 2011;

- The Moral Protection Bureau of the judicial police unit is responsible for preventing and eradicating the crime, tracking its perpetrators, dismantling networks operating in the area of trafficking and ensuring that their members are brought to justice. The name of the Moral Protection Bureau of the judicial police unit has been changed. It is now known as the Bureau for Combating Trafficking in Persons and Moral Protection;
- A decree organizing the work of institutions or associations that provide protection and assistance for victims of human trafficking was drafted on 13 July 2012;
- An agreement on protection for victims of the crime of human trafficking was signed on 27 January 2015 between the Ministry of Justice and Caritas;
- A booklet was prepared upon the initiative of the Human Rights Institute of the Beirut Bar Association and in cooperation with all ministries. It contains practical indicators of the crime of human trafficking in Lebanon. It is designed to serve as a tool for front-line staff working with possible victims of human trafficking, those involved in prosecuting and punishing human traffickers, and anyone who encounters a possible victim of human trafficking in the course of his or her duties or activities;
- Official bodies continue to take urgent action to provide protection and assistance to victims of human trafficking;
- The Directorate General of Public Security cooperates with the Caritas Lebanon Migrant Centre and the International Catholic Migration Commission (ICMC) in the context of a Memorandum of Understanding concerning a “Safe House” that was signed on 12 January 2005 and is still in effect. The Memorandum provides for the protection of trafficking victims and their accommodation in a safe shelter, and discusses all types of protective measures;
- The project on protection of and assistance to women victims of trafficking in Lebanon provides for the following activities:
  - Establishment by Caritas of the “Safe House” as a temporary shelter for trafficking victims;
  - Provision of services that meet the basic needs of the beneficiaries;
  - Implementation of long-term solutions for the women concerned, including voluntary return to their countries;
- A national document containing guidelines on standard operating procedures for identification and referral of trafficking victims was prepared, with the support of the International Centre for Migration Policy Development and Caritas, and in coordination with governmental and non-governmental organizations;
- A working document on support and assistance for trafficking victims was prepared during a national conference on human trafficking: “From legislative to practical texts”. The conference, which was held on 14 and 15 June 2010 at the invitation of the Human Rights Institute of the Beirut Bar Association and the Diakonia and Social Justice unit of the Middle East Council of Churches, developed practical guidelines to identify the linchpin and point of departure for action to combat human trafficking;

- The staff of the Ministry of Labour, including heads of units, labour inspectors and social workers, attended training courses in human trafficking focusing on the identification of victims and appropriate treatment methods and policies;
- Labour inspectors attended training courses on Act No. 164 of 24 August 2011 concerning penalties for the crime of human trafficking. The Act specifies the penalties to be imposed on perpetrators of such crimes and the principles governing the provision of assistance and protection to victims.

## 6. Elimination of all forms of discrimination against women (recommendations 80.22, 80.23, 80.24, 80.25, 80.26, 81.14, 81.15, 81.16, 81.17)

51. The following steps have been taken to strengthen efforts to eliminate discrimination against women in law and practice:

### Enactment of a law on protection of women from domestic violence

52. On 1 April 2014 the Lebanese Chamber of Deputies adopted Act No. 293 on “**Protection of women and other family members from domestic violence**”. The Act highlights the need to focus on protective measures for women that supplement the protection provided by the Criminal Code.

53. The Act defines **domestic violence** as follows: “Any act or omission or any threat thereof committed by one member of a family, as defined by law, against one or more other family members is deemed to constitute one of the crimes defined by this Act where it results in death or in the infliction of physical, psychological, sexual or economic harm.” According to Lebanese jurisprudence, moral violence is covered by the definition of family violence contained in the Act.

54. The Act prescribes more severe penalties for persons who force minors and women to beg or to commit acts of debauchery, depravity or prostitution. More severe penalties are also prescribed for acts perpetrated within the family. The penalty is doubled if the crime is accompanied by an act of violence or a threat thereof, especially if the crime is committed by one spouse against the other. The new Act amended articles 618, 523, 527, 547, 559, 487, 488 and 489 of the Lebanese Criminal Code. The amendments protect minors, women and wives from violence and threats thereof within the family.

55. Under article 4 of the Act, appeal prosecutors can appoint one or more public prosecutors in each governorate to receive complaints concerning cases of family violence. Article 5 provides for the establishment by the Directorate General of the Internal Security Forces of a special division on domestic violence crimes to respond, on behalf of the judicial police, to any complaints received. The Act specifies the role of the judicial police in receiving and investigating complaints, proceeding to the scene of the crime without delay, and listening to the victims and witnesses of family violence, including the parents of minors, in the presence of social workers. The judicial police are required to inform victims of their right to obtain a protection order for themselves and for children of whom they are the legal guardians, the right to obtain the assistance of a lawyer, and other rights set forth in article 47 of the Code of Criminal Procedure.

56. The Act provides for the establishment of a **special fund**, financed by means of budgetary appropriations and donations, to provide care and assistance to victims of domestic violence, to fund measures aimed at preventing and eliminating crimes of domestic violence and at rehabilitating the perpetrators, to prevent the person who

caused the harm from approaching the victim or from entering the family home, and to move the victim and other persons facing threats to a temporary safe shelter.

