



EXECUTIVE SUMMARY
THE NATIONAL ACTION PLAN FOR HUMAN RIGHTS IN LEBANON
2014-2019

As for the right to work, the plan recognizes the need for balance between the perspective of workers who rely on their work to earn their living, and the interest of employers in maintaining labour costs within reasonable limits. Hence, the plan identifies some challenges and impediments related to the right to work and to social security. The right to work still needs to be reformed despite the serious official efforts exerted to overcome such challenges. The efforts exerted include the establishment of a number of institutions aiming at ameliorating the situation of workers and protecting labour rights, such as the National Labour Council, and the National Employment Office. Therefore, the plan suggests the initiation of legislative reforms to protect the right to work and to social security. Such reforms are based upon the unification of relevant bodies and authorities, with a special attention to the regulation of child protection, the prohibition of human trafficking, and the Lebanese and foreign workers. With regard to social security, reforms should embrace the provision of social security to all citizens, the fair treatment of all workers in different sectors, and the establishment of a connection between the outputs of education and the labour market. Reforms target also the role of the Ministry of Labour in labour control and inspection as well as the regulation of the finances of the National Social Security Fund.

As for the right to health care, it faces many challenges in Lebanon, because of a shortage in funds mainly due to spending burdens, huge arrears, limited efficiency compared to costs, lack of justice in providing medical care to beneficiaries and the deprivation of eligible persons of social security and end of service benefits. However, certain achievements realized within the sector despite poor resources should be praised. These mainly include health improvement, greater life expectancy at birth, lower infant mortality rates, improved control over the spread of communicable diseases and epidemics, and increased health awareness. The plan stresses on the need for coordination between insurers and the Ministry of Health. It also highlights the need for a unified public insurance programme, making the right to good health and the principle of health for all a reality. It suggests that health care systems must be financially and technically managed and supported by a qualified pharmaceutical industry that promotes the manufacture and rationalizes the use of medicines.

Regarding the right to education, the plan acknowledges that the principles of free and compulsory education are applied in Lebanon. However, their implementation is challenged, mainly due to unequal opportunities across different geographical areas, the different levels of student achievement at private and public schools, and the imbalance of higher education fields that students choose to study. Furthermore, there is a need to improve the quality of education (including higher education), to improve curriculums, to empower educational staff, and create a stimulating learning environment. Therefore, the plan recommends improving the ties between education and human rights. It suggests that the Parliament issues a law that provides for compulsory education up to the legal age regardless of nationality. It also calls for the Council of Ministers and public administrations to put that approach into practice by executing the relevant national strategy, integrating human rights in education, and promoting equality in classrooms.

The plan also recommends empowering Lebanese universities and rationalizing the use of resources in education. To this end, it stresses on the importance of cooperation among all parties involved in education to achieve these goals. According to its recommendations, education roles should be distributed among a number of stakeholders. Private and public educational institutions are expected to provide qualified teachers, improve the learning environment and contribute to development. Local administrations are expected to ensure that all children enroll in schools and combat child labour. The plan also involves parents and teachers alike for the success of this initiative. Non-governmental institutions and media play a supervisory role and raise awareness, while maintaining a high level of cooperation with international organizations.

With regard to the right to housing, housing issues in Lebanon still need to be addressed. Despite the large number of international players who have acknowledged the right to housing and the efforts that the Lebanese government has exerted to solve this matter, in terms of housing or regulating the landlord-tenant relationship, the country's economic situation makes it more complicated for the government to find a remedy in this regard. In fact, the Lebanese people have suffered from a significant housing crisis. There are a lot of marginalized, disadvantaged and poor groups of people. The Rent Law has been extended since 1992 and the real estate sector witnessed an exponential growth. Although many initiatives have been launched in this regard, the improvement of housing is still far from reality.

The Parliament plays a substantial role in reforming the laws to make the right to housing a reality. This can be initiated through the amendment of the Rent Law and the laws regulating construction. Executive authorities can set strategies and policies to meet housing needs and rehabilitate slums. Likewise, the plan affirms the necessity to meet various transportation needs, and direct tax measures to this end.

With regard to the right to culture, the economic situation has negatively affected the Lebanese cultural scene. The high cost of living has put cultural products out of reach of the majority, which makes them affordable to the elite only. Despite the tremendous efforts exerted by the Ministry of Culture, the challenge still outweighs the efforts.

In order to face this challenge, the plan entrusts the Parliament with the duty of ensuring that Lebanon adhere to the conventions supporting the right to culture. It should also make all necessary legislative amendments to replace any prior control over cultural products with a subsequent one. Executive institutions are requested to undertake a few missions aiming at ensuring cultural pluralism. These include the protection of archaeological sites, the protection of intellectual property rights, the establishment of research centers, and a greater attention to museums and cultural centers.

