



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

Distr.: General  
29 January 2019  
English  
Original: Arabic  
Arabic, English, French and  
Spanish only

---

**Committee on the Elimination of Racial Discrimination**

**Combined twenty-third and twenty-fourth  
periodic reports submitted by Lebanon under  
article 9 of the Convention, due in year 2018\*\* \*\***

[Date received: 14 December 2018]

---

\* The present document is being issued without formal editing.  
\*\* The annexes to the present report are on file with the Secretariat and are available for consultation.



## **On combating all forms of racial discrimination**

### **Overview**

1. This document contains the official combined twenty-third and twenty-fourth reports of Lebanon submitted under article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, to which Lebanon acceded on 12 November 1971.
2. The report describes progress made in the elimination of racial discrimination in Lebanon from 2016 to date, bearing in mind certain important principles and taking into account the recommendations and concluding observations made by the Committee on the Elimination of Racial Discrimination following its examination of the combined eighteenth to twenty-second periodic reports of the State party in 2016 (CERD/C/LBN/18-22).
3. This report was prepared by the relevant ministries and agencies following consultations with civil society organizations on their areas of expertise, working on the basis of the previous combined national reports submitted in 2015 in document CERD/C/LBN/18-22. The Committee discussed that document in 2016 and issued recommendations, as contained in document CERD/C/LBN/CO/18-22. The present document was prepared in accordance with the general guidelines adopted by the Committee for the preparation of national reports.
4. The aim of the report is to provide an update on the information submitted to the Committee in the previous report and to respond to the Committee's recommendations. The report contains the following sections:
  - Introduction
  - Section I dealing with issues relating to articles 1–7 of the Convention
  - Section II containing responses to the Committee's recommendations

### **Introduction**

5. The population of Lebanon is estimated at 4 million people. In addition to Lebanese citizens, for more than 60 years, Lebanese society has also played host to Palestine refugees, who live in 12 camps and the surrounding areas. Moreover, Lebanon also hosts displaced Syrians and Iraqi refugees, who have left their own countries in response to the security situation there. Records also show that there is a considerable number of foreign workers in Lebanese territory.
6. Through the Lebanese-Palestinian Dialogue Committee, the Lebanese Government conducted its first census of the Palestinian refugees living in Lebanon, covering the 12 camps and 135 informal communities. The number of refugees living in the camps who were included in the census was approximately 200,000. The results were announced at the Grand Serail in the presence of the Prime Minister, Mr. Saad Hariri, who stated that, although Lebanon had a responsibility towards those individuals, it was not possible to resettle them or grant them citizenship. The Government is continuing its efforts to develop public policies and frameworks, and it continues to call on the international community to shoulder its responsibilities towards those refugees by providing the necessary funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and by ensuring the implementation of the relevant international resolutions, in particular General Assembly resolution 194 (III). The figures provided by United Nations organizations, in particular UNRWA, show that there are approximately 450,000 refugees who are registered with UNRWA, in addition to some 31,000 refugees who have fled the war in Syria and sought refuge in Lebanon. The Government estimates that there are approximately 1.5 million displaced Syrians in Lebanese territory, while statistics recorded by the Office of the United Nations High Commissioner for Refugees (UNHCR) in August 2018 set that figure at around 1 million. It is important to note, moreover, that there are a

number of Palestine refugees and displaced Syrians in Lebanon who are not registered with either UNRWA or UNHCR, as well as a number of foreign refugees in Lebanon who are not included in these statistics. Data gathered by the Ministry of Labour indicate that 82,279 initial work permits were granted in 2017, compared with 77,205 in 2016, while 169,538 permits were renewed by the Ministry in 2017, compared with 155,125 in 2016. The number of advance approvals granted in 2017 was 108,704, compared with 105,286 in 2016. According to the General Security Directorate, 364,285 foreign workers were granted an annual residence permit in 2017, compared with 310,235 in 2016.

7. Despite the challenges that Lebanon continues to face, positive progress has been made on various fronts during the reporting period:

- With regard to the regular working of the State institutions, General Michel Aoun was elected President of the Republic and a “reconciliation” government was created under the leadership of Saad Hariri, which, for the first time, included a Ministry of State of Human Rights and a Ministry of State of Women’s Affairs. In the ministerial statement through which it obtained the confidence of Parliament, the Government confirmed that it would preserve the democratic system, work in partnership with civil society, promote the role of women and take steps towards establishing a national human rights mechanism. The Ministry of Human Rights has been working with representatives of international organizations and has organized a number of training courses in coordination with representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and its Regional Office. It also helped prepare the delegation that presented the report that Lebanon submitted under the International Covenant on Civil and Political Rights. The Ministry of Women’s Affairs has been carrying out activities in its area of expertise; in cooperation with the National Commission for Lebanese Women and several civil society organizations, it organized a series of awareness-raising campaigns about the need to strengthen the role of women, empower them and ensure that they are represented in various walks of public life.

In accordance with the new Elections Act, legislative elections were held in Lebanon in July 2018, the first to be held since 2009. For the first time in Lebanese history, these elections were based on proportional representation. The new Elections Act ensures that all political parties are represented and that there is greater diversity in the Chamber of Deputies, with a view to strengthening democratic life. Lebanese citizens who reside abroad were able to vote in their country of residence. Lebanese missions around the world (6 Arab countries and 33 non-Arab countries) opened polling stations, and voter turnout among registered expatriates was high. In Europe, where polling stations were opened in 12 countries, voter turnout reached 59.5 per cent. A number of observers, including the European Union Election Observation Mission, monitored the elections, including during the preparation and polling stages, both in Lebanon and abroad. The mission published its report in July 2018, reflecting its positive impression of the electoral process.

Once the new Chamber of Deputies had been formed, a majority of the elected representatives appointed Saad Hariri, who has been head of the Government since 2016, to form a new Government.

Since then, the Prime Minister has been working to find an appropriate formula for the formation of a Government of National Unity capable of meeting internal and external challenges. Once formed, the Government is expected to continue ongoing efforts to promote human rights, protect public freedoms and empower women, and to fulfil its obligation to regularly submit periodic reports on the implementation of the country’s commitments under international treaties.

The main priorities are to maintain internal stability and avoid all involvement in external conflicts. There is also national agreement on the importance of preserving the democratic system, which reflects the fact that Lebanon is, fundamentally, a country of coexistence, diversity with a rich heritage of culture and civilization.

- At the economic and social level:

Since 2016, the Government has made great strides in this area under the leadership of Prime Minister Hariri. Perhaps the most notable achievements were the elections to the Chamber of Deputies and the approval of the 2017 and 2018 budgets. With a view to promoting prosperity and human development, the Government has prepared an economic development plan to advance the economy, create jobs and foster favourable conditions for private sector investment over the medium and long term. At the core of the plan is the Capital Investment Programme, which sets out priority infrastructure projects and sectoral and structural reforms. The Government presented its vision for stability, growth and employment at the Economic Conference for Developing Lebanon through Reforms with Businesses (CEDRE) held in Paris on 6 April 2018. Lebanon also signed its first exploratory oil and gas contracts on 29 January 2018, with a view to protecting and preserving petroleum resources in its territorial waters and its exclusive economic zone while at the same time carrying out rapid commercial exploration and preparing for the export of petroleum products. Meanwhile, the Government is continuing to make efforts to address the unprecedented challenges that the country is facing, in particular those resulting from the Syrian displacement crisis.

- At the level of the administrative structures and employee capacity-building:

Through the relevant ministries, in particular the Ministry of Administrative Reform, the Government is strengthening the capacities of its public institutions and personnel in order to ensure their effectiveness, in harmony with the spirit of the 2030 Agenda for Sustainable Development, especially with regard to the organic relationship between peace, the rule of law and strong institutions, including the public administration. A range of measures have been taken, starting with the adoption of the Right of Access to Information Act in 2017 and the creation of a dedicated website on the right of access to information ([www.accesstoinfformation.com](http://www.accesstoinfformation.com)), through which citizens may consult the annual reports issued by public departments, in addition to bills, circulars, decisions and explanations of administrative decisions. These measures were taken as part of a project to strengthen human resources management in the Lebanese public sector, under a good governance programme funded by the European Union. The aim of the project is to build the human resources management capacities of a number of ministries, namely the Ministry of Public Health, the Ministry of Social Affairs, the Ministry of Tourism and the Ministry of Industry, in full coordination and cooperation with the Civil Service Board. Thanks to this programme, the following systems have come into being:

A modern system for the recruitment of staff based on professional job descriptions; a system for evaluating staff performance based on competencies and on the principle of constant constructive engagement between managers and subordinates; a simplified methodology for evaluating training needs; and an objective staff promotion mechanism. Measures have also been taken to automate the public administration and to strengthen the role of oversight bodies in order to ensure the regular operation of public utilities.

- At the legislative level:

Significant legislative activity occurred across various fields in 2017 and 2018, which translated into a new drive to develop and update the legal framework to keep pace with current developments, to combat corruption and to protect natural resources, with the aim of protecting individuals, the economy and the environment in order to achieve sustainable development. In section I of this document, reference is made to a number of legislative texts that were adopted.

In September and November 2018, the Chamber of Deputies held legislative sessions with the aim of adopting laws to enable Lebanon to fulfil its international obligations and address issues that affect the livelihoods and security of citizens. Those laws include, among others, the Electronic Transactions and Personal Data Act No. 81 of 10 October 2018, the Judicial Mediation Act No. 82 of 10 October

2018 and the Enforced Disappearances Act adopted during the legislative session of November 2018.

- At the level of international cooperation:

The Lebanese Government is continuing to mobilize international support for its efforts to address the unprecedented challenges that the country is facing, in particular those resulting from the arrival of displaced Syrians. In that connection, the Government participated in a number of international conferences, including a ministerial meeting in support of the Lebanese army, held in Rome and the CEDRE conference in Paris.

The Lebanese Government has submitted a number of periodic reports in a timely manner, thereby complying with its international commitments under the relevant international conventions. These include its periodic report under the International Covenant on Civil and Political Rights, its response to the priority recommendations on the prevention of torture and its response to the priority recommendations on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Lebanon has also issued its first voluntary national review on the implementation of the 2030 Agenda. This approach is expected to continue with the establishment of a national mechanism for the preparation of national reports.

## Section I

### Information related to articles 1 to 7 of the Convention

#### Article 1

##### I. The principle of equality in the Lebanese Constitution

8. Equality among citizens is one of the fundamental principles on which the Lebanese State is based. It is defined in general terms so as to cover all forms of discrimination on grounds of race, colour, descent, or national or ethnic origin.

9. Paragraph C of the preamble to the Lebanese Constitution states that the Lebanese Republic is founded on respect for fundamental rights and public freedoms, primarily freedom of opinion and belief, on social justice and on equality of rights and duties among all citizens without discrimination or preference. Article 7 of the Constitution states that all Lebanese citizens are equal before the law, shall enjoy civil and political rights on an equal basis and shall be equally bound, without distinction, by public obligations and duties. Article 12 states that all Lebanese citizens have the right to hold public office, with no distinction save on grounds of merit and aptitude, in accordance with the conditions laid down by law.

##### II. The criminal law framework for combating racial discrimination

10. Lebanese laws, specifically the Criminal Code, the Press Act and the Television and Radio Broadcasting Act, criminalize acts that constitute racial discrimination. In general terms, any act that seeks to promote sectarianism or racism or to incite conflict among religious denominations or the various components of society is an offence punishable by law. Affiliation with a group established for that purpose and the broadcasting of material designed to promote sectarianism or racism also constitute an offence. Rhetoric designed to trigger sectarian conflict is also considered an offence. See paragraphs 119 and 120 of this document.

##### III. The free economic order

11. Paragraph F of the preamble to the Lebanese Constitution stipulates that the economic order is free and that the principles of entrepreneurship and private property are

guaranteed. The Trade Act governs the various areas of work, including both commercial and professional activities. There are also legal regulations applicable to businesses and companies of all forms. The same Act also sets out rules for legitimate speculation.

12. In 2015, in order to meet its obligations under the United Nations Convention against Corruption, Lebanon adopted a series of laws on: the conclusion of an agreement on the establishment of the International Anti-Corruption Academy as an international organization (Act No. 27 of 24 November 2015); the licensing of the cross-border transportation of money (Act No. 42); the right of access to information; and money-laundering and the financing of terrorism (Act No. 44). On the same day, Act No. 53 was also adopted, which permitted the Government to accede to the International Convention for the Suppression of the Financing of Terrorism, signed in New York on 9 December 1999.

13. On 27 October 2016, the Chamber of Deputies adopted Act No. 55 on the exchange of information for tax purposes, which covers tax evasion and fraud.

14. The National Anti-Corruption Strategy was finalized in April 2017, with the aim of preventing public money from being wasted and ensuring that it is used to carry out development programmes and projects to preserve the rights of citizens, provide them with the best possible services and guarantee them a prosperous and a dignified life. The Strategy has been submitted to the Council of Ministers for approval. The Chamber of Deputies recently approved Act No. 28 of 10 February 2017 on the right of access to information, and Act No. 83 on protection for whistle-blowers, with a view to supporting the fight against corruption and ensuring freedom of expression, as well as Act No. 84 of 10 October 2018 on increasing transparency in the petroleum sector.

15. Lebanon strives to promote its liberal economic system, despite the challenges the country is facing. To that end, the Government has developed an economic advancement plan, which it presented at CEDRE on 6 April 2018, and has adopted legislation to strengthen partnership between the public and private sectors (Act No. 47 of August 2017 on partnership between the public and private sectors). Work has already begun in the framework of that partnership to implement three major projects in the areas of communications and transport. This is covered in the voluntary national review that Lebanon submitted on 18 July 2018 regarding its implementation of the 2030 Agenda.

#### **IV. Composition of Lebanese society**

16. Lebanese society is based on the principles of openness, diversity and pluralism. The Lebanese Constitution upholds the principle of equality between all citizens. Legal provisions are applied generally and equally to all, with the exception of the Personal Status Act, which takes into account the nature of the 18 denominations that are recognized by the Lebanese State and that form part of the social fabric of Lebanon.

17. The societal diversity of Lebanon is linked to the nature of the personal status system, which is reflected in the political system and in the continued allocation of certain public positions to specific denominations. It enables all denominations to live together and ensures their participation in governance and administration until such a time as political confessionalism is abolished according to a transitional plan, in accordance with paragraph H of the preamble to the Constitution and with article 95 of the Constitution.

