



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the second report of Lebanon\*

#### I. General information

1. Please provide information on plans to provide constitutional protection of economic, social and cultural rights.
2. Referring to the Committee's general comment No. 9 (1998) on the domestic application of the Covenant, please clarify the status of the Covenant in the State party's legal order. Please provide information on cases in which the rights under the Covenant have been invoked before and applied by domestic courts in the State party. Please also inform the Committee of steps taken to establish a national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).
3. Please indicate the position of the State party with regard to signing and ratifying the Optional Protocol to the Covenant.
4. Please provide information on measures taken, and the impact thereof, to fight corruption and to combat related impunity, including through the strengthening of anti-corruption legislation and its enforcement. Please also provide information on corruption cases filed in courts, particularly those brought against senior civil servants and high-level officials, including statistical data on cases filed, investigated and on convictions for bribery.

#### II. Issues relating to the general provisions of the Covenant (arts. 1-5)

##### Article 2 (1) – Obligation to take steps to the maximum of available resources

5. Please provide information on the public consolidated budget for sectors relevant to Covenant rights, including employment, social security, health and education, indicating their share of the total public budget over the past five years.
6. Please indicate the extent to which the legal and institutional framework in place ensures transparency and accountability in loan negotiation and contracting and in debt

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\* Adopted by the pre-sessional working group at its fifty-seventh session (7-11 March 2016).



management. In particular, please indicate how the State party ensures that the servicing of public debt does not reach an excessive level, thereby impeding compliance with its minimum core obligations under the Covenant. Please indicate how the State party's obligations vis-à-vis the Covenant are taken into account in the State's dialogue with the International Monetary Fund.

**Article 2 (2) – Non-discrimination**

7. Please provide information on steps envisaged to afford protection against discrimination on all grounds, as required by article 2 (2) of the Convention. Referring to the Committee's general comment No. 20 (2009) on non-discrimination, please indicate the extent to which the State party's legislation is effective in enabling the implementation of the provisions on non-discrimination contained in the Covenant, in particular as regards a definition of discrimination, including indirect discrimination, the provision of sanctions and remedies, and the application of special measures.

8. Please provide information on steps taken, and their impact, to combat and prevent stigma and discrimination against marginalized individuals and groups, including persons living with or affected by HIV and AIDS, persons with disabilities, lesbian, gay, bisexual and transgender persons, and refugees and migrants.

9. Please inform the Committee of the percentage of persons with disabilities holding a personal disability card and indicate who among them are most likely not to hold such a card and for what reasons. Please describe the types of entitlement and assistance afforded to persons with disabilities not holding a personal disability card, to ensure that such persons are not discriminated in the enjoyment of Covenant rights. Please update the Committee on the steps taken to ratify the Convention on the Rights of Persons with Disabilities following its signature, as mentioned in paragraph 91 of the State party's report.

10. Please provide information on steps taken to review the 1962 Law on Entry and Exit and to develop a specific legal framework defining and protecting the rights and freedoms of refugees and asylum seekers in order to facilitate their legal stay in the State party and to enable their enjoyment of Covenant rights, such as the right to work, social security, health, adequate housing and education, without discrimination, in line with article 2 of the Covenant and the Committee's general comment No. 20 (2009) on non-discrimination.

**Article 3 – Equal rights of men and women**

11. In addition to the cases mentioned in paragraphs 31 and 32 of the State party's report as regards nationality and the right to marry, please inform the Committee on measures taken to amend those legal provisions which are discriminatory against women or have a discriminatory effect on them.

12. Please provide information on the impact of the implementation of the National Strategy for Women (2011-2021). Please elaborate on the extent to which the policy and the legislative measures taken by the State party, including those described in paragraphs 35 to 41 of the State party's report, have modified the deeply entrenched patriarchal attitudes and the stereotyped image of women among certain sectors of society. Please indicate the challenges to bringing about changes in this regard and the measure taken to address them.