#### **Efforts of the Internal Security Forces to combat violence against women**

57. In late 2013 the Internal Security Forces entered into a partnership with the association “Enough Violence and Exploitation” with a view to elaborating, with the support of international organizations, a long-term project on combating violence against women. The action taken by the Internal Security Forces under the project includes the preparation of courses and trainers to raise awareness among members of the Internal Security Forces and to train them to oppose and combat violence against women. An awareness-raising campaign on combating violence against women was also launched in the media, and leaflets were distributed to citizens in all regions of Lebanon.

58. With regard to women survivors of gender-based violence, the Lebanese State has taken the measures and organized the activities described in annex 2.

#### **The issue of amendment of the Lebanese Nationality Act**

59. There are still conflicting views regarding the issue of amendment of the Nationality Act to entitle women to transfer their nationality to their husbands and children.

60. A ministerial committee was established to amend the last paragraph of article 4 of Act No. 15 of 19 January 1925 (Nationality Act) with a view to recognizing the right of a Lebanese woman to transfer her nationality to her husband and children. That decision constituted a positive first step towards addressing the issue. (The decision was adopted by the Council of Ministers at a meeting held on 21 March 2012.)

61. The National Commission for Lebanese Women prepared a study and a proposed bill concerning Lebanese women’s right, just like Lebanese men, to transfer their nationality to their children, based on a comprehensive study of the subject of nationality. Steps are being taken to submit the proposed bill to the Chamber of Deputies, in coordination with civil society organizations, with a view to recognizing the right of Lebanese women to transfer their nationality directly to their children.

62. On 13 June 2012 the National Commission requested the Secretary-General to the Prime Minister’s Office to refer the draft amendment to the Nationality Act to the relevant ministerial committee. The ministerial committee rejected the amendment to the Nationality Act and proposed the following measures:

- Granting of a free permanent residence permit to the Lebanese woman’s husband and children in place of the courtesy visa;
- The right to education and admission to all public and private Lebanese colleges, schools and universities on the same basis as Lebanese citizens;
- The right to employment in the private sector (but not in the public sector), with the exception of legally organized liberal professions and sectors in respect of which the condition of Lebanese nationality is clearly laid down by relevant laws, regulations and decisions;
- The right, on the same basis as Lebanese citizens, to medical treatment and hospitalization in the public and private health sector, and to enjoy the benefits provided by the Ministry of Public Health, the Ministry of Social Affairs and the National Social Security Fund.



63. Secondly, Decree No. 4176, which was adopted on 31 May 2010, grants courtesy residence permits to the foreign husband of a Lebanese woman who has been married to her for a year, and also to children born to a Lebanese woman from a foreign husband, irrespective of whether they are adults or minors and of their employment status. A foreigner is any natural person of non-Lebanese nationality, in accordance with the provisions of article 1 of the Act of 10 July 1962 (Act regulating entry into Lebanon, residence in the country and departure), and any text that is inconsistent with this clause is null and void.

64. With regard to employment, the Minister of Labour decides each year on whether to grant the foreign husbands and children of Lebanese women who are resident in Lebanon the right to employment, even in professions that are restricted to Lebanese citizens.

#### **The Lebanese Criminal Code**

65. Act No. 162 of 17 August 2011 revoked article 562 of the Criminal Code, which provided for mitigating circumstances in cases where a person killed or injured his wife, his female ascendant or descendant, or his sister, having caught them in an act of adultery or an illegitimate sexual encounter (i.e. so-called “honour crimes”). The Act was promulgated in Official Gazette No. 39 on 25 August 2011.

66. Draft and proposed bills aimed at amending articles that discriminate against women in the Criminal Code have been elaborated in an initiative by the National Commission for Lebanese Women and a number of civil society organizations and associations (annex 3).

#### **Women prisoners**

67. The following action has been taken in this regard:

- Development of an action plan on intervention by the Ministry of Social Affairs in Lebanese prisons in 2013 and 2014, which focuses on the following areas: reception and listening; psychosocial interventions; protection; meeting the basic needs of pregnant women prisoners and newborn babies;
- Improvement of the conditions in women’s prisons and the quality of life of the inmates; promoting their social and economic empowerment; providing care for mothers, pregnant women and their children, particularly infants; enhancement of the role of the Ministry of Social Affairs in networking with official, civil society and private institutions that are active in the area of women’s prisons.

The following action has been taken in this context:

- Monitoring of the social, family and health conditions of pregnant women and their babies born in women’s prisons by:
  - Meeting the basic needs of newborn babies;
- Monitoring of the health of babies while they are with their mothers in prison;
- Holding of numerous awareness-raising meetings with women inmates concerning their reproductive health.

68. In addition, draft and proposed bills have been prepared with a view to eliminating discrimination against women in legislation with a socioeconomic impact (annex 4).

69. Work is continuing on amendments to certain laws. Draft and proposed bills have been submitted to the Council of Ministers and the Chamber of Deputies (annex 5).

### Women's political participation

70. Although Lebanese women's participation in the Government and the Chamber of Deputies is very limited, women in Lebanon are playing an increasingly prominent role in various party and political activities and in civil society organizations. The following action is being taken to promote that role:

- Launching of a national campaign in 2012 "to support women in decision-making and peace-building" through networking with international and civil society organizations;
- Development and launching of media campaigns in support of women who are active in public life in order to encourage Lebanese parties to nominate women candidates in the country's elections;
- Organization of training courses for women who have been nominated by Lebanese political parties in order to build their capacities and enhance their position within the parties;
- Organization in the Lebanese Chamber of Deputies on 6 October 2013 of a women's parliamentary symposium entitled "Women in Parliament" aimed at encouraging women and building their capacity to participate in political life. It was attended by about 250 women representatives of Lebanese parties and independent deputies.

