



International Covenant on Civil and Political Rights

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Human Rights Committee

Report on follow-up to the concluding observations of the Human Rights Committee*

Addendum

Evaluation of the information on follow-up to the concluding observations on Lebanon

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| <i>Concluding observations (122nd session):</i> | CCPR/C/LBN/CO/3 , 3 April 2018 |
| <i>Follow-up paragraphs:</i> | 20, 38 and 40 |
| <i>Information received from State party:</i> | CCPR/C/LBN/FCO/3 , 15 April 2020 |
| <i>Information received from stakeholders:</i> | MENA Rights Group and Global Detention Project , 20 January 2022, and ALEF – Act for Human Rights , 1 February 2022 |
| <i>Committee's evaluation:</i> | 20[C][B], 38[C][B] and 40[C] |

Paragraph 20: Violence against women, including domestic and sexual violence¹

Summary of the information received from the State party

(a) Regarding the criminalization of marital rape, article 3 of Act No. 293 of 2014 on the protection of women and other family members from domestic violence prescribes specific penalties for anyone who strikes, abuses or threatens their spouse in order to engage in their marital right to intercourse.

In September 2019, the committee for women and children within the Chamber of Deputies proposed a bill to criminalize sexual harassment, which was subsequently submitted to the parliamentary committee on administration and justice. If adopted, it will introduce severe penalties for sexual harassment in the workplace.

(b) A proposal made in 2018 to amend article 505 and to revoke article 518 of the Criminal Code concerning the offences of sexual intercourse with a minor and seducing a girl with the promise of marriage and taking her virginity was adopted by the National Commission for Lebanese Women. Since then, efforts to refer the amendments to the Chamber of Deputies have been ongoing and have, to date, met with a partial response.

(c) Efforts to prevent violence against women, including domestic violence, have increased in recent years, alongside efforts to implement Act No. 293, under which a

* Adopted by the Committee at its 134th session (28 February–25 March 2022).

¹ The paragraphs containing the Committee's recommendations are not reproduced in the present document owing to the word limit specified in General Assembly resolution [68/268](#), para. 15.



mechanism for reporting violence was established; the mechanism has been widely publicized.

The Ministry of the Interior and Municipalities set up a telephone hotline for victims of domestic violence and ran a high-profile media campaign to inform people of its existence and encourage them to use it. The National Commission for Lebanese Women has run awareness-raising campaigns, sending text messages to millions of people to encourage victims and witnesses of domestic violence to report it on the hotline, and producing two short films to highlight women's right to protection and to encourage them to report domestic violence. It also launched nationwide awareness-raising campaigns on sexual harassment. Furthermore, a national strategy to combat violence against women was launched in February 2019, resulting from a partnership between several government bodies, United Nations entities and civil society organizations.

(d) Public and private sector staff have been trained on how to detect and address violence against women. The Ministry of Social Affairs provided social workers with training on implementing Act No. 293 and is developing tools to monitor and address cases of gender-based violence. The Ministry of Justice and the National Commission for Lebanese Women organized training for judges on enforcing the Act. The Ministry of Public Health has also trained medical staff on how to detect and address cases of violence against women.

In July 2018, the Ministry of the Interior and Municipalities issued a public memorandum on the rules of interaction and engagement to be followed by security personnel who follow up complaints of domestic violence. It has conducted training for security personnel, in partnership with civil society organizations. Training has also been provided on detecting and addressing cases of trafficking and gender-based violence in military settings.

(e) The Ministry of Justice is working on a project to allow for the extraction of real-time data on sentences handed down in cases involving all forms of violence, including violence against women.

Judicial system personnel endeavour to investigate, prosecute and convict all cases of violence, including violence against women, which can involve civil, criminal or military courts. In September 2019, the Ministry of Justice approved a joint initiative with partners, including several bar associations and United Nations entities, to ensure access to legal aid for victims of violence, including women.

Summary of the information received from stakeholders

ALEF – Act for Human Rights

(a), (b) and (e) The State has not improved protection measures for women, criminalized domestic violence or amended articles 505 and 518 of the Criminal Code. No changes have been made to data collection; data remain scattered and incomplete.