13. Please inform the Committee of the obstacles to women's equal access to the labour market in view of their much lower labour force participation rate, and provide information on the impact of measures taken to address the situation and to reduce the gender pay gap.

### III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

#### Article 6 – Right to work

14. In the light of the fact that, even before the Syrian conflict, economic growth in the State party did not sufficiently help employment creation, please inform the Committee of adjustments made to ensure that economic policies aim to achieve full and productive employment.

15. Please provide information on the impact of the measures taken by the State party to reduce youth unemployment, such as those under the youth policy and the “first-job programme” for youth. Please indicate whether the policies and resources in place are commensurate with the high rate of youth unemployment, including among educated youth, and address the increasing unemployment rate as a result of the influx of refugees, as described in paragraph 144 of the State party’s report.

16. Please provide information on the impact of the work of the committee on the promotion of the occupational rights of persons with disabilities, referred to in paragraph 94 of the State party’s report, and on the access of such persons to the labour market. Also explain why the sanctions provided for by Act 220 of 29 May 2000 on the non-implementation of quotas for employment were suspended.

17. Please explain why Syrian refugees are asked to pledge not to work and whether other means of livelihood are granted to them. Please also indicate whether the State party plans to remove the legal and administrative obstacles preventing Palestinian refugees from choosing a profession of their choice.

#### Article 7 – Right to just and favourable conditions of work

18. Please indicate the extent to which the minimum wage enables a decent living for workers and their families. Please also indicate how often it is reviewed and whether it is indexed to the cost of living.

19. Please indicate under which circumstances an employment contract can be drawn up verbally, as mentioned in paragraph 41 (1) of the State party’s report, and how employees’ right to just and favourable conditions of work is protected in such cases.

20. Please indicate how the State party plans to reform the *kafala* system and the live-in setting, which render domestic workers vulnerable to abuse and exploitation. Please also indicate the steps taken to grant domestic workers the labour rights provided for by the Lebanese Labour Code. Please comment on the effectiveness of existing avenues for remedies such as those listed in paragraph 45 of the State party’s report. Please also provide statistical data on cases relating to abuse and exploitation of migrant workers settled in court, disaggregated by sex and nationality, on an yearly basis, including on convictions and penalties.

21. Please explain how, in the application of the principle of reciprocity, referred to in paragraph 58 of the report, the State party ensures the protection of the rights of migrant workers without discrimination as provided by the Covenant.

22. Taking into account the Committee’s general comment No. 23 (2016), please indicate the extent to which the provisions of labour legislation guaranteeing the right to just and favourable conditions of work extend to workers in the informal economy and the extent to which those provisions are effectively enforced.

**Article 8 – Trade union rights**

23. In the light of the information provided in paragraph 50 of the State party's report, please clarify whether the right to strike is protected in the State party. Please provide additional information on applicable regulations and on restrictions to the exercise of the right to strike.

**Article 9 – Right to social security**

24. Please provide statistical data on the persons, including those working in the informal economy, refugees and homeless persons, covered by the various social security schemes. Please also inform the Committee of the reforms of the National Social Security Fund envisaged by the State party and the extent to which the minimum core obligation under article 9 would be realized.

**Article 10 – Protection of the family, mothers and children**

25. Please indicate the extent to which the prohibition of employment of children, as described in paragraphs 41 and 81 of the State party's report, is enforced in the State party and provide statistical data of infractions observed and sanctions imposed on contravening employers. Please also provide information on the impact of the implementation of the National Plan of Action to Eliminate the Worst Forms of Child Labour in Lebanon by 2016.

26. Please provide information, including statistical data disaggregated by sex, age, ethnicity and nationality, on children working on the street, as well as on their recovery and social reintegration and on the provision of rehabilitation services to child victims of abuse. Please inform the Committee of the impact of the implementation of the National Strategy to Safeguard and Protect Children against All Forms of Violence and Exploitation, including on the protection of street children against sexual exploitation and illicit work by criminal gangs.