71. The Chamber of Deputies is considering a number of government and parliamentary electoral bills and proposed legislation aimed at promoting the participation of Lebanese women in political life.

72. Measures to empower women in society: annex 6 lists key activities in this area.

### Efforts for the advancement of women

73. Lebanon has taken steps in recent years to promote gender equality by adopting the ten-year "**National Strategy for Women**" (2011-2021).

74. The Strategy provides for action in a number of areas with a view to achieving equality within the specified period. It focuses on the following areas: drafting and enactment of legislation; political participation; the media; the economy; combating poverty; the environment; health; education; protection against national disasters and armed conflicts; combating violence against women; building of the capacities of national institutions dealing with women's affairs; gender mainstreaming.

75. When drafting the Strategy, the National Commission for Lebanese Women adopted a partnership-based approach, taking into account the views of civil society activists, official institutions and a number of international organizations dealing with women's affairs, with a view to setting priorities and identifying gaps. Following discussions of the draft among these parties, a final version of the National Strategy for Women (2011-2021) was adopted.

76. An important development was the adoption by the Chamber of Deputies on 12 June 2012 of a decision to approve in principle the National Strategy for Women in Lebanon (2011-2021) and to circulate it to the ministries, requesting them to implement the proposals and recommendations in accordance with the laws and regulations in force.

77. Following the approval by the Chamber of Deputies of the National Strategy for Women in Lebanon, the National Commission set about drafting a "**national plan to implement the goals of the Strategy**" in cooperation with representatives of civil

society and ministries who were invited to attend meetings to discuss the various goals of the Strategy.

78. An action plan was adopted on 21 February 2013 as a national document to be implemented by civil society organizations and official institutions dealing with women's affairs. The plan covers a period of five years, during which each civil society organization will take action in one or more fields targeted by the National Strategy.

**Continuous endowment of the National Commission for Lebanese Women with policy-making and decision-making powers**

79. The National Commission for Lebanese Women developed a National Strategy for Women in Lebanon and a national action plan for its implementation with official and civil society bodies. The Commission has prepared legal studies, presented guidance and implemented projects aimed at promoting women's rights in Lebanese society and including gender mainstreaming in the policies and programmes of ministries and public-sector bodies.

**7. Rights of the child (recommendations 81.18, 81.21, 81.25, 81.27)**

80. The Higher Council for Childhood, which reports to the Ministry of Social Affairs, is the national framework responsible for coordinating action by the public and private sectors to promote child welfare and development in accordance with international treaties, particularly the Convention on the Rights of the Child, and in cooperation with relevant international organizations.

81. The Higher Council for Childhood seeks to implement general principles governing children's rights with a view to improving the situation of children in Lebanon and guaranteeing their right to survival, development and protection.

82. The Council was established in 1994 by Council of Deputies Decision No. 29/94. It is presided over by the Minister of Social Affairs, with the Director General of the Ministry as Vice-President, and is composed of members of several ministries, civil society institutions and international organizations that are active in the area of children's rights.

83. The General Secretariat of the Higher Council for Childhood, which is composed of a Secretary General and a multidisciplinary working group, coordinates and implements national action plans and strategies.

84. Annex 7 provides an overview of key developments and achievements of the Higher Council for Childhood since 2010.

85. The following action has been taken against child labour:

Government measures to combat child labour:

- The National Committee for the Elimination of Child Labour, in cooperation with the International Programme on the Elimination of Child Labour (IPEC), launched a “**National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016**” sponsored by the President of the Lebanese Republic on 7 November 2013. It was published on the website of the Unit to Combat Child Labour and to Eliminate the Worst Forms of Child Labour ([www.clu.gov.lb](http://www.clu.gov.lb));
- The Ministry of Labour, in cooperation with the International Labour Organization, applied for the requisite funding for the National Action Plan, the organization of workshops on the subject and the national awareness-raising

strategy. It received financial and technical support from the International Labour Organization and the International Programme on the Elimination of Child Labour. The Plan is currently being implemented;

- After the launching of the national strategy to combat child labour, a study of the child labour situation in Lebanon, including that of children working on the street, was prepared in the framework of the National Committee for the Elimination of Child Labour, in which the Ministry of Social Affairs is represented;
- **Establishment of a National Committee for the Elimination of Child Labour**, presided over by the Minister of Labour, pursuant to Decree No. 5137 of 1 October 2010. The Committee is tasked with preparing and overseeing the implementation of programmes, plans and projects aimed at combating child labour, in coordination with the International Labour Organization and the International Programme on the Elimination of Child Labour, and in coordination and cooperation with other relevant Arab international organizations, and with civil society and national institutions and committees, ministries and administrative bodies;
- The Chamber of Deputies adopted Decree No. 8987 on 29 September 2012, which prohibits the employment of minors under 18 years of age in jobs that may jeopardize their health, safety or morals.

86. With regard to support for **demining activities**, the commanders of the Lebanese Armed Forces have signed agreements with governmental and non-governmental bodies and are expanding the agreements to include awareness-raising programmes concerning demining risks. Action is being taken to remove mines from all parts of Lebanese territory.

