



Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-ninth session

SUMMARY RECORD OF THE 752nd MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 15 January 2002, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Lebanon (CRC/C/70/Add.8); list of issues (CRC/C/Q/LEB/2); core document (HRI/CORE/Add.27/Rev.1) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Lebanon took places at the Committee table.
2. Mr. NEHME (Lebanon) said that Lebanese society was becoming modernized, with traditional lifestyles giving way to a culture more attentive to respect for human rights: one example was the new importance attached to respect for the opinions of children within the family, principally in the homes of the middle class and those with a high level of education. A reduction in the practice of corporal punishment had likewise been witnessed among the same classes. The Government was working to heighten public awareness about the rights of the child and to establish a strategy aimed simultaneously at parents and children in order not to provoke any resistance among parents. The media played a crucial role in that regard by bringing to light matters that had formerly been taboo: sexual offences and abuse of minors were now spoken of on television and in newspapers.
3. Honour killings of women were now so rare in Lebanon that one could no longer speak of a social phenomenon. Nevertheless women's associations were currently waging a major campaign for amendment of the criminal provisions on honour killings which established no penalties against men for such offences.
4. The issue of transmission of nationality by the mother was still under consideration and the relevant draft legislation had not yet been adopted.
5. In order to prevent children from being subjected to inhuman treatment during judicial inquiries, the Procurator-General had taken a decision prohibiting the interrogation of the child unless a representative of an association for the defence of children's rights was present. The decision had had real effects and the clear improvement in the conditions of detention and interrogation of minors was a welcome development.
6. A recent law prohibited teachers from resorting to violence of any sort against their students. Corporal punishment at school was in sharp decline, although there were isolated cases in State-run schools located in remote rural regions.
7. Lebanon was currently restructuring its social welfare services and reviewing the status of the various non-governmental organizations and social welfare associations, including the religious associations, which played a key role in providing such services. The Ministry of Social Affairs had identified criteria governing care of children by social services. In the past, only orphans and children of families subject to violence had been placed in institutions. Owing to the deterioration of living conditions because of the war, however, such assistance had been expanded to cover children from poor families, who would henceforth have access free of charge to education and health services. Most of the social welfare institutions were of a religious

nature and could not under any circumstances intervene directly with the family or decide on the institutionalization of a child. They merely provided services. It was for the parents to launch the placement procedure by contacting the Ministry of Social Affairs, which had defined four categories of children who could benefit from State aid: newborns whose father and mother were both dead or who had been abandoned; children from poor families, whose parents could not support them; adolescents up to the age of 18 who seemed on the verge of abandoning their studies; and juvenile delinquents. Once the Ministry of Education had instituted compulsory education free of charge for all, the Ministry of Social Affairs would be able to stop providing assistance to children in those categories. As part of the restructuring, Lebanon intended to focus on providing services within the family, in order to avoid separating children from their parents. Finally, the Ministry of Public Health intended to establish a number of criteria for crèches which should help to improve the living conditions of children in such establishments.

8. Lebanon had an effective system for registry of births under which all newborns were registered, including Palestinian children.

9. With regard to adoption and all matters relating to personal status, there were two coexisting systems, depending on religious affiliation. Christian communities recognized the type of adoption in which children received the same rights as a natural child and were given the name of the adoptive parents, whereas the Muslim community applied the system of kafalah if the child was not taken in by its extended family. There were no statistics on international adoption, but the media had recently revealed cases of illegal adoption abroad during the war. A draft law on the subject was being elaborated.

10. Lebanon had an institutional framework enabling it to combat violence against women effectively. Victims could communicate with the various committees and other non-governmental organizations involved in defending women's rights using the hotlines that had been set up and could also find refuge in one of the numerous shelters within the country.

11. The new law on disabled persons provided for the issuance of a disability card that gave them access to all types of services, including health services. In addition to the provision of services, the law laid stress on the integration of the disabled within society.

12. Major efforts had been undertaken since 1998 to improve the quality of radio and television broadcasts for children. The Convention on the Rights of the Child had served as the basis for the development of a number of educational activities such as a puppet theatre production coproduced by the United Nations Children's Fund which had had a resounding and lasting success with the public, of all generations.