27. Please indicate if the Government intends to introduce reforms to its legislation relating to marriage with a view to better protecting the family.

28. Please indicate the percentage of older persons receiving pension and non-contributory benefits and how the State party ensures that the level of pensions and non-contributory benefits ensures an adequate standard of living. Please also provide statistical data on the impact of the situation described in paragraph 70 of the State party's report whereby older persons are disaffiliated from social security, especially on the gaps in the enjoyment of the right to an adequate standard of living, of the right to health and of the right to social security for older persons. Please provide information on the measures taken by the State party to address the situation and on their impact.

**Article 11 – Right to an adequate standard of living**

29. Please indicate the extent to which the National Poverty Targeting Programme has been adjusted to respond to the significant increase in poverty in the State party, as mentioned in paragraph 147 of the State party's report. Please also inform the Committee of challenges to reaching and delivering assistance to the most disadvantaged and marginalized groups, such as refugees.

30. Please indicate the steps taken by the State party to ensure that housing remains affordable, especially for disadvantaged and marginalized groups, in the light of the unprecedented increase in rents referred to in paragraph 145 of the State party's report. Please also inform the Committee of measures taken by the State party to respond to the concerns raised in paragraph 90 as regards the realization of the right to housing under the

2014 Rent Act. In addition, please inform the Committee of the impact of measures taken to prevent homelessness and to assist the homeless.

31. Referring to the basic principles and guidelines on development-based evictions and displacement (2007) and the Committee's general comment No. 7 (1997) on forced evictions, please provide information on how the State party plans to ensure that evictions, in law and in practice, are compliant with international standards and that vulnerable groups, landlords and municipalities are aware of housing rights under Lebanese law and international human rights law.

#### **Article 12 – Right to physical and mental health**

32. Please provide information, including statistical data on access, disaggregated by region, sex, nationality and other relevant status, on the impact of measures, such as the comprehensive primary health-care package and services, taken by the State party to address the discrepancies in access to health care between regions, based on income, and between nationals and non-nationals, including refugees, and to improve the affordability of health care for disadvantaged and marginalized groups. Which measures is the State party taking to reduce the quality gap between the privately provided health-care services and the services in the public health-care system?

33. Please provide information on the impact of measures taken to improve the availability and accessibility of mental health care in the State party, including through the primary health system, in view of the important prevalence of mental health illness among the population.

34. Please provide information on the impact of steps taken to remedy the challenge of providing safe drinking water, referred to in paragraph 146 of the State party's report, and the possible spread of disease associated with the waste management crisis.

#### **Articles 13 and 14 – Right to education**

35. Please provide information on the results achieved and challenges encountered in the implementation of the national plan to ensure education for all during the period 2003-2015, referred to in paragraph 116 of the State party's report, as regards access to free and compulsory education for all children up to the age of 15 years, including for girls, children with disabilities, refugee children, children of migrant and domestic workers and children from disadvantaged households. Please also provide information on the measures taken to reduce the effects of economic stratification in schools and ensure that quality education is enjoyed without discrimination, including in public schools.

36. Please provide information on the impact of the national literacy and adult education programmes. Please describe the development of higher education in the State party and the measures taken to make it affordable and relevant to the skills needed by the labour market.

37. Please provide information on measures taken to ensure that education promotes full respect of human rights and fundamental freedoms and active participation in a free society, as well as understanding, tolerance and friendship among nations and among the racial, ethnic and religious groups in the State party.

#### **Article 15 – Cultural rights**

38. Please provide information on the availability and accessibility of cultural activities, such as those enumerated in paragraph 128 of the State party's report, by the most disadvantaged and marginalized groups.

39. Please explain the extent to which the State party's policies in regard to science, technology and creativity, referred to in paragraph 131 of the State party's report, aim to contribute to the enjoyment of Covenant rights.

40. Please provide information on measures taken to improve affordable access to the Internet, in particular in rural areas.

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