87. The Lebanese Mine Action Centre was established on 15 April 1998. The Chamber of Deputies adopted Decree No. 10 of 21 May 2007, which sets out the national mine action policy in Lebanon and lays the basis for regulating and codifying the institutional framework for such action. It also helps to attract foreign funding and assistance for action against the adverse socioeconomic and environmental impact of landmines and unexploded ordnance on the population.

88. Annex 8 lists mine-related activities in Lebanon.

89. With a view to **the integration of children with disabilities, as far as possible, into formal education**, in accordance with an inclusive educational approach, the Lebanese State provides the following services:

- The State covers the cost of special education or vocational training for persons with disabilities at the request of the Ministry of Social Affairs, on the basis of contracts with the establishments concerned;
- Special conditions are established to ensure that students with disabilities holding a personal identity card can participate in all classes and examinations at every level of school, vocational and university education, such as: adaptation of entrances, classrooms and lecture halls; specification of the time allotted for competitive examinations; formulation of questions by accessible means (embossed characters, large print, typewriters, translation into sign language, etc.);
- The Committee on Education for Persons with Disabilities and Special Needs established by Decree No. 11853 of 11 February 2004 is tasked with organizing their education, providing technical, artistic and educational advice and assistance, and preparing comprehensive projects for the establishment of a national audio library and a Braille printing house, and for the standardization of

sign language. A Subcommittee on Special Education has also been established to provide the Committee with information and expertise on the educational requirements of special centres and institutions;

- Determination of the situation of persons with special educational needs who wish to take the official intermediate certificate examination and establishment of a committee to study each student's file;
- Establishment of centres that are qualified and equipped to host various groups of persons with special educational needs, including those suffering from chronic illness and who are hospitalized (cancer, thalassemia); specification of their location in accordance with a special system that matches the cases classified by the competent committee;
- Decree No. 320 of February 2011 concerning the integration of persons with special needs into a number of public schools;
- With regard to the safety of children on the Internet, the Centre for Educational Research and Development issued a “**Safety of children on the Internet project**” under the Education Sector Development Plan (2010-2015), which is based on the premise that the family, society and the State are jointly responsible for children's physical, mental and psychological education and safety. The Centre therefore implemented the project with a view to creating a safer environment on the Internet for children, parents and caregivers, raising children's awareness, offering them guidance and building their capacity to protect themselves, and raising parents' awareness to enable them to communicate, engage in dialogue and show understanding for their children.

## **8. Economic, social and cultural rights (recommendations 80.27, 80.28, 80.39, 81.11, 81.12, 81.15, 81.19, 81.23)**

90. The relevant ministries provide all their regional departments and units and their centres for development services with social, health-care, educational and cultural services that enhance human dignity without any distinction based on sex, race or religion. The services are provided to all Lebanese without exception, including children, young people at risk, women survivors of gender-based violence, young men, people with disabilities, older people, drug addicts, and others belonging to the poorest and most marginalized groups.

91. Annex 9 describes the most important activities conducted by the Ministry of Social Affairs in the area of economic, social and cultural rights.

92. The Ministry of Culture has implemented a number of projects and activities. The following are the most important two projects:

- The first was the launching of the Unified Mutual Assistance Fund for Artists following the adoption of the Decree Law on artistic professions No. 7535 of 15 February 2012. The Decree Law was implemented with a view to raising funds for Lebanese artists and giving them access to health and social welfare benefits;
- The second was the launching by the Ministry in December 2013 of the Mediterranean Living Heritage Project, which is supported by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and funded by the European Union. A preliminary study has been undertaken of the intangible cultural heritage in Lebanon including, in particular, a detailed in-depth study of declaimed and sung folk poetry (*Al-Zajal*). The Lebanese *Al-Zajal* was nominated for inscription on the Representative List of the Intangible

Cultural Heritage of Humanity by the UNESCO Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage on 27 November 2014.

**With regard to the right to health, the following is a description of the health-care situation in Lebanon:**

93. The Lebanese State allocates a large part of its revenue to health care. Notwithstanding the difficult economic situation, the ministries and public-sector institutions play an important role in many health-related areas such as awareness-raising (for instance through outreach programmes, awareness-raising campaigns and school-based medical care) and arranging for checkups to ensure the early diagnosis of certain illnesses (such as diabetes and breast cancer). They also provide for safe sewage and waste disposal and for supplies of safe drinking water, and seek to address air pollution problems stemming from technological progress and climate change.

94. About 93 per cent of the population of Lebanon have public health insurance, while 7 per cent have private health insurance. The Ministry of Public Health ensures coverage for at least 50 per cent of Lebanese people who lack public health insurance by arranging health services and treatment either through private hospitals (by means of special model contracts) or public hospitals that offer services at lower rates than those charged by the private sector. It also arranges for the provision of basic health-care services (such as mother and child care and mandatory vaccination services).

95. With regard to the right to food security, the Ministry of Public Health launched large-scale awareness-raising campaigns throughout the country in 2015 with a view to monitoring the tourism and food sectors to ensure that food products comply with Lebanese standards. It took appropriate measures against non-compliant companies.

96. Notwithstanding the steady improvement in health status indicators, the Government is seeking to address a number of persistent problems in the Lebanese health-care system (for instance, the high cost of health-care services, the disparate quality of the health-care services market in Lebanon, or its subjection to the principles of a free and unregulated economic system on account of the lack of a health map). The aim is to guarantee fair and just access to health-care services at the lowest possible rates, while maintaining their reliability and quality in accordance with international standards.