(c) While State institutions have taken steps to strengthen preventive measures, including sharing statistics and prioritizing domestic violence within the security forces, the law enforcement authorities need to provide victims of domestic violence with tangible support, protection, shelter and assistance and to hold perpetrators accountable in order to build trust so that victims know they can report cases without fear of humiliation.

(d) While law enforcement officers have received training and are better equipped to collect testimonies in a digital and private manner, their high turnover rate hinders knowledge retention, posing a structural challenge.

Committee's evaluation

[C]: (a), (b) and (e)

While noting the information provided, the Committee remains concerned at the absence of information on any specific steps taken within the reporting period to strengthen legal protection against violence against women, including domestic violence, rape, marital rape and sexual harassment, and requests provision of such information. The Committee welcomes the fact that a law criminalizing sexual harassment has been proposed and requests up-to-date information about the status of these efforts and additional details on whether

harassment in all settings, including the home, will be included and on the penalties envisaged for such offences.

The Committee welcomes the steps taken towards amending articles 505 and 518 of the Criminal Code. Nevertheless, it is concerned at the absence of information about the exact material scope and legal status of the amendments and requests additional information.

The Committee notes the information on measures to improve data on violence against women and requests additional information about those measures, including any mechanisms to collect data about reported cases of violence against women that do not result in a conviction. It also notes the information on the State party's commitment to ensuring victims' access to remedies, including the 2019 initiative to facilitate legal aid. It requests additional information on this initiative, including the number of victims who have benefited from it and any data on its efficacy, and on the protection services in place to support women and girls who are victims of violence.

[B]: (c) and (d)

The Committee welcomes the information on the measures taken to prevent violence against women, including awareness-raising activities, measures to encourage use of a hotline to report violence and the launch in 2019 of a national strategy to combat violence against women. It requests additional information about these measures, including how they ensure that victims are able to report cases without fear of humiliation and any data on their efficacy.

The Committee welcomes the information on the various training activities on how to detect and deal properly with cases of violence against women. It requests additional information about these activities, including the number of courses held for stakeholders within each relevant sector, the dates of the training courses and the number of attendees, as well as any available data on their efficacy.

Paragraph 38: Refugees and asylum seekers

Summary of the information received from the State party

(a) Since the outbreak of the conflict in the Syrian Arab Republic in 2011, Lebanon has become a refuge for a large number of displaced persons. Although not a party to the Convention relating to the Status of Refugees, Lebanon provides them with assistance and is fully upholding the principle of non-refoulement.

(b) No information provided.

(c) All administrative decisions are subject to review at the request of the party concerned.

(d) No information provided.

(e) Municipalities hosting large numbers of refugees enforced curfews as an exceptional and time limited measure for security and social reasons. The enforcement of these curfews was abandoned after a short period.

(f) In February 2017, the Minister of the Interior and Municipalities issued a decree waiving the residency fee for Syrian refugees who had registered with the Office of the United Nations High Commissioner for Refugees before 1 January 2015 and had the relevant registration card.

Summary of the information received from stakeholders

(a) According to MENA Rights Group and Global Detention Project, the situation has worsened, with Syrians continuing to be deported, including cases of refoulement. There are no procedural safeguards against refoulement and domestic legislation remains inadequate regarding the principle of non-refoulement. According to ALEF – Act for Human Rights, despite a dramatic decrease in the number of deportations, owing to the closure of the border with the Syrian Arab Republic in 2020 and 2021 as a result of the coronavirus disease

(COVID-19) pandemic, 863 cases of refolement were officially confirmed in December 2020.

(b) According to MENA Rights Group and Global Detention Project and ALEF – Act for Human Rights, Lebanon has not amended its legislation, and refugees and asylum seekers remain at high risk of administrative detention, sometimes for years. MENA Rights Group and Global Detention Project reported cases of torture and ill-treatment of refugees in incommunicado detention.

(c) According to ALEF – Act for Human Rights, access has not been facilitated to appeal procedures against decisions regarding detention or deportation. According to MENA Rights Group and Global Detention Project, in practice, the judicial authorities rarely scrutinize or review the legality of detention.