18. This pluralism has led to deep-seated diversity that has its roots in the cultural components that came together to form Lebanese society. All these cultural components have dedicated social, cultural and educational institutions, which, together with the national institutions, form the social and cultural bedrock of Lebanon.

19. Cultural diversity in Lebanon is based on tolerance and acceptance of others, which, throughout the course of history, has given rise to a series of dialogues, some of which continued even during the war of the 1970s and 1980s. The Islamic-Christian dialogue is perhaps the best proof of this. This culture continues today, in the form of both dialogue between State institutions and civil society organizations and dialogue between the community organizations of various denominations. These dialogues help consolidate the

efforts being made to promote national reconciliation and immunize the young against attempts to lure them into divisive ideas and practices.

20. At the seventy-second session of the General Assembly, President Michel Aoun launched an initiative to make Lebanon an international centre for dialogue between cultures, religions and races. At the seventy-third session, he announced that work had begun to establish the Human Academy for Encounter and Dialogue.

## **Article 2**

### **Paragraph 1: Policies to eliminate racial discrimination in all its forms and to promote understanding among all races**

#### **I. The obligation on public authorities and public institutions not to engage in any act of racial discrimination**

21. The Lebanese Government has acceded to many international conventions to protect human rights in general and women's rights in particular, most notably the Convention on the Elimination of All Forms of Discrimination against Women. In 2012, the Government adopted a 10-year plan drafted by the National Commission for Lebanese Women for the period 2011–2021, which sets out 12 goals regarding various aspects of the status of women. The Ministry of Women's Affairs submitted a proposal to the Government to introduce quotas for women in administrative positions. According to statistics published by the World Economic Forum in its Global Gender Gap Report, there has been a marked improvement in gender equality in Lebanon. Women hold 27 per cent of posts in the diplomatic service, 30 per cent in the electoral management body, 23 per cent in the military and security services, 17 per cent in the Economic and Social Council and 47.5 per cent in the judiciary. Female enrolment in education has reached 64.9 per cent at secondary level (75.64 per cent for males) and 45.7 per cent at tertiary level (39.5 per cent for males). The literacy rate is 88.09 per cent among women under the age of 15 and 99.34 per cent among those aged 15 to 24.

22. Efforts continue to be made at various levels to promote the participation of Lebanese women in political life, including by setting quotas for female participation in the Chamber of Deputies, the Council of Ministers and the Government. Furthermore, many Lebanese political parties have announced that they will ensure that a certain proportion of their candidates are women at all future elections.

23. The Ministry of Social Affairs, in partnership with civil society and in coordination with the Ministry of the Interior and Municipalities, the Ministry of Public Health and the Ministry of Justice, is developing standard national operating procedures for addressing gender-based violence in Lebanon, through the creation of procedures for the referral system and mechanisms for coordination and cooperation among key stakeholders in order to mitigate the consequences of violence and enhance the quality of services provided to survivors.

24. On 14 June 2007, Lebanon signed the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the Government presented a bill to the Chamber of Deputies to bring the Convention into force. Efforts are now being made to implement the Convention. In cooperation with the Civil Service Board, the Ministry of Social Affairs has prepared and submitted a concept paper to facilitate access to public posts for persons with special needs, to be adopted by the competent Lebanese authorities.

#### **II. Steps and actions related to Palestinian refugees**

- The Lebanese-Palestinian Dialogue Committee

25. The Lebanese-Palestinian Dialogue Committee was established in 2005, pursuant to Decree of the Council of Ministers No. 89 of 2005. Comprising representatives of various ministries, the Committee was created for the purpose of implementing the Government's policy on Palestinian refugees. It plays an important advisory and executive role within the

Lebanese Government, by coordinating ministerial policies and by coordinating the Government's work with UNRWA, the Palestine Liberation Organization, Lebanese and Palestinian partners, civil society and the international community.

26. Perhaps the most important task of the Committee is to address social, economic, legal and security issues affecting Palestinian refugees resident in Lebanon, both inside and outside the camps, in cooperation with UNRWA.

27. Within this framework, the Committee launched a dialogue among the main political forces represented in the Chamber of Deputies concerning the Palestine refugee issue in Lebanon. Thanks to the dialogue, greater consensus was reached in the form of a political document entitled "A Unified Lebanese View of the Palestine Refugee Issue in Lebanon", which reflects the joint position adopted by those groups. The document has been submitted to the Government so that it may become official government policy in the future.

- Acceptance of personal status documents issued by the Palestinian Authority

28. On 25 November 2011, the Presidency of the Council of Ministers issued Circular No. 29/2011 concerning documents issued by the Palestinian Authority, in which the Presidency requested that all public and municipal departments and institutions accept documents relating to personal status issued by the Palestinian Authority in order to facilitate the registration of births, deaths, marriages and divorces.

- Right to work and to claim compensation for dismissal from service and end-of-service indemnities

29. Act No. 129 amending article 59 (3) of the Labour Code was promulgated on 24 August 2010. Pursuant to the amendment, Palestinian refugee workers who are duly registered with the Directorate of Political Affairs and Refugees at the Ministry of the Interior and Municipalities are entitled to claim compensation for dismissal on a par with Lebanese workers. They are also exempt from the condition of reciprocity, which is imposed on other foreign workers, and from payment of the work permit fee.

30. Act No. 128 amending article 9 (3) of the Social Security Act was also promulgated on 24 August 2010. Pursuant to the amendment, Palestinian refugee workers who are duly registered with the Directorate of Political Affairs and Refugees at the Ministry of the Interior and Municipalities are subject only to the Labour Code with regard to end-of-service indemnities and occupational accidents. They are entitled to benefit from end-of-service indemnities under the same conditions as Lebanese workers, and are exempt from the condition of reciprocity imposed by the Labour Code and the Social Security Act on other foreign workers.

31. In 2011, the Legislation and Consultation Committee in the Ministry of Justice issued Opinion No. 661/2011, in which it stated that there was no legal impediment to the establishment of a Palestinian society in Lebanon, provided that it fulfilled all requirements imposed by the law issued pursuant to Decree No. 369/L.R.

32. Palestinian refugees are granted a work permit if they produce the necessary documentation. Furthermore, Memorandum No. 7/1 L.M. of 2015 exempts Palestinian workers registered with the Ministry of the Interior and Municipalities from the obligation to provide insurance and medical certificates when applying for a work permit.

33. In a similar move to that made by his predecessors, the current Minister of Labour, Mr. Mohammad Kabbara, issued Ministerial Decree No. 29/1 on 15 February 2018, in which he listed which positions could be held only by Lebanese citizens. These provisions do not apply to Palestinians born in Lebanese territory and registered officially with the Ministry of the Interior and Municipalities, except with regard to the liberal professions and other organized professions which the law stipulates may be practised by Lebanese citizens only.

34. Palestinians in Lebanon are not permitted to practise any of the free professions, such as law, engineering, medicine and pharmacy, as certain laws restrict the right to work in specific professions to Lebanese citizens only. Other laws set out conditions for the exercise of other professions by non-Lebanese citizens in Lebanon, such as reciprocity of treatment or high taxes; however, subject to the demands of the labour market, the law can

be relaxed and professions normally restricted to Lebanese (such as nursing) can be opened to non-Lebanese and Palestinian refugees. This is, nonetheless, subject to the decisions and policies of the Ministry of Labour and the Ministry of Health.

35. Statistics show that, among Palestinian refugees, the workforce is more than 51,000 strong and the rate of unemployment is 18.4 per cent. In 2017, 253 new work permits were granted to Palestinian refugees and 637 were renewed. In 2016, those figures stood at 104 and 487, respectively.

### III. Measures and procedures concerning foreign workers

- Adoption of the standard employment contract

36. In addition to the information provided in paragraph 19 of the combined reports submitted by Lebanon in 2015 – which makes reference to Decree No. 38/1 on employment contracts for domestic workers issued by the Minister of Labour on 16 March 2009, pursuant to which employers and domestic workers must conclude a contract based on a standard model labour contract – it should be noted that the Ministry of Labour has finalized a bill on the regulation of decent work for domestic workers. The bill is aligned with the provisions of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), which Lebanon voted in support of at the 100th session of the International Labour Conference, as well as the associated Recommendation No. 201. The bill has been submitted to the Council of Ministers for approval.

- Statistics on the number of alleged victims of abuse and exploitation among female domestic workers and the measures taken to provide redress and compensation

37. The following tables contain statistical data on the number of alleged victims of abuse and exploitation among female domestic workers. The data were gathered by the civil society organization KAFA (enough) Violence & Exploitation.

<i>Number of domestic workers who are alleged victims</i>				
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
	3 Sri Lankans	2 Sri Lankans	4 Bangladeshis	2 Filipinas
	10 Filipinas	3 Filipinas	2 Cameroonians	9 Bangladeshis
	7 Bangladeshis	5 Bangladeshis	6 Nepalese	3 Nepalese
	3 Cameroonians	4 Nepalese	1 Burkinabe	1 Gambian
	3 Nepalese	2 Togolese	1 Malagasy	3 Kenyans
	1 Burkinabe	1 Ghanaian	1 Togolese	30 Ethiopians
	1 Madagascar	3 Kenyans	1 Ghanaian	1 Ghanaian
	2 Togolese	22 Ethiopians	5 Kenyans	
	1 Congolese	1 Sierra Leonean	24 Ethiopians	
	9 Kenyans		2 Madagascar	
	42 Ethiopians			
	1 Malagasy			
<b>Total</b>	<b>83</b>	<b>43</b>	<b>47</b>	<b>49</b>

<i>Reason for complaint by alleged victims according to complaint file</i>				
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Salary	25	19	13	6
Beating	31	14	3	7
Ill-treatment	20	14	5	3
Threat	3	1	-	-
Sexual harassment	6	1	1	-

<i>Reason for complaint by alleged victims according to complaint file</i>				
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Confinement	2	1	-	1
Rape	1	2	-	-
Abuse	1	-	1	3
Excessive workload	7	-	2	-
Pregnancy	1	-	-	-
Multiple sponsors	2	-	2	-
Illness	1	-	-	-
Exploitation	2	-	-	-
Underage	2	1	-	-
Torture	-	1	-	1

  

<i>Action</i>				
	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Accusation unproven	14	9	6	1
Returned to home country	22	22	15	13
Settlement agreed	1	-	-	-
Returned to working for sponsor	2	-	-	-
Sponsor's right withdrawn	3	1	3	3
Case referred to judiciary	3	2	-	4
Wage dispute referred to judiciary	5	3	-	1
Rights enforced	-	3	1	1
Some rights enforced	3	1	2	-
Material rights enforced	8	3	-	1
Circular issued on need for immediate intervention	1	-	-	-
Sponsor not in the country	1	-	2	-
Inaccurate information	-	1	-	-
No investigation conducted owing to mental instability	-	1	-	-

- Conditions governing insurance policy coverage for foreign workers

38. On 14 April 2009, the Minister of Labour issued Decree No. 52/1 amending Decree No. 117/1 of 6 July 2004 on insurance policies for foreign and domestic workers.

- Regulation of recruitment agencies for domestic workers

39. On 3 January 2011, the Minister of Labour issued Decree No. 1/1 on the regulation of recruitment agencies for domestic workers. The Minister has also issued a number of other relevant decisions, including Decree No. 1/168 of 27 November 2015, which prohibits the owners of recruitment agencies from advertising on social media. Pursuant to the ministerial decisions, the owners of recruitment agencies who subject workers to any form of beating, persecution or abuse shall be held criminally liable. Owners of recruitment agencies must, within the first six months of a domestic worker's entry into the country, cover the cost of the worker's return journey to her country of origin, provide a replacement worker and reimburse any costs paid by the client if the worker refuses to work, is pregnant, is mentally ill, has a contagious disease or has a disability that prevents her from working normally. The Ministry is currently reorganizing how private recruitment agencies operate to ensure that they comply with international standards for combating human trafficking.

40. The General Security Directorate and the Ministry of Labour have taken a series of protective and proactive measures on behalf of domestic workers. For instance, a domestic

worker may not be granted a visa to enter Lebanon if a security or legal problem is encountered with the Lebanese employer, if his material or social status precludes him from recruiting a domestic worker or if he is found to have ill-treated a domestic worker in the past. Investigative action is taken following the arrival of domestic workers to ensure that the work imposed by their employer is acceptable and that they are properly treated.

- Establishment of a National Committee on the Situation of Foreign Domestic Workers

41. The National Committee on the Situation of Foreign Domestic Workers was established pursuant to Decree No. 40/2007 issued by the Prime Minister on 10 April 2007.

- Bilateral agreements between Lebanon and the countries of origin of foreign workers

42. Lebanon has concluded bilateral agreements on the protection of migrant workers with a number of States, including Egypt and the Syrian Arab Republic. The Ministry of Labour is conducting negotiations with a number of embassies – including those of Sri Lanka, the Philippines, Ethiopia, Madagascar, Bangladesh, Cambodia, Uganda, the United Republic of Tanzania, Cameroon, Turkey and Iraq – with a view to concluding agreements to protect the rights of domestic workers.

#### IV. Anti-human trafficking bill

43. Pursuant to article 1 of Act No. 164/2011 adopted on 24 August 2011, a new section on human trafficking (section 3) was inserted into book 2, chapter 8, of the Criminal Code. Although the adoption of the Act was a positive step, further action needs to be taken because, while the Act sets out sanctions for the perpetrators of the human trafficking offences, it does not provide adequate protection for the victims. Nonetheless, a bill to protect victims from prosecution – specifically focusing on persons involved in prostitution – has been submitted to the Chamber of Deputies.

44. The Ministry of Justice has concluded contracts with civil society institutions and associations to assist and protect women and child victims of trafficking. Such assistance is regulated by Decree No. 9082 of 10 October 2012. In addition, the Directorate General of Internal Security Forces is working with the Ministry of Justice, the Ministry of Social Affairs and the Bar Association to prepare a guide for victims and witnesses of human trafficking.