13. The question of the death penalty was being hotly debated within Lebanese society and Parliament was currently considering the possibility of abolishing it. Although executions had taken place after the war, judges now had much greater leeway and could choose to hand down the death penalty or a lighter penalty.

14. While according to the law, joint committees bringing together students and teachers were supposed to be set up within schools so that everyone could participate in decision-making, that was not the case in practice. The new curriculum nevertheless emphasized active learning,

implying greater participation of students in the activities proposed for them. That new teaching method had brought with it material requirements, and in that regard he wished to acknowledge the considerable assistance provided by NGOs and the private sector.

15. Ms. AL-THANI asked whether Palestinian children received birth certificates. Were they given documents enabling them to travel or to receive social benefits such as health insurance?

16. Mr. NEHME (Lebanon) said that Palestinian children received birth certificates as well as laissez-passer when they wished to go abroad. In respect of primary health care, they did not have access to public hospitals because in view of the overloading of those services, preference was given to nationals.

17. Ms. KARP asked what measures were taken concerning teachers who inflicted corporal punishment on their students, whether there were any plans to prohibit corporal punishment within the family and whether any research had been carried out on that practice. In the health field, it would be interesting to know what measures the Government intended to take to give children whose parents did not have health insurance access to primary health care.

18. Ms. TIGERSTED TÄHTELÄ asked whether the Lebanese authorities or the United Nations Relief and Works Agency was responsible for maintaining order, punishing offences and building and maintaining infrastructure in Palestinian refugee camps.

19. Ms. OUEDRAOGO wished to know whether the institutional placement of children, particularly children from poor families, was periodically reviewed and what measures were taken to enable such children to rejoin their families under good conditions. It would be useful to know Lebanon's position on international adoption and whether the State party intended to ratify the Hague Convention on Intercountry Adoption.

20. Mr. NEHME (Lebanon) said that research on corporal punishment in families was insufficient. The Government did not plan to prohibit that practice with legislation. It preferred attempting to convince public opinion that it was harmful for the child.

21. Security in the Palestinian camps was provided for by the Lebanese authorities, and if an offence was committed, the perpetrator was brought before the Lebanese courts. In practice, however, the Lebanese authorities and organizations representing the people in the refugee camps had a tacit agreement that the Lebanese authorities would not enter the camps. That modus vivendi usually did not cause any problems. In only 1 of the 10 camps in Lebanon had there been any tension between Palestinian factions.

22. The Lebanese Government was responsible for the infrastructure in the Palestinian refugee camps. Most of the camps had the same problems as those encountered in poor urban neighbourhoods, where half the Palestinians lived. In that connection, the Ministry of Social Affairs, together with NGOs, notably Caritas, was currently conducting a pilot project to assist poor families and families with disabled children.

23. The CHAIRPERSON invited the Committee to consider the section of the list of issues relating to education, health care and special protection measures.
24. Ms. TIGERSTEDT-TÄHTELÄ said that Lebanon appeared to have a dense network of health-care centres that provided a range of good-quality services. She asked whether persons not covered by a health insurance scheme or who were of modest means had access to those services.
25. Mr. AL SHEDDI enquired whether the Government planned to raise the age of compulsory schooling, which currently stood at 12 years, how it combated illiteracy, which in 1996 had affected 13.6 per cent of the population, primarily women, and how it intended to improve the training of primary school teachers, half of whom were unqualified for the job.
26. It would also be interesting to know what percentage of children were enrolled in private schools, which apparently provided better quality education than public-sector schools. Lastly, could the delegation provide more information on programmes to help integrate disabled children into society and, especially, into mainstream schools?
27. Ms. AL-THANI asked whether the new legislation on disabled children had entered into force and enquired about measures taken, particularly in the framework of prenatal health care, to remedy a situation in which some 70 per cent of disabilities were due to congenital malformations.
28. The report stated that in 1996 the infant mortality rate had stood at 48.1 per thousand in the north of the country as against 19.6 per thousand in Beirut. What was planned to reduce that considerable disparity? It would also be useful to know what measures had been taken to encourage breastfeeding and whether working mothers were entitled to maternity leave and facilities at their place of employment when they went back to work.
29. Lastly, she asked the Lebanese delegation what the Government planned to do to improve the vaccination rate, which currently stood at only 80 per cent.
30. Ms. EL GUINDI enquired whether minors under 18 years of age who had been sentenced to prison were incarcerated together with adults, how young girls sentenced to prison were dealt with and what measures were taken to facilitate the social reintegration of young delinquents.
31. Ms. KARP asked whether the Ministry of Health and the Ministry of Education coordinated the implementation of their respective health-care programmes, whether there were programmes to combat violence and racketeering among children at school, whether measures were taken starting in early childhood to discourage children from dropping out of school, whether tolerance was taught in school and whether it was planned to reform the administration of justice for minors in order to reduce the number of imprisoned minors and to give priority to prevention and reintegration rather than punishment.