97. It should be noted that the inflow of Syrian displaced persons into Lebanon due to the Syrian crisis (they now number more than one and a half million) has had a dramatic impact on the Lebanese health-care sector and health costs on account of the increased demand for services, the pressure on hospitals, the lack of doctors and nurses, and outbreaks of infectious diseases.

98. With regard to the right to education for all, annex 10 provides an overview of the educational situation in Lebanon.

**Labour relations are currently governed by the following labour legislation:**

- The Labour Code of 23 September 1946;
- The Act on collective employment contracts, mediation and arbitration of 2 September 1964;
- Decree Law No. 136 of 16 September 1983 (work-related accidents).

99. A labour bill has been drafted to consolidate and update this legislation in light of the existing socioeconomic situation and the ratification by Lebanon of 51 international labour conventions and seven Arab labour conventions. The labour bill reflects the provisions of these conventions. The Ministry of Labour has taken the following measures with respect to labour relations:

- Adoption of the judgements handed down by labour arbitration boards concerning disputes relating to a number of issues: bonuses and premiums and their duration; the decline over time in annual leave;
- Application of the principle of non-discrimination between citizens on grounds of sex, religion, belief or any other ground;
- Promotion of cooperation among the three production parties through labour arbitration boards, the Arbitration Committee on Collective Labour Disputes and the Committee on the Cost-of-Living Index.

The key provisions of the labour bill concern:

- Individual labour relations, such as employment of women, duration of employment, leave, pay, end of service and organization of work;
- Occupational protection and safety and workplace accidents;
- Trade unions and federations;
- Collective employment contracts, mediation and arbitration.

### **Achievements of the National Programme to Support the Poorest Families**

100. As part of the Social Action Plan to combat poverty, the Lebanese Government, acting through the Ministry of Social Affairs, decided to implement a National Programme to Support the Poorest Families. A poverty measurement tool is used under the Programme to assess families' socioeconomic situation by means of specific indicators.

### **Aim of the Programme**

101. The aim of the Programme is to provide social assistance to the neediest Lebanese families based on transparent family poverty measurement criteria.

### **Basic Programme principles**

- **Equality:** All needy Lebanese families are entitled to apply for State assistance;
- **Justice:** The socioeconomic situation of families that apply for assistance is assessed by means of objective and transparent procedures;
- **Assistance for the neediest families:** Priority is given to families whose socioeconomic situation is most acute;
- **Objectivity and transparency:** The procedure used to assess a family's eligibility for social assistance is based on the highest standards of objectivity and transparency.

### **Benefits provided under the Programme**

102. All families designated as beneficiaries of the Programme receive the following benefits approved by the Council of Ministers in the Decree adopted on 23 November 2011:

- Full health-care coverage in public and private hospitals;
- Coverage of the cost of medication to treat chronic illnesses and of the services provided by the centres run by the Ministry of Social Affairs;
- Free enrolment of students in public primary and secondary schools, guaranteed payments to the school fund and parents council, and coverage of the cost of textbooks at the secondary level;

- Food baskets for family beneficiaries of the Programme who meet the following conditions:
  - The head of the household is over 60 years of age;
  - He is unemployed;
  - The family consists of three persons or fewer than three.

**Ensure that education covers the whole of Lebanese territory, including areas inhabited by Palestine refugees**

103. While reaffirming that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is responsible for ensuring access to education for Palestine refugees under its education programme, Lebanon has not shirked its moral responsibility for the Palestine refugees present in its territory. In practice, it has treated Palestinians and their Lebanese classmates equally along the following lines.

104. The Internal Regulations governing kindergartens and basic education in public schools (1130/M/2001) stipulates that “a condition for the admission of a new pupil is that he or she is Lebanese”. However, “in cases where vacancies remain in the school, non-Lebanese pupils may be admitted”. In practice, as vacancies usually exist in schools, there are no obstacles impeding the admission of Palestinian pupils to Lebanese public schools and their equal treatment with Lebanese pupils in terms of applications for enrolment and the requisite documents and fees.

105. Lebanese and Palestinian pupils are admitted to Lebanese private schools without any form of discrimination.

106. With regard to admission to Lebanese public vocational and technical schools and colleges, article 1 of Decree No. 2002/174 of the Directorate General of Technical and Vocational Education, which is applicable to Palestinians, stipulates that the number of new foreign students to be admitted to such establishments shall be three students per college/school for each specialized discipline and each different level, with the exception of the technical and vocational education teachers’ degree. If a specialized field of study is composed of more than one discipline, two students may be admitted for each discipline.

107. With a view to facilitating the admission of Palestinian pupils and students to different categories and levels of private schools and to the Lebanese University and private universities, the Minister of Education and Higher Education issued circular No. 7/M/2010 of 3 February 2010 calling on all decision makers in public and private schools, and in the Lebanese University and other private universities, to admit Palestinian pupils and students on production of an identity card issued at least three years previously, provided that they met the other requirements for enrolment.

108. Notwithstanding the major inflow of Syrian displaced persons into Lebanon, the Minister of Education and Higher Education issued circular No. 25/M/2014 on 18 September 2014 calling on principals of public schools (first, second and third cycles) to apply the limit applicable to the enrolment in basic education (first, second and third cycles) of returning or new Palestinian students resident for more than three years in Lebanon, who are without access to UNRWA schools in their geographical area of residence.