45. The judicial authorities – specifically, public prosecutor's offices at courts of appeal throughout the country and investigating judges – investigate human trafficking offences, prosecute offenders and refer them to the criminal courts, which impose appropriately severe penalties. Furthermore, the Office for the Protection of Morals of the Internal Security Forces has been renamed the Office to Combat Human Trafficking and Protect Morals.

46. In cooperation with UNHCR, training courses were conducted in 2016 and 2017 for border patrol units, during which 60 officers from the border regiments and the military police received training on how to protect internally displaced persons and vulnerable groups and combat human trafficking. In addition, under the supervision of the European Union, the Army-Internal Security Forces joint Border Monitoring and Control Committee has developed a national border management and control strategy.

47. The following tables contain statistical data on human trafficking, prepared by the Office to Combat Human Trafficking and Protect Morals.

<i>Number of allegations of human trafficking according to investigative records</i>				
	2014	2015	2016	2017
<b>Total</b>	<b>54</b>	<b>54</b>	<b>34</b>	<b>23</b>

<i>Number of persons brought before the police or the judiciary on suspicion or charges of human trafficking</i>				
	2014	2015	2016	2017
<b>Total</b>	<b>15</b>	<b>13</b>	<b>28</b>	<b>29</b>
Men	-	11	23 arrests 16 warnings	14 arrests 15 warnings
Women	-	2 arrests 2 warnings	5 arrests 2 warnings	5 arrests 2 warnings
<i>Number of persons prosecuted for human trafficking</i>				
	2014	2015	2016	2017
<b>Total</b>	<b>15</b>	<b>13</b>	<b>28</b>	<b>29</b>
Men	-	11	23	24
Women	-	2	5	5
<i>Number of persons convicted of human trafficking</i>				
	2014	2015	2016	2017
	-	15 Lebanese 11 Syrians 1 Jordanian	21 Lebanese 24 Syrians 1 Palestinian 1 undocumented 1 Russian	26 Lebanese 13 Syrians 2 Palestinians 2 undocumented 1 Jordanian 1 Ethiopian 1 Bangladeshi
<b>Total</b>	<b>-</b>	<b>27</b>	<b>48</b>	<b>46</b>
<i>Number of identified victims of human trafficking</i>				
	2014	2015	2016	2017
<b>Total</b>	<b>-</b>	<b>19</b>	<b>87</b>	<b>57</b>
Boys	-	-	-	4
Girls	-	2	1	3
<b>Total number of children</b>	<b>-</b>	<b>2</b>	<b>1</b>	<b>7</b>
Men	-	-	1	9
Women	-	17	85	41
<b>Total number of adults</b>	<b>-</b>	<b>17</b>	<b>86</b>	<b>50</b>
<i>Number of victims of sexual exploitation</i>				
	2014	2015	2016	2017
<b>Total</b>	<b>-</b>	<b>18</b>	<b>86</b>	<b>18</b>

<i>Number of victims of sexual exploitation</i>				
	2014	2015	2016	2017
Men	-	-	-	-
Women	-	17	85	17
Boys	-	-	-	-
Girls	-	1	1	1
<i>Number of victims in domestic employment</i>				
	2014	2015	2016	2017
<b>Total</b>	-	-	-	<b>1</b>
Women	-	-	-	1
<i>Number of victims of material exploitation</i>				
	2014	2015	2016	2017
<b>Total</b>	-	<b>1</b>	-	<b>25</b>
Men	-	-	-	-
Women	-	-	-	23
Boys	-	-	-	-
Girls	-	1	-	2
<i>Number of victims of smuggling</i>				
	2014	2015	2016	2017
<b>Total</b>	-	-	<b>1</b>	<b>12</b>
Men	-	-	1	9
Women	-	-	-	-
Boys	-	-	-	3
Girls	-	-	-	-
<i>Number of victims of human trafficking by nationality</i>				
	2014	2015	2016	2017
	-	2 Lebanese	2 Lebanese	10 Lebanese
		12 Syrians	82 Syrians	13 Syrians
		2 Palestinians	2 Palestinians	1 Togolese
			1 undocumented	63 Ethiopian
				7 Bangladeshis

## **Paragraph 2: Ending and prohibiting racial discrimination by individuals, groups and organizations**

### **I. Domestic Violence Act**

48. The State has taken numerous steps to combat domestic violence against women. Perhaps the clearest indication of the desire of the national authorities to protect women, children and other family members who have been subjected to violence was the Lebanese

Government's approval at its meeting on 3 August 2017 of amendments to Act No. 293/2014 on the protection of women and other family members from domestic violence. The amendments had been proposed by the Minister of Justice in partnership with the Minister of Women's Affairs, the Minister of Human Rights and civil society organizations concerned with women's issues. On 26 November 2018, 10 deputies submitted a proposal to further amend Act No. 293/2014.

49. The following are the principal amendments proposed to the Act:

- Adoption of a definition of domestic violence that complies with international norms and is based on abuse of authority within the family. The proposed text defines domestic violence as “any act or omission or threat thereof that reflects an abuse of authority within the family, the membership of which is set forth in the definition of the family, by means of physical or other force perpetrated by one of its members against one or more other members and that results in death or physical, psychological, sexual or economic harm”;
- Recognition of the offence of domestic violence as a separate offence, thereby ensuring greater clarity in the law and facilitating its implementation and the prosecution of all possible criminal consequences of domestic violence, which can range from intentional or unintentional killing to sexual exploitation, forced begging, deprivation of liberty, physical and moral abuse, and economic violence;
- Introduction of the principle of judicial specialization into the prosecution, investigation and judgment of such offences, which would lead to greater, more effective and speedier protection of women and all family members from domestic violence;
- Adoption of the age of majority rather than the age of custody as the legal standard for protecting children from domestic violence;
- Introduction of guarantees to ensure that adequate protection is offered to women and children, particularly in view of the fact that domestic violence often takes place in private settings as an expression of power relations within and outside the family, and therefore warrants special treatment.

50. The Inspectorate General of the Directorate General of Internal Security Forces, which has a department that deals with human rights issues, has established a hotline to receive reports of domestic violence. In cooperation with civil society organizations working in this field, the Directorate has hosted training sessions for members of the Internal Security Forces on best practice in the application of the Domestic Violence Act.

51. The following table contains statistical data on cases of domestic violence,<sup>1</sup> gathered by the Ministry of the Interior and Municipalities in cooperation with KAFA.

<i>Nature and type of offence</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Rape	1	4	1
Assault	1	7	2
Inciting a minor to leave home	1	-	-
Threat	35	41	9
Use of threat to obtain sexual intercourse	-	-	1
Death threat	49	49	23
Deprivation of liberty	4	8	1
Child abduction	3	9	7
Adultery	1	1	-
Attempted murder	3	-	-
Beatings and abuse	109	194	117
Expulsion from the home	10	12	11

<sup>1</sup> Annex 1: detailed tables on domestic violence cases.

<i>Nature and type of offence</i>	2016	2017	2018
Murder	1	2	1
Attempted murder	-	3	6
Incitement to murder	-	-	2
Defamation	28	46	20
Violation of a judicial decision	6	4	5
Exhortation to commit debauchery	-	1	1
Subjecting wife to beatings and abuse to obtain sexual intercourse	-	2	1
Abuse of trust	-	-	1
Living off the earnings of the prostitution of others	-	-	1
Leaving the marital home	-	-	1
Forcing a minor to beg	-	-	1
Theft	-	-	1
Attempted abortion	-	-	2
Unspecified	-	4	-
<b>Total</b>	<b>252</b>	<b>387</b>	<b>215</b>

## II. Criminalization of marital rape

52. The proposed amendment to the Domestic Violence Act is designed to address the criminalization of marital rape by removing the phrase “marital rights” and defining any act of violence against women with a view to obtaining sexual intercourse, or because of sexual intercourse, as an aggravating circumstance.

## III. Elimination of discrimination between women and men in cases of adultery

53. The Domestic Violence Act, which amends articles 487, 488 and 489 of the Criminal Code, provides for equality between women and men with regard to what are known as crimes of adultery.

## IV. Honour crimes

54. On 17 August 2011, the Chamber of Deputies promulgated Act No. 162 abolishing the extenuating circumstances provided in article 562 of the Criminal Code for any man who kills or injures his wife, a progenitor or descendant, or his sister on the grounds that she has committed adultery or engaged in illicit intercourse (so-called honour crimes).

## V. Repeal of article 522 of the Criminal Code

55. On 16 August 2017, the Chamber of Deputies adopted a proposal (which subsequently became Act No. 53 of 14 September 2017) to repeal article 522 of the Lebanese Criminal Code, which provided for the termination of prosecution proceedings or suspension of the enforcement of a judgment if a valid marriage contract has been concluded between the perpetrator of an offence (rape, kidnapping for the purpose of marriage, etc.) and the victim. Once the Code was amended, however, the legal effect of article 522 moved to article 505. Work is under way to amend this article. The Minister of Women’s Affairs has presented a bill to the Council of Ministers to amend article 505 of the Criminal Code, imposing more severe sanctions on a person who has sexual intercourse with a minor even if he subsequently marries her and repealing article 518.

## VI. Sanctions for sexual harassment in the workplace and in public places

56. The Ministry of Women’s Affairs has drafted a bill on the prosecution of sexual harassment in the workplace and in public places. At its meeting on 8 March 2017, the Government approved the bill and referred it to the Chamber of Deputies for adoption.

### Article 3

57. Please see paragraphs 26–29 of the combined eighteenth to twenty-second periodic reports of Lebanon. The State remains committed to the constitutional principles of equality among citizens and to the need to ensure balanced development for all regions. The Government is continuing its efforts to implement social and economic policies and take measures to achieve social justice and well-being for all. Emphasis should also be laid on the positive efforts being made to achieve gender equality and on the increasing focus on social protection policies, particularly the efforts of the Ministry of Health to provide health coverage for persons without health insurance and to expand the network of low-cost primary health services. With regard to employment and salary policies, the Ministry of Labour, in cooperation with ILO, has developed a comprehensive strategy for the period 2017–2020 with a view to: (1) strengthening policy coherence with a focus on employment management and the labour inspection systems; (2) improving working conditions for all persons, in accordance with Lebanese laws and regulations and with international standards; (3) promoting productive employment, in particular for young people; and (4) improving social security contributions in order to ensure a minimum level of social protection.

58. The facts show that there is persistent income inequality between the public and private sectors and persistent disparities in development both between urban and remote areas and within cities. The displacement of Syrian nationals has aggravated this situation, particularly in view of the fact that, as recognized by the international community, it is placing growing pressure on the limited infrastructure and resources of the country. This has led to socioeconomic and health problems for both the displaced individuals and their host communities, and as a result the State is pursuing the necessary plans and strategies through its ministries, most notably the Lebanon Crisis Response Plan 2017–2022. The Government developed the Plan in cooperation with its international partners and the relevant international organizations, such as the United Nations Development Programme (UNDP) and the United Nations Children’s Fund (UNICEF). The Plan was launched in January 2017 at the headquarters of the Presidency. It includes an appeal for \$2.8 billion to fund immediate humanitarian assistance and protection for 1.9 million vulnerable people and basic services for 2.2 million people, in addition to investment in infrastructure, the economy and official institutions in Lebanon. The World Bank estimates that the losses endured by Lebanon since the first wave of Syrians arrived in 2012 amount to \$13.1 billion, \$5.6 billion of which occurred in 2015 alone.

59. The situations described above have purely economic causes and none of them are in any way driven by racism.

### Article 4

60. As stated in paragraphs 31–36 of the combined eighteenth to twenty-second periodic reports of Lebanon, the Constitution guarantees freedom of belief and religious practice within the framework of public order (art. 9), freedom of opinion in oral and written form (art. 13) and freedom of assembly and association. Those paragraphs also refer to the commitment of Lebanon to upholding the Universal Declaration of Human Rights and the relevant international conventions. In addition, legal frameworks set out in the Criminal Code, the Television and Radio Broadcasting Act and other laws penalize the dissemination of ideas based on racial supremacism. Paragraphs 119 and 120 of this document include details of the action taken by the State to promote a positive climate in this regard.

### Article 5

#### **Paragraph (a): The right to equal treatment before the tribunals and all other organs administering justice**

61. The separation of powers is one of the most important principles governing the democratic system. Several judicial norms derive therefrom, including the independence of

the judiciary (article 20 of the Constitution), the neutrality and impartiality of judges (Code of Civil Procedure) and the transparency of judicial appointments (Judicial Organization Act). These principles are interrelated and failure to uphold any one of them, or the presence of an imbalance between them, would undermine the entire justice system.

62. A number of bills before the Chamber of Deputies aim to ensure that the judiciary remains independent of the executive and the legislature. The bills reflect international principles governing the independence of the judiciary, including criteria for the appointment and non-removal of judges, as well as internationally recognized material and moral safeguards.

63. The principle of judicial independence and the initiatives to strengthen it, in conjunction with the right of all persons to have recourse to law, without discrimination between Lebanese citizens and foreign nationals, in accordance with article 7 of the Code of Civil Procedure, help guarantee equality before the courts and all other organs that administer justice.

**Paragraph (b): The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution**

64. Article 8 of the Constitution provides that: “The right to personal liberty shall be guaranteed and protected by law. No one may be arrested, imprisoned or detained except as provided for by law and no offence or penalty may be established other than by law.”

65. On 20 September 2017, the Lebanese legislature adopted Act No. 65, which envisages penalties for torture and other cruel, inhuman or degrading treatment or punishment, and which amends articles 185 and 401 of the Criminal Code and articles 10 and 24 of the Code of Criminal Procedure. The Act contains provisions that specifically address exonerating and mitigating factors, illegal orders and the statute of limitations, and it establishes special rule for the investigation of torture offences.

66. The Code of Criminal Procedure clearly and explicitly prohibits all forms of extrajudicial detention by judicial police officers or others.

67. The law prohibits the arbitrary detention of persons residing in Lebanese territory by providing for judicial control and oversight over the actions of judicial police officers and by specifying the period during which persons may be held in custody in connection with a preliminary investigation conducted by judicial police officers. That period may not be altered or exceeded. On 13 November 2018, the Public Prosecutor at the Court of Cassation issued Circular No. 76/S/2018 on the application of legal texts, which stipulates that persons under investigation shall not be detained except in situations permitted by the law governing preventive detention.