32. The law provided that, in order to prevent any ill-treatment or illegal procedural act, delinquent youths could be interrogated only in the presence of one of their parents or a social worker. It would be interesting to know whether such children were able to express themselves without difficulty in the presence of those persons.

33. Ms. CHUTIKUL asked why the school dropout and repeat rates were so high in Lebanon and what measures had been taken to remedy that situation and assist children who had dropped out of school. By law, primary school education in Lebanon was free and compulsory, but the principle was not applied in practice. How did the Government intend to address that state of affairs and improve the quality of education in State-run schools?

34. The CHAIRPERSON, speaking as a member of the Committee, noted that according to the report, the annual cost per primary-school pupil was 271,000 Lebanese pounds in the public sector and 1,323,000 Lebanese pounds in the private sector. The report also noted that the monthly income of 60 per cent of Lebanese households was less than 1,200,000 Lebanese pounds. Thus, many families clearly did not have the means to send their children to State schools, not to mention private schools. Perhaps those figures explained why the school dropout rate in Lebanon was so high. Did the State provide financial support to low-income families to ensure the exercise of the right to education? How was State education financed? Were private schools subsidized?

35. He asked how the health education programme in State schools was progressing and whether measures had been taken to combat malnutrition, such as information campaigns to change the eating habits of parents.

36. He noted that in its concluding observations on the initial report, the Committee had suggested that the State party undertake further efforts to disseminate information about the risks of consanguineous marriages. Did legislation now prohibit that type of marriage?

37. On the subject of child labour, the report did not contain any statistics on children employed in the agricultural sector. He asked whether the State party planned to ratify International Labour Organization (ILO) Conventions Nos. 138 and 182 and whether it had cooperated with NGOs and the International Programme on the Elimination of Child Labour (IPEC) to set up any programmes or activities to combat the exploitation of children.

38. He would also like to know whether, in the aftermath of the withdrawal of Israeli troops from southern Lebanon, any programmes had been elaborated with the help of international organizations to treat children's problems, in particular those of a psychological nature. He also sought more information on prison camps in that region.

39. He enquired about the bill before Parliament on the administration of justice for minors, which contained provisions not only on the perpetrators of offences but also on children at risk, for whom correctional measures were also envisaged. In particular, he asked whether those children would be treated in the same way as juvenile delinquents and placed in the same prisons.

40. Ms. KARP asked whether the State party intended to establish a plan of action to follow up the recommendations of the Yokohama World Congress against Commercial Sexual Exploitation of Children. Noting that prostitution was on the list of sexual offences committed by minors, she recalled that the Stockholm Declaration and Agenda for Action called upon the States parties to decriminalize child prostitution.

The meeting was suspended at 4.35 p.m. and resumed at 4.55 p.m.

41. Mr. NEHME (Lebanon) said that the statistics in the report had been taken from the preliminary report on the situation of children in Lebanon prepared jointly by UNICEF and the Office of Central Statistics. When the final report had been published the State party would update and supplement those data.