109. In the context of measures by the Lebanese-Palestinian Dialogue Committee and the Ministry of Education and Higher Education to facilitate and improve access to education for Palestinian students, and to provide them with the education and practical training they require to contribute to the development of Palestinian society in Lebanon, a “Palestinian Student’s Guide to Lebanese Educational Institutions” was published in 2012 in response to questions raised by Palestinian students (and their



families). The Guide is intended to assist students in surmounting any obstacles they may encounter in seeking to complete their education in Lebanese educational institutions and clarifies the administrative requirements for enrolment.

## **9. Rights of non-citizens**

### **A. Non-Palestinian refugees (recommendations 80.33, 80.34)**

110. Lebanese jurisprudence confirms the application of article 3 of the Convention against Torture, particularly the principle of non-refoulement of refugees to countries where their lives would be at risk.

111. The Directorate General of Public Security deals with the issue of non-Palestinian refugees on the basis of applicable Lebanese legislation and the Memorandum of Understanding signed with the Office of the United Nations High Commissioner for Refugees (UNHCR), which deals with the situation of asylum seekers and refugees. The Humanitarian Organizations and Affairs Division of the Directorate General of Public Security is responsible for implementing the provisions of the Memorandum and pursuing the best interests of refugees with a view to their resettlement in a third country.

### **The situation of Syrian displaced persons in Lebanon**

112. In July 2012 the Ministry of Social Affairs, in cooperation with the High Relief Commission and UNHCR, was mandated to coordinate relief action to respond to the needs of Syrian nationals arriving in Lebanon under emergency conditions due to the Syrian crisis. According to the UNHCR statistics, they numbered 854,777 in 2013 and 1,173,607 in 2014.

113. A ministerial committee was established to monitor the situation of the displaced persons. It is chaired by the Prime Minister and composed of representatives of the Ministry of Foreign Affairs and Emigrants, the Ministry of Social Affairs, the Ministry of Public Health, the Ministry of Education and Higher Education, the Ministry of National Defence, the Ministry of the Interior and Municipalities, and the High Relief Commission. A mechanism was also established to coordinate relief efforts, focusing on the following basic sectors: health, education, shelter, food and social affairs.

### **Key responsibilities of the Ministry of Social Affairs**

- Provision of shelter for displaced persons;
- Ensuring the availability of primary health care through its centres located throughout Lebanese territory, in coordination with the Ministry of Public Health;
- Monitoring of the social situation of displaced persons, particularly children and women; arranging, where necessary, for psychosocial support; and protecting children at risk as well as those with special needs;
- Coordination of the registration of displaced persons with UNHCR.

114. The Ministry also plays a coordinating role between international organizations and governmental bodies. Steps are being taken to boost the role of centres offering development services so that they are accessible to the largest possible number of displaced groups.

115. The Ministry has designated 45 development service centres in different parts of Lebanon as basic emergency response centres and has provided them with the

requisite medical and social equipment. In addition, a ministerial working group has been provided with the expertise required to enhance the quality of interventions.

116. Coverage is provided for emergency treatment of Syrian displaced persons in public hospitals, and funding is provided by foreign and local relief organizations for hospitalization, examinations and the necessary medication.

117. With effect from the 2013-2014 academic year, the Ministry of Education and Higher Education has provided Syrian students with access to afternoon classes in schools located in all Lebanese governorates. The school cannot accommodate the students, owing to their growing numbers, during the regular daytime hours. The Ministry has contracted teachers in the schools concerned to provide tuition based on the Lebanese curriculum, and the United Nations covers the cost of salaries for the teachers under contract, students' enrolment fees, books, transport and stationery.

118. The term "refugee" is not applied to Syrian displaced persons in Lebanon. The Lebanese State has not permitted the term to be applied because it regards them as temporarily displaced persons. Lebanon has not signed the 1951 Convention relating to the Status of Refugees and considers that the displaced persons are present in the country on a temporary basis. It has permitted UNHCR to conduct its activities in Lebanon on purely humanitarian grounds without signing the 1951 Convention or its 1967 Protocol.

119. It should be noted that UNHCR has not, as had been agreed, provided the Lebanese Government with all the information in its possession concerning the situation of Syrian displaced persons.

## **B. Palestine refugees (recommendations 80.32, 80.39, 81.26, 84.10, 84.11, 84.12)**

### **The right of Palestine refugees to employment and improvement of their working conditions**

120. Additional steps have been taken to improve employment opportunities and conditions for Palestinian workers registered with the Department of Political Affairs and Refugees of the Ministry of the Interior and Municipalities.

#### **1. The Lebanese Labour Code**

121. The Lebanese Labour Code contains no provision that explicitly undermines the rights of Palestine refugees in Lebanon. Moreover, the Lebanese Chamber of Deputies amended article 59 of the Lebanese Labour Code by Act No. 129 of 24 August 2010 with a view to exempting Palestinian employees from:

- The condition of reciprocity imposed by the Code on foreign workers seeking employment in Lebanese territory;
- The fee payable for the work permit issued by the Ministry of Labour.

Palestine refugees can therefore be employed in the following occupations:

- Occupations falling under the Lebanese Labour Code that do not require the worker to join a trade union;
- Occupations falling under the Lebanese Labour Code that require the worker to join a trade union, unless Lebanese nationality is a condition for membership; it should be noted that trade unions are free to impose any conditions they deem to be appropriate.