68. Judicial police officers who infringe the legal provisions and principles governing pretrial detention, for instance by holding a person in custody without a court order, are held to account and prosecuted for the offence of deprivation of liberty, as defined in article 367 of the Criminal Code. Disciplinary measures are also imposed, as expressly provided for in article 48 of the Code of Criminal Procedure.

69. Act No. 140/1999 guarantees the right to confidentiality. It stipulates: “The right to confidentiality of information transmitted by any means of communication shall be upheld”. The right to confidentiality of communications is guaranteed and protected by law. Communications may not be subjected to any type of wiretapping, surveillance, interception or disclosure save in the circumstances specified in the Act itself, that is to say pursuant to a judicial or administrative decision. An administrative decision authorizing the interception of communications may be issued by either the Minister of the Interior and Municipalities or the Minister of Defence, on condition that approval has been granted by the Prime Minister. The decision must be issued in writing and reasoned on the basis of a need to gather information relating to action to combat terrorism, State security offences or organized crime. Communications may be intercepted for a period of no more than two months. That period may be extended only under the same terms and conditions.

**Paragraph (c): Political rights, in particular the right to participate in elections – to vote and to stand for election – on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service**

70. As stated in paragraph 7 above, legislative elections took place in Lebanon in May 2018. These elections, the first to be held since 2009 following the repeated extension of the previous administration's mandate, took place following the adoption of the new Elections Act and were, for the first time in Lebanese history, based on proportional representation. The new Elections Act ensures that all political parties are represented and that there is greater diversity in the Chamber of Deputies, with a view to strengthening democratic life.

71. For the first time, Lebanese citizens who reside abroad were able to vote in their country of residence. Lebanese missions around the world were opened to provide an opportunity for all Lebanese expatriates to vote, with a view to ensuring that they received the same level of representation in the Chamber as citizens in Lebanon.

72. There are no legal impediments to prevent women from participating in political life or holding parliamentary or ministerial posts. Nonetheless, women continue to play a limited role in the Government and the Chamber of Deputies. The Ministry of Women's Affairs and the National Commission for Lebanese Women, in cooperation with civil society organizations, runs media campaigns and organizes training courses for women in order to support them and enhance their role in political life.

73. Legislative bills and proposals on electoral law are being developed to boost women's participation in political life by setting quotas to ensure that women occupy seats in parliamentary and municipal assemblies. These would be temporary measures to enable them to overcome the barriers to their participation in public and political life.

74. Drawing on the bill submitted by the National Commission for Lebanese Women, the Chamber of Deputies amended article 25 of Legislative Decree No. 118 of 30 June 1977 (the Municipalities Act), by adding a provision enshrining "the right of married women, whose registration records were transferred upon marriage to another municipality, to be nominated for a seat on the council of the municipality in which their names appeared on the electoral list prior to marriage" (Act No. 61 of 17 October 2017 promulgated in the Official Gazette No. 49 of 19 October 2017). The Ministry of Women's Affairs has also drafted a bill to amend the Municipalities Act so that women who have been elected to a municipal council will not lose their post if their place of registration changes as a result of marriage.

**Paragraph (d): Other civil rights**

**(i) The right to freedom of movement and residence within the border of the State**

75. Lebanese law guarantees freedom of movement for Lebanese citizens in the country, except where it poses a threat to public security and civil peace. Thanks to the efforts of civil society organizations, in particular NAHNOO, Horsh Park in Beirut is to be reopened for the first time since its closure in 1992.

**(ii) The right to leave any country, including one's own, and to return to one's country**

76. The Aliens Act of 10 July 1962 and its amendments specifies the travel documents, entry visas and residence permits required for entry into Lebanon by non-nationals. It also grants aliens a number of rights in accordance with the relevant international conventions, such as the International Covenant on Civil and Political Rights, and provides that some categories of aliens may enter and exit Lebanon using certain documents.

77. Aliens with Syrian nationality are entitled to a temporary residence permit upon presentation of an identity card issued by the Syrian authorities. In view of the influx of

displaced Syrians, the Ministry of the Interior and Municipalities has issued a series of circulars and statements on processing their entry into and exit from Lebanon and has requested the relevant international organizations to inform all displaced Syrians about the importance of abiding by those provisions.

78. Since January 2015, specific criteria have been applicable to the admission of Syrian citizens into Lebanon, in particular related to the lawfulness of their departure from the Syrian Arab Republic. The Ministry of the Interior and Municipalities and the General Security Directorate have introduced measures to allow Syrian nationals to enter Lebanon for the following purposes:

- Tourism (hotel booking for no more than two weeks)
- Working visit (temporary residence for a month)
- Owner or renter of property in Lebanon
- Education
- Transit through airport or seaport
- Displaced status (entry in exceptional cases)
- Medical treatment
- To submit an application at a foreign international embassy
- Admission under prior pledge of responsibility (any Lebanese national may invite a Syrian national)

79. The Directorate General of General Security has taken a number of decisions concerning the time period for renewing the residence permits of Syrian nationals residing in Lebanon. The most recent decision, taken on 3 January 2018, extended the renewal deadline until 31 March 2018. It also made it possible for an individual to apply for an extension of a Lebanese residence permit and to change sponsors without returning to the Syrian Arab Republic. This has been a relief for Syrians who are genuinely displaced and are afraid to return to the Syrian Arab Republic.

80. The General Security Directorate issued a decision on 10 February 2017 granting residence permits to displaced Syrians who are registered with UNHCR or have submitted documentation proving that they were registered with UNHCR before 1 January 2015.

**(iii) The right to nationality**

81. The 1925 Lebanese Nationality Act continues to grant nationality on the basis of blood ties. While a child born to a Lebanese father is entitled to Lebanese citizenship, Lebanese mothers are limited in their ability to confer their nationality to a child born to a non-Lebanese father. Numerous efforts are being made to eliminate this discrimination, perhaps the most significant of which are the following:

- The Ministry of the Interior and Municipalities presented a bill to the Secretariat of the Council of Ministers in April 2009. The bill contained two proposed formulations that could be added to the last paragraph of article 4 of Decree No. 15 of 19 January 1925: “In addition, a Lebanese woman who is married to a foreign national has the right to confer Lebanese citizenship on her children”, or: “Notwithstanding any other provision of law, all persons born to a Lebanese mother shall be considered Lebanese, provided that the father is a national of a recognized State and that there is no infraction of the constitutional provisions banning settlement.”
- The Chamber of Deputies considered a bill in April 2009, which amended article 1 of the Nationality Act to stipulate that every person born to a Lebanese father or a Lebanese mother shall be considered Lebanese.
- The Chamber of Deputies considered a bill in 2010 containing nine articles, which stipulated that both the foreign spouse of a Lebanese woman and their children shall be entitled to receive a green card and that holders of a green card shall be granted all civil rights, with the exception of political rights.

- The Ministry of the Interior and Municipalities submitted a bill to the Secretariat of the Council of Ministers in 2012 that contained the same provisions as those in the bill submitted by the Ministry of the Interior and Municipalities in 2009.
- The National Commission for Lebanese Women submitted a bill to the Secretariat of the Presidency of the Council of Ministers and the chair of the relevant ministerial committee. The bill contained two articles stipulating that, with the exception of children born to a Lebanese mother and a Palestinian father, every person born to a Lebanese father and/or Lebanese mother shall be considered Lebanese. Children born to a Lebanese mother and a Palestinian refugee father who is duly registered in the records of the Ministry of the Interior and Municipalities shall be granted a green card by administrative means, which confers on them all civil rights, with the exception of political rights and the right to own property. The right of the children to inherit property from their mother is, however, excluded from the prohibitions on ownership of property. Adults who obtain a green card within one year of the date on which they reach the age of 18 and within one year of the promulgation of the law shall be entitled to apply to the courts for Lebanese nationality. Green card holders shall be granted Lebanese nationality only once it has been verified that they have been legally resident for at least 10 years in Lebanese territory and that they do not have any current or previous criminal convictions.
- The Ministry of Foreign Affairs submitted a bill in March 2018 to amend the Nationality Act to allow a Lebanese woman married to a foreign national – with the exception of nationals of neighbouring States – to confer her nationality to her family. This bill is based on the provisions of the Lausanne Peace Treaty of 1923, which established Lebanese citizenship after the end of the First World War.

82. On 12 October 2015, the Chamber of Deputies passed a law on the restoration of Lebanese nationality which sets out the conditions for the restoration of Lebanese nationality for foreign nationals who are descended from Lebanese citizens. In accordance with that law, citizenship is restored via a purely administrative process which does not require applicants to submit their case to the competent judiciary. The restoration of Lebanese nationality has a declaratory effect, meaning that, once citizenship has been restored, the individual is considered to have been a Lebanese national from birth, rather than from the date on which his or her application was approved. Despite the positive aspects of this law, it remains incomplete, as it continues to draw a distinction between men and women; whereas the wife and underage children of a man who has had his Lebanese nationality restored automatically receive Lebanese nationality, this does not apply to the families of women who have had their nationality restored.

**(iv) The right to marriage and choice of spouse**

83. Equal matrimonial rights for women and men during the conclusion, implementation and dissolution of the marriage contract are subject to the personal status system of each religious denomination. A bill submitted by the Minister of Women's Affairs aimed at granting fathers paternity leave was referred to the Chamber of Deputies on 19 December 2017. On the same date, a bill submitted by the Minister of Women's Affairs aimed at amending certain provisions of the Social Security Act to ensure gender equality in access to benefits from the National Social Security Fund was also referred to the Chamber of Deputies.

**(v) The right to inherit**

84. Equal matrimonial rights for women and men in matters of inheritance are subject to the personal status system of each religious denomination. There is, however, an Inheritance Act, which is a civil law that applies to all non-Islamic denominations and which provides that men and women are entitled to equal shares of an inheritance. All Islamic denominations have their own laws on matters of inheritance. The Transfer Duty Act was amended to ensure equality between men and women.

**(vi) The right to freedom of thought, conscience and religion**

85. Article 9 of the Constitution stipulates that freedom of belief is absolute and requires the State to respect all religions and creeds and to guarantee respect for the personal status and religious interests of the population, regardless of the religious community to which they belong.

**(vii) The right to freedom of opinion and expression.**

86. Freedom of expression in Lebanon is safeguarded by the Constitution and domestic legislation. Use of the media or the Internet to criticize the President of the Lebanese Republic, politicians or foreign heads of State is not prohibited, and no penalty is prescribed in the Criminal Code for mere criticism, which falls within the framework of freedom of expression. Penalties are, however, prescribed in the Code for the offences of libel, slander and defamation. This in no way constitutes a violation of the right to freedom of expression, especially since that right must be exercised within internationally recognized bounds so that no damage is caused to others or to public order.

87. The Cybercrime Centre of the Internal Security Forces may summon individuals only in connection with offences perpetrated via the Internet, and not merely for making critical statements.

88. With regard to freedom of the media, the requirement to obtain a licence in advance cannot be interpreted as a restriction on freedom of opinion and communication in Lebanon, given that all political parties and religious communities enjoy complete freedom to express their opinions via licensed television and radio stations.

89. Prior approval for the dissemination of artistic or intellectual works must be obtained from the Director General of General Security. An artistic or intellectual work may be banned if it poses a threat to security, national sentiment or public morals or if it could provoke sectarian strife, in accordance with the restrictions permissible under international human rights law.

90. No bill on the establishment of an independent authority tasked with granting licences or prior approval is currently under consideration. Given the wide scope of the freedoms enjoyed in Lebanon, it is not believed that the promulgation of such a law is necessary. The Chamber of Deputies has also adopted several laws, such as the aforementioned Right of Access to Information Act and the Protection for Whistle-Blowers Act, with a view to combatting corruption and strengthening freedom of expression.

**(viii) The right to freedom of peaceful assembly and association**

91. Article 13 of the Lebanese Constitution stipulates that: "Freedom to express one's opinion orally or in writing, freedom of the press, freedom of assembly and freedom of association shall be guaranteed within the limits laid down by law." Article 83 of the Labour Code promulgated on 23 September 1946 grants members of all occupational categories, both employers and employees, the right to establish a union or association with legal personality and the right to litigate.

92. On 25 June 1977, the Lebanese Government promulgated Legislative Decree No. 70 on accession to the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98). In 2013, a bill was referred to the Chamber of Deputies concerning accession to the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

93. The Lebanese authorities undertake to protect and guarantee the right to peaceful protest provided that all restrictions designed to maintain security and public order and to protect the rights and freedoms of others are respected. The following information is provided in response to questions raised regarding the actions of the security forces at a number of demonstrations:

- Any assault or excessive use of force against a citizen by law enforcement officers is subject to review by the courts in order to ensure accountability and to compensate the victims. The courts have handed down numerous judgments imposing penalties

on law enforcement officers found to have used excessive force against demonstrators.

- The Ministry of the Interior, in coordination with the British Embassy’s policing support team, has issued a manual on the management of public security operations and on training for law enforcement personnel regarding their roles and responsibilities during demonstrations, in accordance with international norms, in particular the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Code of Conduct for Law Enforcement Officials.

## **Paragraph (e): Economic, social and cultural rights**

### **(i) The rights to work and to free choice of employment**

94. The Labour Code of 23 September 1946 and its amendments govern the basic conditions for work, working hours, holidays, end of service and end-of-service payments. Articles 9, 10, 15, 22, 23 and 30 set out the minimum working age for children and the criminal responsibility of all persons who employ or facilitate the employment of children. Article 26, as amended in 2000, stipulates that: “The employer shall be forbidden to discriminate on the basis of gender between male and female employees in matters relating to type of work, wage scale, employment, promotion, salary increase, vocational training and clothing.” Articles 68–75 and 79 of the Labour Code, as amended by Act No. 220 of 29 May 2000, set out the rights of persons with disabilities regarding employment and salary in the public and private sectors.

95. Act No. 46 of 21 August 2017 contains provisions on raising the minimum wage and cost-of-living allowance for employees, contractual workers and wage-earners in public administrations, the Lebanese University, municipalities, federations of municipalities and public institutions that are not subject to the Labour Code, and on amending the salaries of public administration staff, members of the Education Department of the Ministry of Education and Higher Education and the military. Article 24 of the Act entitles a married female employee to benefit from half-time employment for a maximum of three years during her period of service. The article adds, however, that a year of half-time employment is calculated as half a year of actual service for the purposes of promotion, end-of-service payments, pensions and pension deductions. The Minister of Women’s Affairs has prepared a bill to amend the article so that a year of half-time employment will be calculated as a full year if the employee chooses to pay the full amount of pension deductions.