(d) According to ALEF – Act for Human Rights, despite a decrease in the number of evictions due to the financial crisis and the COVID-19 pandemic, a new wave of evictions was confirmed at the end of 2020. Security personnel were often deployed too late to avoid violent clashes.

(e) According to MENA Rights Group and Global Detention Project and ALEF – Act for Human Rights, discriminatory curfews targeting non-nationals and restrictions were imposed by 21 municipalities on Syrian refugees during the COVID-19 pandemic.

(f) According to ALEF – Act for Human Rights, the residency fee waiver has not been extended to include refugees who are not currently covered by it.

Committee's evaluation

[C]: (a), (b), (c), (d) and (f)

While noting the information on the State party's commitment to upholding the rights of refugees and asylum seekers, the Committee remains concerned at the absence of information about any specific measures taken to implement the recommendations contained in subparagraphs (a), (c) and (f). It also regrets the absence of any information from the State party on the recommendations contained in subparagraphs (b) and (d). The Committee reiterates its recommendations and requests information on any concrete steps taken within the reporting period to implement them.

[B]: (e)

The Committee welcomes the information that the curfews introduced in municipalities hosting large numbers of refugees were lifted after a short period and requests additional information about the specific measures taken to ensure that curfews remain an exceptional measure and that those that were imposed were lawful and strictly justified under the Covenant.

Paragraph 40: Migrant domestic workers

Summary of the information received from the State party

The regulation of migrant workers raises several human rights challenges and has therefore been a priority for successive governments.

The Act punishing the crime of trafficking in persons (No. 164 of 2011) provides for the criminalization of trafficking in persons and protection and assistance for victims. It is based on relevant international standards and various State entities are responsible for its implementation.

The State party has taken other legislative initiatives, including a bill to regulate decent working conditions for domestic workers, in accordance with the International Labour Organization Domestic Workers Convention, 2011 (No. 189) and the Domestic Workers Recommendation, 2011 (No. 201). The bill was referred to the Council of Ministers in 2014. Additionally, Decree No. 168/1 of 2015 regulates recruitment bureaux for domestic workers.

The State party has taken steps to prevent the exploitation of migrant workers, including by regularly monitoring employment bureaux and blacklisting those that are found to have violated the relevant standards.

Domestic workers who are in a dispute with their employers can submit a complaint to the Ministry of Justice, which will aim to reach an amicable settlement. Complainants can also appeal to the competent courts. A hotline has been set up within the Ministry of Labour to receive complaints from domestic workers.

The State party has taken awareness-raising measures, including efforts by the National Steering Committee for Monitoring Migrant Workers, in 2012, to develop a guide on migrant workers' rights and duties and make it available in multiple languages. The unified employment contract, signed by the employer and the worker, has also been translated into multiple languages.

The Ministry of Social Affairs has contracts with women's shelters, migrant workers have been included in the national strategy for social development and the Ministry has a media campaign on abolishing the *kafala* system.

Summary of the information received from stakeholders

ALEF – Act for Human Rights

Labour law protection has not been extended to domestic workers, who still rely completely on their employer. Nevertheless, the court of labour arbitration has jurisdiction over cases of migrant domestic workers, despite the fact that they are excluded from the labour code. The Ministry of Labour has worked on a protection framework that includes a specific contract to protect migrant domestic workers, but that work has halted, leaving them with no protection mechanisms.

Committee's evaluation

[C]

The Committee notes the information on legal reforms relevant to the protection of domestic workers, including Act No. 164 and Decree No. 168/1 of 2015. However, that information was already available to the Committee at the time of the adoption of the recommendation. The Committee also notes the steps taken to ensure that domestic workers are aware of their rights and can access available remedies, and to reform recruitment practices with a view to protecting domestic workers against abuse. Nevertheless, the Committee is concerned at the absence of information about concrete measures taken to implement its recommendation to strengthen existing protections for migrant domestic workers. It reiterates its recommendation and requests information on measures taken to implement all parts of its recommendation, including the development and material scope of the unified employment contract.

Recommended action: A letter should be sent informing the State party of the discontinuation of the follow-up procedure. The information requested should be included in the State party's next periodic report.

Next periodic report due: 2028 (country review in 2029 in accordance with the predictable review cycle).