122. Palestinian workers' rights pertaining to sick leave, maternity leave, transport allowances, unfair dismissal and other rights are enshrined in the Labour Code, which makes no distinction between their rights and those of Lebanese workers.

## 2. Work permits

123. Palestine refugees are issued with work permits on presentation of the requisite documents. Memorandum No. 7/1 L.M. issued by the Minister of Labour on 22 January 2013 exempts Palestinian workers who are registered with the Ministry of the Interior and Municipalities from presenting insurance policy and medical examination documents when applying for a work permit.

## 3. The Palestinian Workers' Guide and other improvements

124. The "Palestinian Workers' Guide - Rights and Duties" was published in 2013 with a view to clarifying the legislation and decrees applicable to Palestine refugees in the Lebanese labour market. It provides information on access to employment in Lebanon, how to benefit from social security services, the administrative procedures to be followed by those entitled to apply for work permits, details of compulsory social security contributions and an overview of available workplaces.

## 4. Independent occupations and professions

125. The Minister of Labour issued Decision No. 19/1 of 2 February 2013 concerning occupations that are restricted to Lebanese nationals. An exception is made in article 3 of the Decision for Palestinians born in Lebanese territory and officially registered with the Ministry of the Interior and Municipalities. Accordingly, Palestinians enjoy the right to work in more than 50 occupations or professions that are not covered by the Labour Code, such as administrative and banking work, mechanics, electronic and electrical work, engineering, construction work and its derivatives, infrastructure, motor vehicle manufacturing, teaching at all levels, nursing, work in pharmacies, drug warehouses and medical laboratories, nutritional science, dental laboratories, physiotherapy, commercial work, printing, publishing and distribution, manual occupations and crafts, etc.

## 5. Services of the National Social Security Fund

126. The Lebanese Chamber of Deputies adopted Act No. 128 of 24 August 2010, which amended article 9 of the Lebanese Social Security Act with a view to exempting Palestinian workers from the condition of reciprocity and enabling them to benefit from end-of-service indemnities on the same conditions as Lebanese workers. A separate independent account has been designated for contributions to the National Social Security Fund from Palestinian workers, so that the Treasury and the Fund have no financial obligations in that regard. As a result, Palestine refugees have been able to benefit from end-of-service indemnities since 2 September 2010 provided that they meet the following conditions:

- That they are resident in Lebanon;
- That they are registered with the Department of Political Affairs and Refugees of the Ministry of the Interior and Municipalities;
- That they possess a work permit that complies with the relevant legislation and regulations.

127. The Lebanese Government continues to call on the international community and donor countries to finance projects aimed at improving the situation in the camps and enhancing the social and economic living conditions of Palestine refugees in Lebanon so that they can live in dignity. Annex 11 lists numerous initiatives in this regard.

128. With a view to building the capacity of the Lebanese-Palestinian Dialogue Committee to assist Palestine refugees as a step towards improving their human rights and humanitarian situation in Lebanon:

- Ministerial statements by successive Lebanese Governments, the most recent of which was issued on 13 June 2013, have provided for the following action aimed at enhancing the role of the Lebanese-Palestinian Dialogue Committee:
- Approval by the Government of the Committee's project and allocation of funds for 2013;
- Appointment by Prime Ministers of counsellors to run the Committee. The most recent appointments were made by Decision No. 79/2014 of 17 April 2014. Former Minister Hassan Mneymneh was selected to chair the Committee;
- Appointment to the Committee of new ministerial representatives by decision No. 182/2014 of 27 August 2014 with a view to broadening its relations with relevant ministries and establishing a solid network capable of addressing all Lebanese administrative issues pertaining to the Palestinian file.

129. In the context of its self-assessment, the Dialogue Committee prepared a draft decree aimed at referring a bill to the Chamber of Deputies concerning the establishment of a "High Commission on Palestine Refugee Affairs". The proposed commission would be tasked, inter alia, with the following activities:

- Representing the Lebanese Government in Arab and international forums dealing with Palestinian affairs;
- Helping to prepare the Lebanese negotiating file on Palestine refugee affairs and the right of return;
- Cooperating closely with UNRWA and offering it all the facilities it requires to achieve its objectives and to implement its activities on behalf of Palestine refugees;
- Addressing socioeconomic, legal and security issues and issues related to living conditions in the Palestine refugee camps in Lebanon, in cooperation with all relevant parties, based on their mandates and fields of competence;
- Ensuring coordination among ministries, official institutions and administrative bodies on Palestinian affairs;
- The proposal to establish the High Commission was referred to the Prime Minister in May 2014.

130. With regard to health, refugees who are resident in Lebanese territory are entitled to benefit from public and private hospital services and other health-care services provided by the Ministry of Public Health (vaccination programmes, basic medication, training programmes) under contracts on health-care and therapeutic services concluded between UNRWA and the hospitals concerned. The UNRWA Health Programme was developed with a view to providing Palestine refugees in Lebanon with comprehensive hospitalization services and access to open heart surgery, kidney dialysis and other operations, as well as medication for cancer and chronic illnesses, by developing and rendering such services in public hospitals, introducing special medical fees for basic health-care services and seeking to develop essential welfare services (such as the vaccination programme).

131. In addition, some services provided by the Ministry of Public Health to Palestinians and foreign workers are covered under an agreement with the Minister of Public Health in exceptional cases when other coverage procedures are unavailable for social reasons.