96. A number of laws on employment have been adopted or amended:

- Income Tax Act, establishing equality between fathers and mothers with regard to additional tax reductions and harmonizing the conditions for benefiting from tax reductions;
- National Defence Act, entitling the spouse of an army volunteer to the volunteer’s pension in the event of the latter’s death;
- Amendment of the conditions on family allowance benefit to ensure equal entitlement for husband and wife to receive benefits for spouse and children. The preferential right to receive the benefit belongs to the employee, male or female, on the higher salary;
- Provisions on equal pay during maternity leave for wage-earners and employees in the public sector, entitling pregnant wage-earners to be paid maternity leave on an equivalent salary to that given to a female employee who is subject to the Employment Regulations in the same conditions;
- Employment Regulations, extending the period of maternity leave with full pay to 10 weeks;
- Labour Code, increasing the minimum period of maternity leave with full pay for women working in the private sector to 10 weeks.

97. On 2 April 2017, the Minister of Labour, the President of the General Labour Union in Lebanon, the President of the Association of Lebanese Industrialists and the Director of

the ILO Regional Office for the Arab States in Beirut signed a memorandum of understanding on the Lebanon Decent Work Country Programme. The aim of the memorandum is to promote policy coherence with a focus on improving employment management, strengthening labour inspection systems, improving decent working conditions in Lebanon, promoting productive employment opportunities with a focus on youth employment, improving social security benefits, ensuring minimum levels of social protection and improving the governance of labour migration.

**(ii) The right to form and join trade unions**

98. The League of Public Administration Employees was established pursuant to amendment No. 1619 of 2012 of announcement No. 378/AD of 8 October 1993. The League was previously known as the Association of Graduates and Trainees of the National Institute for Administration and Development.

99. The legal prohibition on public sector employees from establishing associations or going on strike is merely theoretical; in practice, public sector employees have held numerous strikes. The most recent was in September 2017 to support demands for salary increases and a rise in the minimum wage.

100. Foreign workers have the right to join any trade union in Lebanon that is licensed by the Ministry of Labour (article 92 of the Labour Code).

**(iii) The right to public health, medical care, social security and social services**

101. Lebanon is working to permanently improve the health sector in order to provide a range of services and ensure universal coverage, despite the internal challenges and external factors faced, most notably the increased demand on health services as a result of Syrian displacement. At the legislative level, the parliamentary committees, most recently the Finance and Budget Committee, approved a health card bill at their session on 6 November 2018 and transmitted it to the Chamber of Deputies for approval. The aim of the bill is to introduce a system of health cards for all Lebanese citizens, which would ensure that all citizens were registered for health care and could gain access to treatment as required without needing to provide medical reports about their treatment every time they undergo an examination or are admitted to hospital.

102. In order to address the lack of financial resources and trained personnel (nurses, doctors, paramedics, etc.) in the public health sector, the Ministry of Public Health is preparing a strategy for the control of epidemics and incurable diseases. Universal health-care coverage is also central to the Health 2025 strategy, which the Ministry launched in 2017 and which is based on the principle that all citizens have the right to health. The aims of the strategy are:

- Develop the Ministry of Public Health and improve its management practices;
- Improve the ability of the public health sector to prevent disease, and ensure adequate health care for all age groups;
- Take tangible steps to provide universal, high-quality health-care coverage, giving priority to poor and vulnerable persons;
- Strengthen the capacity of the health sector to combat epidemics using a targeted, data-based approach.

103. The Ministry of Public Health currently has a network of 213 basic health-care centres throughout the regions of Lebanon. It works with the Ministry of Social Affairs, municipalities and non-governmental organizations (NGOs) to guarantee access to reasonably priced specialist treatment and to provide medications and treatment options for patients with incurable diseases, including cancer. Thus far, 36 of the centres have received international accreditation. Some 160,000 Lebanese citizens have benefited from the services provided by the centres, which also welcome displaced Syrian nationals. Statistics show that positive results have been achieved in spite of the considerable challenges that the sector is facing. The rate of maternal death during childbirth has dropped from 14 in every 100,000 births in 2015 to 8.7 in 2017. The rate of infant mortality during childbirth is

also low, at 4.3 in every 1,000, and 95 per cent of births are now supervised by health professionals. In addition, a bill on food security was presented for consideration in 2015. The Ministry of Public Health has also managed to contain infectious disease outbreaks and epidemics among all Lebanese and non-Lebanese communities; for example, 90 per cent of Lebanese citizens and 50 per cent of non-Lebanese citizens with tuberculosis have been treated, the remaining percentage having left the country before the end of treatment.

104. The Social Security Fund covers one third of Lebanese citizens. There are also various funds that cover public sector workers, such as workers' cooperatives, in addition to funds for judges, military personnel and staff of the Lebanese University. Health coverage is provided through private insurance companies. Continuous efforts are being made to improve health and social coverage (such as the introduction of a health card scheme).

**(iv) The right to education and training, and (v) The right to equal participation in cultural activities**

105. The information provided in relation to article 7 of the Convention covers the measures taken to support these rights, which are enshrined in the provisions on education and training of the Lebanese Constitution.

## **Article 6**

106. Article 9 of the Code of Civil Procedure guarantees all persons resident in Lebanon the right to have recourse to law (the right to seek legal redress and the right to defence), without discriminating between Lebanese citizens and foreign nationals. The Legal Fees Act contains no provisions that discriminate between Lebanese citizens and foreign nationals in terms of legal expenses and fees. However, the Code of Criminal Procedure stipulates that foreign nationals who file complaints directly with the criminal courts must pay an additional surety before their complaint is admitted (arts. 68 and 155). The Code exempts foreign nationals from payment of the surety if the offence is sufficiently serious and if the judge considers that there are sufficient grounds to justify the exemption. The purpose of the surety is to prevent abuse of the right to have recourse to law. Foreign nationals are required to pay an additional surety to discourage them from filing an arbitrary complaint before leaving the country.

107. Pursuant to article 416 of the Code of Civil Procedure, foreign nationals who are legally resident in Lebanon can benefit from legal aid, subject to the principle of reciprocity. Moreover, when counsel is appointed in criminal cases on behalf of persons who are unable to afford a lawyer, no distinction is made between Lebanese citizens and foreign nationals.

108. In proceedings brought by foreign workers against their employers, where it is proven that the contract was terminated arbitrarily or service was terminated without due reason, the Lebanese courts rule in favour of the applicant and assign compensation in accordance with the Code of Obligations and Contracts.

## **Article 7**

109. Article 10 of the Constitution stipulates that: "Education shall be free insofar as it is not contrary to public order and morals and does not affect the dignity of any of the religions or sects. There shall be no violation of the right of religious communities to have their own schools, provided that they follow the general rules on public instruction issued by the State." In its ministerial statement, the Lebanese Government expressed its commitment "to ensuring quality education for all persons in its territory".

110. Lebanon is characterized by the strength of its human capital, which is a result of the quality of its education system. Lebanon remains committed to the Charter of the United Nations as one of the founding members of the United Nations and as one of the States that helped draft the Universal Declaration of Human Rights. In that context, the Ministry of Education and Higher Education is continuing to develop plans and strategies to ensure inclusiveness and quality in the education sector. The Ministry of Culture is also working to

strengthen cultural links between Lebanon and other States and political groups, such as the International Organization of la Francophonie and the Arab Group.

111. One year after the launch of the Education Sector Development Plan 2010–2015, the Ministry of Education and Higher Education found itself compelled to prioritize the humanitarian response to the Syrian displacement. In 2011, the Ministry opened up State schools to displaced Syrian students, with the support of the international community. As a result, the number of students enrolled in public schools doubled, thereby increasing the burden on these schools, which had already long been in need of maintenance. The Reaching All Children with Education (RACE II) Strategy 2017–2021 includes measures to address the challenges involved in providing “fair and comprehensive quality education” for all.

112. The Ministry of Education and Higher Education is running a pilot project in 30 public schools and has provided 100 schools with classroom resources to facilitate the education of children with special needs (visual, hearing and learning difficulties).

113. The Ministry of Education and Higher Education, in conjunction with the Ministry of Social Affairs, the Ministry of Justice and UNICEF, has developed a policy to protect children from violence. In the first half of 2018, the Ministry launched the National Technical and Vocational Education Strategy 2018–2022, in collaboration with the ministries of agriculture and labour, the Civil Service Board, UNICEF, ILO and other relevant organizations. The aim of the strategy is to adapt the workforce to meet the demands of the economy and the labour market. In late 2018, the Ministry of Education and Higher Education is also expected to launch a strategy setting out its vision and aims under the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 4 on quality education. Based on this strategy, a road map for improving the performance of the education sector during the 2019–2030 period will be drawn up. The strategy will focus on the following areas:

- Implementing key legal changes, identifying financial requirements and models and pinpointing technical requirements at school, governorate and ministerial levels;
- Changing the culture of short-term humanitarian assistance that has thus far characterized the response to the Syrian crisis, and instead developing long-term partnerships that improve the educational system for the benefit of all students;
- Ensuring that the poorest and most vulnerable children are included in the Lebanese education system;
- Setting out a road map to ensure that students at schools, colleges and universities are equipped with the skills required by the Lebanese economy in the twenty-first century.

114. The National Council for Scientific Research plays a vital role in improving the quality of education at national level. It works with educational institutions in Lebanon and the wider region through the following programmes:

- The Lebanese baccalaureate is awarded to students who excel during State examinations. Since 2002, 272 students have received the baccalaureate.
- It presents awards for scientific excellence in medicine, health, human sciences, agriculture and the environment. Since 2011, 45 researchers have received awards.
- It grants postgraduate and doctoral degrees to students that excel in various areas. Some 600 students have received degrees in the past two decades.

115. The Ministry of Administrative Reform runs training programmes for public sector employees to raise awareness about gender equality, human rights, the environment and renewable energy.

116. Lebanon attaches importance to preventing violent extremism, given the threat posed by terrorist groups and the spread of extremist ideology, which undermine international peace and security, sustainable development and human rights. The Council of Ministers has formed an interministerial working group to prepare a preventive strategy that sets out systematic measures to address the causes of violent extremism, in particular the

lack of social and economic opportunities, marginalization, unemployment, discrimination, weak governance, human rights violations, abuse of religion and ongoing conflicts. The Lebanese Government will use the strategy to develop a comprehensive road map for all sectors. In parallel, the Ministry of Foreign Affairs and Emigrants is supervising the development of a national strategy to combat terrorism.

117. The Internal Security Forces adopted a safer society strategy for the period 2018–2022 to promote stability and security, encourage partnership with civil society, protect human rights, increase accountability and improve the capacities and effectiveness of the security forces.

118. In January 2018, the Government launched its Crisis Response Plan 2017–2020 to address the repercussions of the arrival of displaced Syrians and to alleviate the suffering of both displaced persons and their host communities.

## **Section II**

### **Responses to recommendations received from the Committee**

#### **Definition and prohibition of racial discrimination**

119. The combined eighteenth to twenty-second periodic reports submitted in 2015 cite the relevant articles of the Constitution, such as article 7 on equality among citizens, paragraph C of the preamble on respect for public freedoms, article 9 on freedom of belief and article 12 on the right of all Lebanese citizens to hold public office. The reports also provide details of the legal framework for combating racial discrimination (see paragraphs 7, 8 and 31–37 of the previous combined reports).

120. Lebanon has not yet adopted any law containing a definition of racial discrimination and the related rules of evidence. Until such a law is adopted, the Lebanese courts are using the definition contained in the Convention, to which Lebanon has acceded, namely article 1 which defines the term “racial discrimination”. This is in accordance with article 2 of the Code of Civil Procedure, which stipulates that the provisions of the treaties to which Lebanon has acceded must be applied and that the treaties have primacy over domestic laws in the event of conflict between them.

121. With regard to the rules of evidence, the general rules of evidence used in the criminal and civil law apply to all acts that fall within the scope of racial discrimination.

#### **Racist hate speech**

122. The preamble to the Lebanese Constitution stipulates that international covenants and treaties and the Universal Declaration of Human Rights must be respected. It also rejects all forms of hatred and discrimination. The law in this regard applies to all persons. Law enforcement officers seek to engage with citizens, displaced persons and refugees on a human level, without discrimination on the basis of race, religion or nationality, or any other form of racial discrimination.

123. Lebanon has hosted Palestinian refugees since 1948 and displaced Syrians since the start of the crisis in Syria. The State treats all such persons humanely and fraternally and, despite its limited capabilities and the economic, social and security impact of hosting such groups, tries to meet all their needs with regard to housing, food and support. The Lebanese State does not condone any form of discrimination or hate speech against displaced persons or refugees on the basis of race, colour, nationality or ethnicity.

124. The judicial and security authorities facilitate the application of the law with regard to granting residence permits and preventing deportation, in line with international conventions. Public prosecutors (both of the courts of appeal and of the Court of Cassation) take action whenever they receive a complaint or report of any act or written or oral communication that is intended to instigate racial bigotry or hate crime.

#### **Other acts proscribed by article 4**

125. The Ministry of Justice will prepare a bill on other acts proscribed by article 4, which will be submitted to the Council of Ministers.

#### **Bringing Lebanese criminal law into conformity with article 4 of the Convention**

126. Article 317 of the Lebanese Criminal Code stipulates that: “Any act or written or oral communication that instigates, or is intended to instigate, confessional or racial bigotry or provoke conflict among the various communities and component elements of the nation shall be punishable by detention of a term of 1 to 3 years, together with a fine of 100,000 to 800,000 Lebanese pounds (LL) and prohibition from exercising the rights specified in paragraphs 2 and 4 of article 65. The Court may order the verdict to be made public.”

127. Article 317 criminalizes the acts specified therein that promote racism. Although this may be considered insufficient in principle, the courts are able to prosecute and punish racist acts and statements, in particular given that the wording of the article is general and comprehensive. The bill that the Ministry of Justice is going to prepare on other acts proscribed by article 4 will also serve as a response to this recommendation.