42. With regard to the health centres, 95 per cent of hospital beds were provided by the private sector, as the vast majority of public-sector hospitals had been destroyed during the war. In addition to the 700 dispensaries run by NGOs, a new category of private establishments had been created, namely, the health centres, halfway houses between dispensaries and hospitals, whose construction would be financed, inter alia, by the Arab Fund for Economic and Social Development. They were to be administered by the State, in cooperation with NGOs where appropriate. It was planned to build 25 such establishments in the short term. At local level, health care was provided mainly by the NGO dispensaries and community development centres run by the Ministry of Social Affairs. The situation with regard to equipment and staff varied considerably from establishment to establishment. Generally speaking, medicines were distributed on payment of a modest contribution. It was also to be noted that 42 per cent of the population had public or private social security cover, generally linked to their occupation. The remainder of the population could turn to public or private establishments for health care, with the State covering 85 per cent of the cost of hospitalization.

43. Just 12 per cent of the population over the age of 15, most of them females, were illiterate. Only the oldest sectors of the population were affected, and the disparity between boys and girls was practically nil, thanks to the Government's policy for combating illiteracy. The National Committee for Literacy and Adult Education was drawing up programmes for women in highly populated rural areas (particularly in the north of the country), combining literacy promotion with activities in areas such as family planning and measures to combat marginalization.

44. On teacher training and the quality of education, it was to be noted that the civil war had had no effect on enrolment rates, which had actually risen, but that training of teachers (who had ceased to enrol at teacher training colleges, instead being recruited after the Baccalaureate) and infrastructures had suffered greatly. Since the end of the conflict, the teacher training colleges had resumed their activities and an intensive programme of continuing education was being implemented in all subject areas and for all teachers. In addition, pupils were increasingly attending State schools, in which the quality of education was improving. Official examinations had been reintroduced and the situation was gradually returning to normal.

45. A new law on disabled persons had been adopted in 2001. In practice, some of its provisions had been applied even before its promulgation, through such channels as the National Organization for the Affairs of Disabled Persons. While it was very active, the Organization needed to improve coordination between the activities of all ministries and to strengthen their funding. Among other measures, it was planned to draw up agreements with private hospitals. The members of the new National Committee of Disabled Persons had also recently been appointed; all holders of a certificate of invalidity had been invited to participate in the election of their representatives. With regard to consanguineous marriages, which was one of the main causes of the birth of children with disabilities, the new legislation provided for certain restrictions and imposed the obligation to undergo a medical examination before marriage, but did not prohibit marriage between first cousins.

46. Lebanon was endeavouring to take more carefully targeted measures to reduce the 28 per cent perinatal mortality rate, as part of its policy for the protection of infants.

47. Maternity leave was of six weeks' duration. In spite of requests by women's organizations and the Government, the private sector refused to extend it.

48. In the health sphere, no cases of poliomyelitis had been reported for the past four years. Consideration was being given to a draft law to provide social security cover for the children of uninsured parents. The health education programme continued to be implemented in the context of activities carried out by the Government, NGOs and United Nations bodies. Health education was a component of the school curricula and, in practice, one person in each school was assigned responsibility for implementing activities in that area.

49. Violence in schools was uncommon, except between young people in secondary and higher education. Administrative measures were taken against any teachers who committed acts of violence against children. Dropping out was a phenomenon that mainly affected boys. In fact, girls were in a majority in secondary schools and universities. The new syllabuses increasingly focused on humanitarian values: they included not only teaching of the Convention, but also education in the principles of human development, reproductive health and demographic issues. A handbook on civic education was in preparation. Measures to combat dropping out of school included a ban on repeating years in primary education, and the Ministry of Social Affairs implemented programmes to assist pupils in difficulty and to provide vocational training, with the support of NGOs and UNICEF.

50. Act No. 686 of 16 March 1998, whose implementing provisions had not yet been adopted, provided for free and compulsory schooling for all children up to 11 years of age. The Act would enable the authorities to take action against parents who failed to ensure that their children attended school. More pupils would attend State schools as a result, and the Government was planning to create new schools. Schooling was free in the State schools, except for enrolment fees; only a few private schools received State subsidies. Government officials received an allowance to cover the cost of their children's studies.