**C. Foreign workers (recommendations 80.30, 80.31, 80.40, 80.41, 81.24)**

**The rights of foreign workers**

132. The Directorate General of Public Security affords the necessary protection to foreign workers who have obtained an annual residence permit, especially domestic workers, in accordance with the applicable legal provisions. It also imposes administrative measures on any sponsor who subjects a worker to ill-treatment.

133. In the area of health care, compulsory health insurance contracts have been developed for foreign workers, and the ceiling for health coverage and other services has been raised as a result of joint action by the Ministry of the Interior and Municipalities, the Ministry of Public Health, the Ministry of Labour, and the Ministry of Economy and Trade aimed at providing health coverage that complies with international standards.

134. The employment of foreign domestic workers has been subject to the following regulations since 2010:

- Decree No. 17561 of 18 September 1964 (regulating the work of foreigners);
- Article 59, paragraph 3, of the Labour Code adopted on 23 September 1946, which stipulates that workers enjoy the rights enjoyed by Lebanese workers, subject to the condition of reciprocity;
- Decree-Law No. 136 of 16 September 1993 (occupational hazards) which is applicable to foreign workers;
- The International Labour Organization (ILO) Convention concerning Equality of Treatment (Accident Compensation), 1925 (No. 19), which Lebanon ratified by Decree No. 70 of 25 June 1977;
- Health insurance for foreign workers employed in Lebanon: adoption of Decision No. 52/1 of 14 April 2009 concerning insurance policies for foreign and domestic workers. Under the Decision foreign workers are entitled to compensation for a workplace accident entailing permanent full or partial disability and to hospitalization insurance in the event of illness or an accident at work;
- An employment contract for domestic workers (Decision No. 38/1 of 16 March 2009), which provides for annual leave, a specific number of daily working hours, hospitalization insurance, settlement of disputes, and the right of the worker and employer to terminate the contract;
- The Information Guide produced in 2012, which is presented to all domestic workers on their arrival in Lebanon. The Guide was prepared in cooperation with the International Labour Organization and is distributed in several different languages;
- Decision No. 1/1 of 3 January 2011, which regulates the work of foreign female labour recruitment agencies (migrant domestic workers) and specifies the rules to be observed.

The following measures have been taken:

- Preparation of a draft memorandum of understanding between the Ministry of Social Affairs and Caritas concerning improvements in the situation of migrant domestic workers, particularly trafficking victims;
- Supervision by the Ministry of Labour (Labour Relations Authority) of the work of owners of recruitment agencies, monitoring of the situation of foreign female

workers and their relations with their employers, and regulation of the relationship between employment agencies and employers;

- Drafting of a bill concerning decent employment for domestic workers (referred to the Chamber of Deputies on 14 March 2013). The articles are based on the standards laid down in ILO Convention No. 189 on the rights of migrant domestic workers, particularly the articles concerning wage guarantees, working hours, daily and weekly rest periods, annual leave, sick leave, the degree of responsibility of an employer and a domestic worker in the event of termination of the contract and the compensation to which each of them is entitled. The bill also reaffirms the principle of non-discrimination on grounds of race, colour, religion, sex, political opinion, or national or social origin (annex 12 lists the key guarantees enshrined in the bill);
- ILO Convention No. 189 concerning decent work for domestic workers and Recommendation No. 201 on the same subject have been referred to the Council of Ministers with a view to their subsequent referral, together with the report thereon, to the Chamber of Deputies.

### **Difficulties and challenges**

135. The crises and difficulties currently facing Lebanon and the numerous major challenges stemming from the regional unrest have not prevented the Lebanese Government from doing its utmost to protect and promote human rights. It should, however, be noted that, owing to the political instability and the financial pressure weighing on governmental institutions, two major challenges are impeding progress in the implementation of the universal periodic review recommendations.

136. First, Lebanon is currently fighting a fierce battle against terrorism. The Lebanese Government's policy consists in using every means at its disposal to combat the threat of terrorism with the assistance of the country's friends and allies. The repercussions of this challenge have led to a marked increase in the number of detainees and inmates in Lebanese prisons, imposing a major burden on the State. While steps have been taken to preserve the dignity and human rights of all prisoners, including those charged with or convicted of committing terrorist acts, the Lebanese State is firmly committed to the policy of combating terrorism and all necessary measures have been taken to achieve that aim.

137. Secondly, Lebanon is facing a crisis involving Syrian displaced persons, whose huge exodus constitutes a demographic invasion that threatens the country's existence. The perils and financial and demographic burdens of the crisis have had an impact on the fabric of Lebanese society. They have also undermined the country's security, economic stability and growth. The infrastructure of the manufacturing and services sectors, including the health and education sectors, has also been adversely affected. The burden encumbering the energy sector has increased by 40 per cent on account of the additional consumption by Syrian displaced persons. The current situation also has a direct impact on local communities that host displaced persons. The communities in question are, in most cases, disadvantaged both economically and in terms of housing. Notwithstanding these social pressures, the economic recession, and the suffering endured by displaced persons and their host communities, Lebanon has not yet received the international assistance pledged by donor countries at numerous conferences held to consider the situation of Syrian displaced persons. Such assistance could be used to address the serious crises encumbering the country.

138. Notwithstanding all these challenges and difficulties, Lebanon is determined to continue doing its utmost to implement policies aimed at protecting and promoting the

human rights of all members of its population and of all foreigners resident in the country.

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