#### **National human rights plan and national human rights institution**

128. The parliamentary Human Rights Commission posted the National Plan for Human Rights in Lebanon 2014–2019 on the website of the Chamber of Deputies. The plan, which was the outcome of negotiations between all relevant stakeholders, sets out the responsibilities of the constitutional authorities within their respective areas of jurisdiction with regard to raising awareness about the need to protect human rights in Lebanon and strengthening the protection of human rights in various areas, particularly fundamental civil, political, economic, social and cultural rights and freedoms.

129. The plan represents a positive step forward towards guaranteeing fundamental rights and freedoms. It joins the constitutional provisions and the numerous conventions and treaties to which Lebanon has acceded that reaffirm the country’s commitment in this area.

130. The plan identifies 21 areas, which may be grouped as follows:

- Rights and freedoms relating to justice (judicial independence, rules governing investigations and detention, torture prevention, the fight against enforced disappearances, prison care, juvenile detention, the abolition of the death penalty, etc.);
- Civil and political rights and freedoms, including freedom of expression, freedom of opinion and information, the right to privacy and freedom of assembly;
- Economic, social and cultural rights, including the right to work, social security, health and education;
- The rights of groups and persons most exposed to violations, such as women, children and persons with special needs.

131. The plan also includes a review of the situation of public rights and freedoms in each sector and identifies specific recommendations and areas where action is required by the Chamber of Deputies, the Council of Ministers and the public administration. Having identified the efforts that need to be made, it also provides an overview of the existing legislation and the steps taken to accede to relevant international treaties. One of the core recommendations made is the establishment of an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).

132. In this context, on 19 October 2016 the Chamber of Deputies adopted Act No. 62 establishing the National Human Rights Institution, which includes the Committee for the Prevention of Torture. This step affirms the commitment of Lebanon to upholding international human rights instruments and norms. The Institution is responsible for protecting and promoting human rights in Lebanon in accordance with the standards enshrined in the Lebanese Constitution, the Universal Declaration of Human Rights and

international human rights instruments (including the International Convention on the Elimination of All Forms of Racial Discrimination). It has the authority to communicate independently with local and international human rights organizations. It is also financially and administratively independent. The Institution has several functions: monitoring the State's compliance with its human rights obligations and with international humanitarian law; issuing periodic and special reports on human rights in Lebanon; making independent contributions to reports submitted to the Lebanese State; expressing views on all issues relevant to reviews carried out to ensure respect for human rights; issuing independent views on all legislation, decrees, decisions and policies to promote human rights; receiving complaints and reports on human rights violations; contributing to addressing human rights violations and to monitoring and documenting infractions during armed conflict; following up on cases via all available means in order to put an end to impunity; promoting a human rights culture and supporting the development and implementation of education programmes on human rights; conducting studies; and organizing conferences and training sessions on human rights for various public and private organizations.

133. A number of training courses have been held at the initiative of the Ministry of Human Rights, in cooperation and coordination with OHCHR, with a view to raising awareness about human rights protection mechanisms, boosting the capacities of staff in the relevant ministries, stakeholders and specialists, and building a network to facilitate communication among those groups and with civil society representatives.

134. On 21 May 2018, the Lebanese Council of Ministers adopted a decree appointing the members of the National Human Rights Institution, which include a former judge, three human rights activists from civil society, two lawyers, a university professor, a psychiatrist, a forensic pathologist and a newspaper journalist<sup>(2)</sup>.

135. In cooperation with OHCHR and UNDP, the Lebanese Parliament held a consultation session on the preparation of the national report to be submitted under the universal periodic review. During the session, the Parliament reviewed the midterm report submitted by civil society organizations, in the presence of representatives from the National Human Rights Institution.

#### **Data on application of the legislation**

136. Responding to this recommendation is challenging as there is no process of automated data collection in the justice system, which has prevented the collection of accurate statistics on the number of complaints filed, prosecutions launched and penalties imposed in cases relating to racial discrimination. The ministries are working to improve their technical capacities and computer connections to enable them to automatically collect data. Once this is achieved, they will be able to provide the requested data.

#### **Denominational political system**

137. Lebanese legislation, with the exception of personal status laws, is general in nature and applicable to all citizens without discrimination. The confessionalist system in Lebanon reflects the social and political fabric of the country. It is based on the principle of richness in diversity within the boundaries of citizenship and on efforts to ensure solidarity and collaboration among citizens on the basis of shared rules and principles that form an essential pillar of communal living.

138. The State is taking various steps to address the root causes of sectarianism, such as prejudice, intolerance and monopolization. In particular, it has implemented organizational, educational and informational measures to address entrenched sectarianism and instil a sense of national identity.

139. The Chamber of Deputies is currently considering a bill to expand administrative decentralization and increase municipal powers.

<sup>(2)</sup> Annex 2, Decree No. 3267, published in the Official Gazette No. 29 of 28 June 2018, listing the 10 members appointed to the National Human Rights Institution.

### **Right to nationality**

140. Nationality is a political and legal association that derives from being a constituent element of the population of the State. The law governs the granting and removal of nationality and sets out the consequences in each case. The reason for making nationality a political association is to place focus on the political allegiance that all citizens should have to their country. Nationality does not serve only to define a person in the legal sense; it also forms the basis of statehood, of which the people form a central pillar. The principle that the State should be free to govern nationality is a natural consequence of State sovereignty, under which States are free to govern nationality using a legal system of nationality that suits their particular situation, as well as to define the rules and principles for the acquisition and loss of nationality and to amend those rules as required. The provisions governing the acquisition and loss of Lebanese nationality are considered to relate to public order and are therefore limited and exceptional in nature and are narrowly interpreted.

141. The Lebanese Nationality Act stipulates that only persons born to a Lebanese father are Lebanese, which means that children (male or female) born to a Lebanese mother and a foreign father are not legally considered to be Lebanese. Although there were grounds for including such provisions in the Act when it was promulgated in the early twentieth century (specifically 1925), the Act is now being re-evaluated in the light of the accumulated and intertwined social, political and demographic changes experienced since its publication. It will, however, remain in force and applicable until it is amended.

142. At the request of the Presidency of the Council of Ministers, the National Commission for Lebanese Women is preparing a bill to recognize the right of Lebanese women to pass their nationality to their children. Once prepared, it will be submitted to the Council of Ministers.

143. The Lebanese State has made it easier for children born to Lebanese mothers and foreign fathers to obtain residency. Article 21 of Decree No. 10188 of 28 July 1962 stipulates that the children – whether minors or adults, employed or unemployed – of Lebanese women married to foreign nationals, once a year has passed since the date of the marriage, are entitled to a three-year courtesy residence permit that may be renewed. In September 2011, the Ministry of Labour issued Decree No. 122/1 on the documents that foreign nationals married or born to a Lebanese woman must provide in order to obtain a work permit. The decision facilitates their access to work by exempting them from the need to pay a surety. The National Commission for Lebanese Women has also requested that children born to Lebanese women married to foreign nationals be granted the same entitlement to a health card as all other Lebanese citizens.

144. Pursuant to Decree No. 46 of 21 March 2012, the Council of Ministers established a ministerial committee chaired by the Deputy Prime Minister to review proposals to amend the Nationality Act. On 14 December 2012, the committee decided not to grant Lebanese women the right to pass their nationality to their children or husband, on the grounds that it was in the best interests of the Lebanese State not to do so. The Council of Ministers instead adopted a basket of measures benefiting the foreign spouses of Lebanese women and their children.

145. On 16 June 2009, a court of first instance in Mount Lebanon Governorate awarded Lebanese nationality to the minor children of a Lebanese woman whose husband, a foreign national, had died, on an equal footing with children born to women who have acquired Lebanese nationality. The State appealed against the decision, which was overturned by the court of appeal in the governorate.

146. Civil society organizations are working at various levels to ensure that the Lebanese Nationality Act is amended and the provisions that discriminate against women are removed. They are conducting various campaigns to that end, including “My nationality is my right and my family’s right” since 2001, “They are my children and so have a right to my nationality” since 2005 and “My nationality belongs to me and to us” since 2008.

### Birth registration

147. With regard to children born to unregistered stateless fathers, Lebanese law expressly provides that persons born in Lebanese territory to parents of unknown nationality are considered Lebanese (article 1 of Decree No. 15 of 9 December 1925). The same applies to children of unknown parents, also known as foundlings, who are registered in the personal status registers in accordance with article 16 of the Registration of Personal Status Documents Act.

148. In order to address the lack of birth and marriage documentation held by displaced Syrians, on 8 February 2018 the Council of Ministers issued Decree No. 93 (record No. 58), authorizing the Ministry of the Interior and Municipalities to establish a mechanism for registering marriages, births and other events involving displaced Syrians that have occurred since 1 January 2011 with the department for the registration of foreigners, via an administrative process that does not require the involvement of the courts, and to transmit the relevant register entries to the Ministry of Foreign Affairs and Emigrants, which shall inform the competent Syrian authorities. Using this mechanism, births have been registered and official birth certificates have been issued to all Syrian children born in Lebanon since 2011.

149. In its recommendations, the Committee refers to Syrian children who are unable to obtain birth certificates owing to onerous requirements for obtaining identity documentation and proof of legal residency. The Directorate General of Personal Status has confirmed that the vast majority of Syrian children born in Lebanese territory since 2011 have been registered in the register of foreigners held in all Lebanese governorates, issued with birth certificates and referred to the Ministry of Foreign Affairs and Emigrants so that the births may be registered in the Syria Arab Republic. The Directorate has issued a number of circulars and memorandums to simplify the registration process, ensure that birth certificates are issued for all Syrian children born in Lebanon and, to the extent possible, reduce the documentation required. Measures taken include the following:

- Instead of a recent, certified Syrian declaration of registration, applicants must provide their Syrian family booklet, which is issued to all Syrians;
- Syrian passports are now accepted for registering all events, which was not the case previously;
- Only one member of a married Syrian couple needs to present a valid residence permit;
- Refugee registration certificates issued by UNHCR are now admitted, whereas previously they had not been accepted as an alternative to residence permits;
- Syrian children born in Lebanon are registered even where neither of the parents is able to produce a valid permit;
- On 8 February 2018, the Council of Ministers issued Decree No. 93, which allows Syrian children born in Lebanon who are over the age of 1 to be registered via an administrative process. This is an exceptional measure designed to provide a definitive solution to the presence of persons of Syrian nationality who find themselves in a condition of statelessness because they do not possess supporting documents and are unregistered. Such persons may be registered via an administrative process, without the need for judicial review. This service is not available for any other displaced groups.

150. Palestinian refugees from Syria are also included in these registers.

151. Article 12 of the Registration of Personal Status Documents Act stipulates that: “As of one year after the date of birth, children may not be registered except by virtue of a judicial decision issued in chambers at the request of the Public Prosecutor or the party concerned.” When a Lebanese child is born, the father, mother, guardian, doctor or midwife must obtain a birth certificate within 30 days of the birth. If more than a year has passed since the birth, the child cannot be registered except by virtue of a judicial decision issued in chambers at the request of the Public Prosecutor or the party concerned, as established in article 12.

152. Foreign nationals born in Lebanon are issued with the same birth certificates as those issued to Lebanese children. The certificate is sent to the Directorate General of Personal Status for registration, and a copy is transmitted to the relevant consulate by the Ministry of Foreign Affairs and Emigrants. If the child is over 1 year of age, he or she can be registered only pursuant to a judicial decision in accordance with the aforementioned article 12. Judicial decisions/rulings have no power to oblige foreign registry offices to register foreign nationals born in Lebanon. Such decisions/rulings serve only as proof of registration, namely proof that the birth took place in Lebanese territory.

153. The aforementioned article 12 applies to Lebanese and foreign nationals without distinction. The one year limit was chosen as it was deemed a sufficient length of time in which to register a birth. If the family fails to register the birth within the time limit, a judicial order must be obtained. The limit imposed allows for a reasonable length of time in which to register the birth. The fees for registering a birth are not high (single payment of LL 25,000/\$17, plus taxes) and the birth can be registered directly by the parties concerned, without the need for a lawyer. If the parties concerned are poor, they can apply for legal aid and are exempt from all fees and expenses.

154. Children registered more than one year after birth must be registered via a judicial process, in accordance with article 12 of the Registration of Personal Status Documents Act of 7 December 1951, which stipulates: “As of one year after the date of birth, children may not be registered except by virtue of a judicial decision issued in chambers at the request of the Public Prosecutor or the party concerned.” This does not mean that all birth certificates that are more than a year old are subject to judicial review, but only those not recorded in the registry (i.e. those to which no number has been attributed in column 15), meaning that the parents of the child did not complete the registration process within the first year after the birth. However, if the registration application is submitted but not processed, or if the birth is not recorded under the parents’ entries, the birth can still be registered via the administrative pathway, regardless of the child’s age.

155. The one-year limit also plays an important, positive role by encouraging families to register births within the legal time frame, and to limit the rise in persons who are undocumented as a result of the family’s failure to register the birth. It is not the case that failure to meet the time limit will lead to long, costly judicial proceedings. By comparison, the personal status laws in neighbouring countries impose severe penalties, including taking the parent into custody, for failing to register a birth during the specified time period.

156. The Ministry of Justice has the authority to simplify and expedite the judicial registration process and waive the fees. Birth certificates for Lebanese children born abroad can still be obtained via the administrative process even one year after the birth.

#### **Access to public places**

157. The Lebanese State reviews all reports and follows up on all complaints regarding persons accused of preventing or prohibiting another person from gaining access to a public place on the basis of colour, race, nationality or ethnicity. The Government also has an awareness-raising policy to encourage communication between host communities and displaced persons.

#### **Legal framework on asylum**

158. The legal framework that governs asylum in Lebanon is set out in the law on entry into, residence in and exit from Lebanon, adopted on 10 July 1962, in particular articles 26–31. The definition of asylum is purely political, not humanitarian, as Lebanon cannot afford to become a country of asylum, given the geopolitical circumstances in the region. This should be taken into account when considering the “lack of an appropriate legal framework on asylum”, as stated in the Committee’s concluding observations.

159. Lebanon is not a country of asylum. Although it has not signed the 1951 Convention relating to the Status of Refugees or the 1967 Protocol, Lebanon voluntarily implements the principle of non-refoulement and enables displaced Syrians and Palestinian refugees to exercise their fundamental rights, in line with Lebanese laws and regulations.