51. The survey on child labour currently being carried out by UNICEF would make it possible to measure the precise extent of the phenomenon, particularly in the agricultural sector.
52. Landmines posed a very serious problem, particularly in the south, a region accorded priority by the new programme implemented in cooperation with the army, the World Bank and other United Nations agencies.
53. The Ministry of Social Affairs was responsible for the reintegration of former detainees and the Government was drawing up special programmes for their benefit.
54. Sexual exploitation of children for commercial ends was unknown in Lebanon. A draft law on juvenile delinquency, prepared by a committee of the Ministry of Justice, had been rejected on first reading by a parliamentary commission whose membership included representatives of the Ministry of Social Affairs, UNICEF and the Higher Council for Childhood, which had found it not to comply with the principles set forth in the Convention. The draft law would thus be reformulated, and the Lebanese delegation would be grateful to the Committee for any suggestions it might have concerning the content of the law.
55. Ms. HAMAOU (Lebanon) said that, on the recommendation of the Higher Council for Childhood, Lebanon had ratified the Optional Protocol on the sale of children, child prostitution and child pornography, and that it would shortly be ratifying the Optional Protocol on the involvement of children in armed conflict. In 2001 the Government had also ratified ILO Convention No. 182, concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. In cooperation with the International Programme on the Elimination of Child Labour (IPEC), the Government had launched a national programme for the abolition of child labour. The first phase of the programme had consisted of the provision of specific training for labour inspectors and a survey of all economic sectors in which child labour persisted. In that connection, it was to be noted that the agricultural sector did not figure among the programme's priority areas. Social rehabilitation centres had been created for children who had been forced to work, in Beirut, Tyre and elsewhere.
56. With regard to the prisons system, unlike girls, boy offenders were not detained in the same premises as adult criminals. As part of a programme prepared jointly by the Ministry of Justice and the United Nations Centre for International Crime Prevention, it was planned to take the earliest possible steps to ensure that young female offenders were detained in separate quarters.
57. Ms. KARP asked whether the Lebanese Government had requested technical assistance from UNICEF or other United Nations specialized agencies in implementing its project to reform the juvenile justice system.
58. The CHAIRPERSON, speaking as a member of the Committee, asked what economic sectors were targeted by the programme to abolish child labour, and what importance was accorded to the situation of children in the programmes carried out by the Government in the south of the country.

59. Ms. TIGERSTEDT-TÄHTELÄ asked whether any control of private-sector service providers, and in particular of their accounts, was provided for in the agreements concluded between the Government and the private and non-governmental sectors.

60. Mr. NEHME (Lebanon) said that UNICEF was already providing assistance to the Lebanese Government through various programmes. The actions under way in the south of the country constituted a first set of measures, which it was planned to expand, for instance through projects aimed specifically at improving the situation of children. Several dozen youth clubs had already been set up, with a view to putting young people from the former occupied zone in touch with those in the rest of the country.

61. The authorities had always scrutinized the accounts of service providers, and the task was now to modernize and computerize the process so as to make it more effective. Many private-sector bodies were, however, reluctant to submit to that process.

62. Ms. HAMAOU (Lebanon) said that the authorities were currently according priority to the elimination of child labour in factories.

63. Ms. TIGERSTEDT-TÄHTELÄ, summarizing the discussion, said that the dialogue between the Committee and the Lebanese delegation had been commendably frank and relaxed. Since the Committee's consideration of the initial report, Lebanon's domestic legislation had undergone positive changes, although there were still some areas in which it conflicted with the Convention.

64. In its concluding observations, the Committee would invite the Government to adopt a comprehensive strategy to secure implementation of the Convention, taking account of other relevant national programmes in areas such as poverty eradication and family policies. The Government should also endeavour to upgrade the data compilation system and to consolidate procedures for monitoring implementation of the Convention, while at the same time ensuring their independence. The Committee welcomed the delegation's announcement that budgetary planning of public investment was to be improved and quality control of services provided by the private sector regulated. The Committee urged the Government to harmonize the ages established in the various legislative texts relating to children, to incorporate in its domestic law the general principles set forth in the Convention and to take account of them in administrative and court decisions. Placement of children in institutions was a problem, and the legislation in force should be fully implemented. The Committee noted with satisfaction that the situation of Palestinian children was better than had been feared. Lastly, the authorities must now ensure respect for the legislation in force with regard to child labour.

The meeting rose at 6 p.m.