160. On 30 October 2003, the Government issued Decree No. 11262 concluding a memorandum of understanding between the General Security Directorate and the regional office of UNHCR on the adoption of a framework agreement regulating asylum, specifically asylum seekers destined for third countries, rather than Lebanon.

161. Within this legal and regulatory framework, the State recognizes the serious consequences forced return has for many groups, especially displaced Syrians, and therefore does not forcibly return them. Displaced persons who do not qualify for residency status or even, sometimes, for displaced status can submit a request to the General Security Directorate for their status to be reviewed. Displaced communities and organizations that work with displaced persons are aware of this procedure.

162. The border restrictions in place also apply to non-displaced persons, i.e. those travelling normally into Lebanon who wish to stay for a specific period, rather than indefinitely. During various stages of the Syrian crisis, those restrictions have been suspended in order to allow entry to the numerous waves of displaced Syrians who arrived in response to the changing situation and the escalating conflict in Syria.

163. Efforts are currently under way to regularize the situation of foreign nationals who are in violation of the law on entry into, residence in and exit from Lebanon, in accordance with the relevant legislation and in line with the need for international efforts to ensure the safe and voluntary return of displaced persons to their countries of origin.

164. Act No. 164/2011 on combating human trafficking provides that victims of human trafficking may remain in Lebanon during the investigative proceedings, pursuant to a judicial decision. This is intended to address the fact that victims may be foreign workers who are exploited because they do not hold the legal documentation required to prove that they entered and reside in the country legitimately. The rule is in place to reassure victims and encourage them to file complaints against the perpetrators without the fear that they will expose themselves and risk being deported before they obtain adequate redress.

165. The issue of access to justice for displaced persons, irrespective of whether or not they hold the necessary documentation, is a matter for the judiciary and the law. Article 9 of the Code of Civil Procedure guarantees all persons resident in Lebanon the right to have recourse to law (the right to seek legal redress and the right to defence), without discriminating between Lebanese citizens and foreign nationals. The Legal Fees Act contains no provisions that discriminate between Lebanese citizens and foreign nationals in terms of legal expenses and fees. However, the Code of Criminal Procedure stipulates that foreign nationals who file complaints with the criminal courts must submit additional surety for acceptance of their complaint (arts. 68 and 155). The Code exempts foreign nationals from payment of the surety if the offence is sufficiently serious and if the judge considers that there are sufficient grounds to justify the exemption. Pursuant to article 416 of the Code of Civil Procedure, foreign nationals who are legally resident in Lebanon can benefit from legal aid, subject to the principle of reciprocity. Moreover, when counsel is appointed in criminal cases on behalf of persons who are unable to afford a lawyer, no distinction is made between Lebanese citizens and foreign nationals. Legal aid is provided to all detainees, without discrimination on the grounds of nationality, in coordination with the Ministry of the Interior and Municipalities, the Human Rights Division of the Internal Security Forces and civil society organizations.

#### **Situation of Palestine refugees**

The following information is provided in complement to that given in paragraphs 14–18 of the report.

166. In 2005, the Government adopted Decree No. 89/2005 establishing the Lebanese-Palestinian Dialogue Committee with a view to improving conditions for Palestinians at all levels. The Committee has taken steps to issue identity cards to persons without identity documents, in line with the Government's efforts to guarantee the right of Palestinians to recognition as persons before the law. The Lebanese-Palestinian Dialogue Committee, which is developing public policies targeting Palestinian refugees in Lebanon, has completed two projects in recent years:

- A dialogue was launched between the key political forces in the Chamber of Deputies and the Government on issues related to Palestinian refugees in Lebanon, through which greater consensus was achieved in the form of a policy document entitled “A Unified Lebanese View of the Palestine Refugee Issue in Lebanon”, which sets out the collective viewpoint of those forces. The document was submitted to the Government so that it could become future official policy.
- The first official census of the camps and communes in Lebanon was carried out in 2017, which allowed public policies to be developed on the basis of accurate data about the economic, social and demographic situation of refugees in the country.

167. With regard to education, there are no practical obstacles preventing Palestinians from enrolling in government schools. Enrolment applications submitted by Palestinian and Lebanese students are treated equally. They are subject to the same enrolment requirements and fees and must provide the same documentation. During the 2017/18 school year, more than 48,000 Palestinian students were enrolled in schools in Lebanon (accounting for 4.5 per cent of all students in Lebanon), of whom 5,530 were in public schools and 32,376 in UNRWA schools.

168. Some 80 per cent of the UNRWA budget is allocated to education. Any budget cuts therefore have a direct impact on the education programme. The UNRWA office in Lebanon has adopted a package of measures to merge some schools, increase classroom capacity to 50–55 and reduce the number of teaching and administrative staff. These measures will have a direct effect on the quality of education for Palestinian students in Lebanon, which will ultimately drive those students towards the public schools, thereby increasing the pressure placed on the Lebanese educational system from the 2018/19 school year onward. At university level, Palestinian students attend some 45 public and private higher education establishments in Lebanon. The Lebanese University applies the same registration fees to both Palestinian and Lebanese students.

169. With regard to health, UNRWA and the Ministry of Public Health are continuing to cooperate to make it easier for UNRWA to import medical supplies from Amman. The Ministry also expedites the administrative procedures applicable to pharmaceutical shipments before they enter the country. The Lebanese State covers the medical fees for treating various illnesses and administering vaccinations at health centres. Contracts have been signed with the government hospitals to allow UNRWA to pay a unified fee for use of their services. UNRWA has also signed an agreement with the Ministry of Public Health to allow it to benefit from the reduced prices that the Ministry has obtained from its supplier for cancer treatments, dialysis supplies and medications for other serious diseases.

170. With regard to the use of the services provided by the National Social Security Fund, the Chamber of Deputies adopted Act No. 128 of 24 August 2010 amending article 9 of the Social Security Act in order to exempt Palestinian workers from the condition of reciprocity regarding their entitlement to the end-of-service indemnities enjoyed by Lebanese workers. The amended law also requires the Fund administrators to create a separate, independent account for contributions for Palestinian workers; neither the Treasury nor the Fund bear any financial liability or obligations towards that account, however. As a result, Palestine refugees are now able to benefit from end-of-service indemnities, provided that they are resident in Lebanon and registered with the Ministry of the Interior and Municipalities and that they hold a work permit in accordance with the laws and regulations in force. It remains the responsibility of Palestine refugees and their employers to make the necessary contributions to the three social security funds, amounting to 23.5 per cent of the base salary, which entitles the worker to an 8 per cent pay-out from the end-of-service fund.

171. With regard to Palestinians who are wanted persons, in 2014 the Council of Ministers issued a decree revoking all “notification warrants” and “subjugation warrants” issued by security agencies and all legal rulings handed down by the courts – many of which were issued in absentia – pursuant to such orders. This decision has affected thousands of Lebanese and Palestinians against whom the General Security Directorate had issued “subjugation warrants” or the Lebanese Army Intelligence had issued “notification warrants”, and has helped relieve the security crises that are threatening peace in Lebanon. Some parties claim that the decision has not been fully implemented, however.

172. The issue of community work is addressed in paragraphs 31 and 32 above.

173. The Prime Minister closely follows all matters related to the reconstruction of Nahr El-Bared camp, in particular the pledges made by the Arab States to support the project, which has a budget deficit of around \$90 million. The Lebanese-Palestinian Dialogue Committee is also looking into how the camp should be managed in future, taking into account the particular characteristics of the Palestine refugee issue and the social fabric under the rule of law. In that connection, the Prime Minister issued Decree No. 48/2018 on 21 May 2018 to establish a working group to develop a mechanism for the management of the camp. The group is expected to present its proposals in the near future.

174. In conclusion, the Lebanese State is doing everything in its power to avoid treating any group in its territory in a discriminatory manner. It remains committed to the principles of non-resettlement and the right to return, taking into account at every step the particular nature of the situation of Palestinians in Lebanon.

### **Right to employment**

175. As mentioned above in relation to the employment of Palestine refugees, foreign nationals are not denied residence permits except where there are substantial grounds for doing so.

176. Youth unemployment has risen from 36 per cent to 40 percent owing to the deteriorating economic situation and the lack of growth over a number of years. In order to protect the Lebanese workforce, the Minister of Labour has decided to restrict certain jobs and professions to Lebanese nationals and has defined certain sectors for displaced Syrians, in particular agriculture, construction and sanitation.

177. Article 8 of the decree regulating the employment of aliens states that it is “based on the principle of preferential treatment for Lebanese citizens”. Article 9 stipulates that: “In December of every year, the Minister of Labour shall, based on the recommendation of the Director General and following consultations with departments and agencies that deal with economic issues, provide a list of the jobs, professions, crafts and occupations that the Ministry has determined must be restricted to Lebanese citizens only.”

178. Palestine refugees are not discriminated against in employment. The decision to restrict certain professions to Lebanese nationals issued annually by the Minister of Labour is evidence of the fact that there is no discrimination against them.

### **Right to education**

179. The Lebanese State is as concerned about providing education for non-nationals as it is for Lebanese nationals. This is evinced by the fact that the Minister of Education and Higher Education issued a decision extending the enrolment deadline for the 2017/18 school year and allowing non-Lebanese students to register at public schools for the morning sessions. The Minister has also issued a circular on the enrolment of non-Lebanese students in secondary education for the 2017/18 school year.

180. The Minister has voiced the Ministry’s determination to accommodate all persons who wish to enrol in education and has announced a new contact telephone number. In his declaration, he stated that: “Enrolment in State-run primary and secondary schools for the 2017/18 school year has been very high as parents were eager to register their children there. However, some parents were unable to do so owing to a shortage of places. Therefore, the Ministry of Education and Higher Education – which is working, within its remit and in line with the principle that all persons have a right to education, to secure a place for every student at a public primary or secondary school – asks all families who wish to enrol their children for the 2017/18 school year and who were unable to find a place in a public school to contact the Ministry on 01/772101, or the education department in their governorate, or the Secondary Education Directorate (for enrolment in public secondary schools), or the Primary Education Directorate (for enrolment in public primary schools), so that their child can be enrolled for the current school year.”

181. The many circulars issued by the Ministry of Education and Higher Education in Lebanon for the 2017/18 school year do not restrict the enrolment of non-Lebanese students;

on the contrary, the Ministry aims to secure a place for every student. The State does not restrict access to education on the ground of nationality or migration status. The State is also not aware of any children who have been deprived of their residence permits owing to non-enrolment in schools as a result of the enforcement of these circulars. It is widely known that, when a foreign student wishes to enrol at a Lebanese university, he or she must apply to the General Security Directorate for a study permit. This is not a complex process and is a common requirement governing the residency of foreign nationals in countries around the world.

182. Lebanese and non-Lebanese students must provide the following documents in order to enrol in education:

- Identification documents;
- Two passport photos;
- Vaccination record and health certificate;
- Certificates or record of marks from the past two years, in particular where enrolling in grades 9 and 12. Record of marks from previous grades should be provided, if available; if not, the school will set a test to determine the student's level.

183. Students who cannot provide the required paperwork may still enrol by speaking to the management of the school about the alternative documentation that can be provided, in accordance with the instructions from the Ministry of Education and Higher Education.

184. Public school students in the afternoon/second session receive the same education as those in the morning/first session. Displaced children who are enrolled in grades 1 to 9 receive an official certificate that is recognized by the Ministry of Education and Higher Education. Students in grades 9 and 12 can sit State examinations. It is worth noting that the female student who achieved the highest grades in the country in the 2016/17 secondary-level examinations was Syrian.

185. There are various educational programmes in Lebanon to help non-Lebanese pupils gain access to public schools, some of which are described in the following paragraphs.

186. Accelerated Learning Programme (ALP): The only unofficial programme that enables non-Lebanese students to enrol in public schools. This programme was developed to provide schooling for children between the ages of 7 and 17 who have not attended school for more than two years, with the aim of reintegrating them into the formal education system. The list of schools involved in the programme may be obtained from UNICEF and UNHCR. It is also available at social development centres and online at [www.refugees-lebanon.org](http://www.refugees-lebanon.org) and on the website of the Ministry of Education and Higher Education ([www.mehe.gov.lb](http://www.mehe.gov.lb)). At the end of the programme, the students are able to integrate into the public education system in Lebanon. The students are assessed at the start and end of the programme to ensure that they are ready to enter the public education system the following school year.

187. There are also other educational programmes (known as unofficial education programmes) which are adapted to the educational needs of the child. These programmes are run by NGOs and do not offer recognized certificates. With the support of the United Nations, the Ministry of Education and Higher Education is developing an unofficial education framework to enable NGOs to run recognized and certified informal education programmes.

188. A homework support programme is available for certain students who are registered in and regularly attend formal education programmes in public schools but who are at risk of dropping out. Support is provided at specific times and in various forms whereby students bring their school books and receive support that will help them pass that school year. These programmes, which are sometimes conducted at centres run by the Ministry of Education and Higher Education, are available to students enrolled in formal education who require such support. Lebanese and non-Lebanese children with learning difficulties can enrol in public schools. This is also the case for children with more serious special needs. The Ministry of Education and Higher Education has hotlines that can be called in order to be referred to one of the special programmes. In addition, UNRWA provides education

services (grades 1 to 12) for Palestine refugees residing in Lebanon, including Palestine refugees from Syria. UNRWA provides free education, as well as books and basic school supplies. The Agency currently supports 68 schools in Lebanon. Students at the schools sit the same State examinations as Lebanese students. All refugees and displaced persons in Lebanon who have completed grade 12 at Lebanese schools or schools in their country of origin are entitled to attend any of the certified public or private universities in Lebanon.

189. Enrolment of children of Lebanese women married to foreign men: As has already been made clear, Lebanon is constantly seeking ways to promote the right to education for all. There are several laws regulating citizens' right to education, including:

- Legislative Decree No. 134 of 12 June 1959, which provides for "free education";
- Act No. 686 of 16 March 1998, which sets out the principle of "free compulsory primary education";
- Act No. 150 of 17 August 2011 amending article 49 of Legislative Decree No. 134 of 12 January 1959, which stipulates that: "Education is compulsory at the primary stage and is available free of charge in public schools. All Lebanese citizens of primary school age are entitled to free primary education. The conditions and regulations for the provision of free compulsory education shall be determined by a decree adopted by the Council of Ministers."

190. In the context of the commitment of Lebanon to achieving the Sustainable Development Goals (2015–2030), the Ministry of Education and Higher Education has been made responsible for promoting the right to education for all. Under the national strategic vision for education, the Ministry of Education and Higher Education has been given the task of ensuring that the children of Lebanese women married to foreign men are enrolled in school, receive the same treatment as all other students, are not segregated during lessons and are duly granted a school place if desired.

191. The Ministry of Education and Higher Education is promoting the right to education for all through the following activities:

- Efforts are being made to strengthen the Education 2030 Strategy.
- The Ministry of Education and Higher Education Steering Committee has been established, chaired by the Minister, to promote the 2030 Sustainable Development Agenda, especially Goal 4 on ensuring inclusive and equitable quality education and promoting lifelong learning opportunities for all.
- The Ministry of Education and Higher Education is making efforts to guarantee access to education for all students, including the non-Lebanese children or husbands of Lebanese women, and no fees for attending State-run primary or secondary school are imposed on non-Lebanese students who are the children or husbands of Lebanese women.

192. In Circular No. 12/M/2018 of 1 March 2018, the Ministry called on the heads of all public and private primary and secondary schools to make appropriate efforts to ensure that the children of Lebanese women married to foreign nationals were enrolled in school, received the same treatment as all other students, were not segregated during lessons and were duly allocated school places if desired.

193. This demonstrates that the Lebanese State is doing everything required to integrate non-Lebanese students into the education system in Lebanon and to ensure that there is no racial discrimination within the education sector.

### **Freedom of movement**

194. Displaced Syrians in Lebanon can move freely within the country as desired and without limitations, except in exceptional cases where municipalities restrict movement at night in the interests of public order. Such cases are not, however, motivated by racism.

### **Right to equal treatment before the courts**

195. Article 9 of the Code of Civil Procedure guarantees all persons resident in Lebanon the right to have recourse to law (the right to seek legal redress and the right to defence), without discriminating between Lebanese citizens and foreign nationals. The Legal Fees Act does not contain any provisions that discriminate between Lebanese nationals and foreign nationals in terms of legal costs and fees. However, the Code of Criminal Procedure contains provisions that could be interpreted as an exception to this principle, as it imposes an additional obligation on foreign nationals who file a complaint directly with the criminal courts, in the form of a surety that must be paid before the complaint is admitted (arts. 68 and 155). Litigants are exempted from paying the surety if the offence is sufficiently serious and if the judge considers that there are sufficient grounds to justify the exemption. The Lebanese judiciary is not strict in this regard, as the purpose of the surety – both for Lebanese and foreign litigants – is to prevent the abuse of the right to litigate. The fact that foreign litigants must pay an additional security is justified on the grounds that it reduces the likelihood that a litigant will leave the country after arbitrarily filing a complaint.

196. Pursuant to article 416 of the Code of Civil Procedure, foreign nationals who are legally resident in Lebanon can benefit from legal aid, subject to the principle of reciprocity. Additionally, when counsel is appointed in criminal cases on behalf of persons who are unable to afford a lawyer, no distinction is made between Lebanese citizens and foreign nationals.

### **Migrant domestic workers**

197. As stated in section 1 of this report, the Ministry of Labour has drafted a bill regulating decent work for domestic workers, in accordance with ILO Convention No. 189, which Lebanon voted in support of at the 100th session of the International Labour Conference in Geneva, as well as the associated Recommendation No. 201. The bill has been referred to the Council of Ministers for inclusion in its agenda and for adoption.

198. Female social workers have been appointed who are licensed in social counselling and who assess the working conditions experienced by female domestic workers. This is because labour inspectors are not able to enter private homes. The social workers have completed specialized training on protecting the rights of female domestic workers and resolving the problems that such workers face.

199. Decree No. 1/168 of 27 November 2015 regulating domestic worker recruitment agencies provides that the owners of such agencies must not advertise via social media and must not accept any direct or indirect material compensation from domestic workers.

200. The Ministry of Labour has established a central office and a hotline for receiving complaints directly from female migrant domestic workers and has a designated official who is responsible for dealing with complaints in collaboration with the competent agencies. The Ministry of Labour and the competent public prosecutors handle all complaints of abuse by employers submitted by domestic workers, owners of recruitment agencies or embassies. Complaints are referred to the following departments:

- The General Security Directorate in the Ministry of the Interior and Municipalities in cases of desertion or ill-treatment;
- The Ministry of Labour in the event of non-payment of wages or failure to comply with the unified work contract.

Cases are also presented to labour arbitration tribunals in the governorates. Numerous judicial provisions have been adopted that entitle domestic workers to holiday pay and compensation for damages and that specify the obligation on the employer to pay the wages owed.

201. The Ministry of Labour has carried out radio and television campaigns to raise awareness on this subject.

202. In cooperation with ILO and the competent associations, the National Steering Committee on Female Migrant Domestic Workers has compiled guidance to educate domestic workers about their rights and duties. Copies of the guidance have been

distributed to accredited national embassies in Lebanon. Workers' contracts and the guidance have been translated into the native languages of migrant domestic workers in order to provide better protection. All workers are provided with a copy of these documents in their own language upon arrival in Lebanon.

203. Several pieces of legislation have been adopted to combat exploitation and what is known as human trafficking, including Act No. 408/2002, Act No. 474/2002, Act No. 682/2005, Act No. 739/2006, Decree No. 3631/2010 and Decree No. 4986/2010, all of which concern agreements concluded with other States with a view to combating such offences in all their forms. Pursuant to article 1 of Act No. 164/2011, adopted in 2011, section 3 on human trafficking was inserted into book 2, chapter 8, of the Criminal Code.

204. The Criminal Code describes the elements that must occur together for the offence to subsist, namely the act, the means and the intention, which are set out in subparagraphs (a), (b) and (c) of article 586 of the Code, respectively. Having identified the elements of the offence, the article also stipulates that "victim of trafficking" is, for the purposes of the Code, defined as "any natural person who is the subject of human trafficking or whom the competent authorities reasonably believe to be a victim of human trafficking, regardless of whether the perpetrator has been identified, arrested, tried or convicted".

205. "Exploitation" is defined in the article as the act of compelling a person to participate in any of the following acts:

- Acts punishable by law;
- Prostitution or exploitation of the prostitution of others;
- Sexual exploitation;
- Begging;
- Slavery and slavery-like practices;
- Forced or compulsory labour;
- Forced or compulsory child recruitment for use in armed conflict;
- Forced involvement in terrorist acts;
- Removal of tissue or organs from the victim's body.

206. Through these provisions, the concept of exploitation has been introduced into the Criminal Code for the first time. This clearly reflects how various social issues are being tackled, in particular the sexual exploitation of women involved in clandestine prostitution, the exploitation of female domestic workers who are forced to work in inhumane conditions and the exploitation of street children in begging.

207. Legislators have also made allowance for the possibility of concluding agreements and providing assistance in order to protect the victims of such crimes. Article 586 (9) of the Code stipulates that: "The Minister of Labour may conclude agreements with specialist organizations and associations to provide assistance and protection for victims of such crimes. The Council of Ministers shall adopt a decree based on a proposal by the Minister of Labour setting out the conditions that organizations and associations must meet and the fundamental rules for the provision of assistance and protection."

208. The Ministry of Justice has prepared a bill to address the gaps in the Code. The bill, which was presented to the Council of Ministers on 24 May 2018, aims to amend Act No. 164/2011 with a view to developing a modern, independent law to combat human trafficking, incorporating all the elements of the United Nations Convention against Transnational Organized Crime in order to combat trafficking, protect victims, promote international cooperation, establish a national anti-human trafficking institution and introduce a procedural mechanism for identifying victims and providing protection.

209. The number of sentences handed down by the Lebanese courts in cases of abuse and exploitation is constantly rising, as evidenced by the figures provided in the regular annual reports prepared by the Ministry of Justice on the fight against human trafficking.

**Ratification of ILO Convention No. 189**

210. Please see the information provided in relation to the right to work.

**Educational efforts to combat racial discrimination (recommendations 44 and 45)**

211. With regard to the recommendation that Lebanon strengthen its educational efforts aimed at combating racial discrimination and expand their reach to the general public, attempts are being made to coordinate, inter alia, the ministries of education and higher education, culture, and information to achieve this goal.

**Other recommendations****Ratification of other instruments (recommendation 46)**

212. Owing to the historical circumstances of the Lebanese State, its social structure and considerations regarding the emergence, formation and exercise of authority, Lebanon is not a country of asylum in the conventional sense. As long as these considerations remain valid, it will be difficult to implement the Committee's recommendation that the State ratify international instruments and conventions because doing so would undermine or, at best, complicate the country's approach to asylum.

213. Despite all the legal restrictions, security risks and economic concerns in the country, Lebanon has welcomed more than 1.5 million displaced Syrians over the course of the Syrian crisis.

214. Lebanon continues to hold reservations regarding the term "refugee" as used by international organizations and agencies. In Lebanon, the term is used to refer to "refugees destined for third countries", rather than Lebanon.

215. The Ministry of Labour will present the international human rights instruments, in particular those that relate directly to groups that experience racial discrimination such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to employers' groups, workers organizations and local NGOs to seek their views thereon.

**International Decade for People of African Descent**

216. Although Lebanon has no special measures for people of African descent, the Government recently approved a national strategy for the prevention of violent extremism, which was prepared jointly by various ministries and groups within society. A committee has been established to follow up on its implementation. The strategy contains a series of strategic national targets, the second of which is to combat the proliferation of stereotypes about any group, region or religion. This includes all foreign peoples, whether of African descent or otherwise, who experience stereotyping and discrimination.

**Consultations with civil society**

217. The Lebanese authorities and civil society enjoy a cooperative and consultative relationship. In fact, the Ministry of Labour took steps to ensure that the National Steering Committee on Female Migrant Domestic Workers included 25 different organizations (ministries, recruitment agencies, civil society organizations working in the area of human rights, international and regional organizations and the relevant embassies). Moreover, a shelter was established in cooperation with the Caritas Lebanon Migration Centre. The shelter provides accommodation for female domestic workers who have faced problems and human rights violations, until a suitable solution can be found. There is also interest in signing memorandums of understanding with NGOs that work in that area.

218. The National Commission for Lebanese Women worked in cooperation with partners from ministries, State departments, civil society organizations and United Nations agencies to prepare the National Strategy for Women in Lebanon (2011–2021). It has also developed a draft national action plan to implement Security Council resolution 1325 (2000) on women as active agents in peace and security, which will be presented to the Presidency

of the Council of Ministers for discussion and adoption. The Commission takes a participatory approach to preparing the official reports commissioned by the Lebanese Government, an approach that was also used when preparing the combined fourth and fifth periodic reports of Lebanon under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/LBN/4-5).

219. Various national women's rights mechanisms work in partnership with civil society organizations to develop strategies, implement national action plans and carry out joint projects to abolish all forms of discrimination against women.

220. On 19 October 2016, the Chamber of Deputies adopted a law establishing the National Human Rights Institution. This will help improve communication and dialogue with various stakeholders, in particular NGOs, in line with the Paris Principles.

221. Furthermore, various national human rights mechanisms will draft the next and follow-up on the concluding observations, in partnership with civil society organizations.

222. The OHCHR Regional Office for the Middle East was established in Beirut in 2002. The National Human Rights Institution, including the Committee for the Prevention of Torture, was established pursuant to Decree No. 3267 of 19 June 2018. The National Committee for the Preparation of Reports and Follow-Up to Recommendations, established pursuant to Decree No. 3268 of 19 June 2018, is chaired by the Prime Minister and is responsible for preparing reports on international human rights treaties and following up on recommendations made by international human rights protection mechanisms. Nevertheless, local and international human rights organizations in Lebanon still do not play a sufficiently active role. Further coordination between such organizations and the State ministries is therefore required with a view to promoting human rights and eliminating all forms of racial discrimination.

#### **Common core document (recommendation 52)**

223. The decision to establish the National Committee for the Preparation of Reports and Follow-Up to Recommendations – which is a joint entity comprising representatives from the relevant ministries – will help Lebanon meet its commitment to draft and submit periodic reports under international treaties. The preparation and timely submission of a new common core document will be at the top of the agenda of the new Committee.

#### **Paragraphs of particular importance (recommendation 54)**

224. The following information is provided in relation to recommendations contained in paragraphs 11 and 42. In order to provide suitable work conditions for all migrant workers and guarantee them legal protection from violence and exploitation, the bill on decent work for domestic workers will oblige employers to: take out suitable insurance for domestic employees to cover the costs of illness, work accidents, hospitalization and the transfer of remains in the event of death; purchase a travel ticket for foreign domestic employees at the end of contract; respect the human rights and privacy of domestic workers; provide a decent space for domestic workers inside the home that meets the necessary health standards, as well as a decent working environment; and pay domestic workers a fair wage for the assigned tasks. The wage is to be paid at the end of the month via bank transfer, bank deposit or any other verifiable means, and a copy of the proof of payment is to be retained by all parties. Under the bill, employers will also be held responsible for securing residence and work permits and covering all costs and fees. Employees will also be entitled to one day's rest of at least 24 hours per week outside the home and to 15 days of annual leave. The working day shall be eight hours long, with the possibility of an additional four hours if required by the employer. Employees are also entitled to at least nine consecutive hours of rest each night.

225. The General Security Directorate and the Ministry of Labour have taken a series of protective and proactive measures on behalf of domestic workers. For instance, a domestic worker may not be granted a visa to enter Lebanon if the Lebanese employer is found to have ill-treated a domestic worker in the past. Investigative action is taken following the arrival of domestic workers to ensure that the work imposed by their employer is acceptable and that they are properly treated.

226. Lebanon has signed bilateral agreements on issues pertaining to migrant workers with a number of countries, including Egypt and Syria. The Ministry of Labour is also conducting negotiations with a number of embassies – including those of Sri Lanka, the Philippines, Ethiopia, Madagascar, Bangladesh, Cambodia, Uganda, Tanzania, Cameroon, Turkey and Iraq – with a view to concluding agreements to protect the rights of domestic workers.

227. Lebanon also cooperates on an international level with ILO, the Arab Labour Organization and the International Organization for Migration and participates in local and international conferences on the topic.

---