As for the protection of the environment, there are a lot of international references which address this matter. Lebanon, however, does not have clear legal regulations for the protection of the environment, nor does it have adequate social awareness or

15. THE RIGHT TO A HEALTHY ENVIRONMENT

1-The Council of Ministers and public administrations

- a. Apply the guidance strategy for quarries. Shut down law breaching quarries and oblige the relevant investors to rehabilitate them. (ST)
- b. Promote reforestation and reduce deforestation. (ST)
- c. Implement the provisions of the UN Convention on the Law of the Sea ratified by Lebanon on 5/12/1995, to ensure greater protection of Lebanon marine environment (articles (192), (194), (195) and (196)). (MT)
- d. Enforce the Lebanese legislation. The Lebanese legal system comprises laws that can contribute to the preservation of natural resources. Such laws must be enforced through the involvement of the various sectors concerned. Necessary application decrees must also be issued to implement the provisions of the Law for the Protection of the Environment. Strict sanctions should be imposed to prevent environmental violations and combat environmental organized crimes. (MT)
- e. With regard to environmental awareness (MT)
 - Ensure effective media participation to preserve the human right to a healthy environment.
 - Organize awareness and educational seminars and workshops on the human right to a healthy environment.
 - Organize training sessions for employees in charge of public affairs, especially environmental issues, and on the integration of the environmental laws and human rights.
 - Develop environmental programmes in cooperation with governmental and non-governmental agencies, civil society organizations and the private sector to promote the human right to a healthy environment, subject to Law no. (444/2002).
- f. Maintain the Ministry of Environment's environmental guidance policy to incorporate different environmental concepts into different sectors such as with, civil society, public and private sectors. To this end, the following is needed: (MT)
 - Distributing periodical reports on the progress achieved according to the policy defined.
 - Organizing environmental events in connection to human rights (e.g. Human Rights Day) to clarify the connection existing between human rights and the environment.
 - Launching promotional and advertising programmes on the environment plan.
 - Enhancing partnerships and cooperation with the private sector and developing relevant volunteering programmes.
- g. With regard to finance (MT)
 - Increase the budget of the Ministry of Environment for it to perform its duties until it is able to be autonomously funded through natural reserve fees collection and other resources.
 - Develop a clear legal framework for the Environment Fund to turn the Ministry of Environment into a self-sufficient public administration that can effectively

handle all environment and technical issues. Exert all efforts necessary to get external funding from all local and international partners.

h. With regard to the implementation of effective regulations (MT)

- Fully and comprehensively implement laws and regulations Grant all individuals the right to resort to official administrations to get all information necessary, learn more about the environmental situation, and resort to judicial authorities, when necessary, in order to fulfill their environmental rights and enforce the implementation of effective laws.
- Protect public rivers and shores and remove all encroachments for the free reuse of shores and rivers by the public. (MT)
- Implement the national plan for the management of solid waste and strictly prevent unregulated dumps in valleys, especially landfills. (MT)
- Develop natural reserves, forests and public parks in accordance with the general regulations of the Land Department in Lebanon. Develop a special law for the protection and management of such spaces. (MT)

2- The judiciary

Enshrine the human right to a healthy environment, primarily by strengthening the institutional capacities of the Lebanese judiciary. Incorporate the course of 'Environmental Law' in the training curriculum of judges at the Judicial Institute. Develop additional training programmes in environmental laws, particularly for public prosecution officers and judges in charge of adjudicating environmental crimes. (MT)

16. WOMEN'S RIGHTS

1- The Parliament

- a. Lift Lebanon's reservations on the Convention on the Elimination of all Forms of Discrimination against Women. (ST)
- b. Ratify the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women (1999). (ST)
- c. Define and amend local laws and regulations which discriminate against women (through a committee composed of members of the commissions mentioned above and a representative of the Administration and Justice Parliamentary Committee). (ST)
- d. Approve the draft law referred to the Parliament on the equality between women and men in social insurance and tax law. Approve the draft law on removing all restrictions imposed on financial assets of wives whose husbands have been declared bankrupt (*). (ST)
- e. Approve the Law on the Protection of Women from Domestic Violence, which provides for preventive and deterrent punitive measures and issue relevant application decrees. Also, issue application decrees for the Law on the Prohibition of Human Trafficking approved by the Parliament (Law no. (164) dated 1/9/2011), as well as legislation and policies protecting victims of human trafficking. (ST)
- f. Issue a standard optional law for personal status in line with the Convention on the Elimination of all Forms of Discrimination against Women. (MT)
- g. Amend the Nationality Law provisions regarding Lebanese women married to foreign nationals, and their children. (MT)
- h. Invite the Parliamentary Human Rights Committee to cooperate with the United Nations and the public and private sectors to organize educational sessions for the members of the Parliament, officials, teachers and lawyers to raise the awareness on the provisions of the Convention on the Elimination of all Forms of Discrimination against Women, and empower and build women's capacities. (MT)
- i. Enact a law to extend the maternity leave period. (MT)
- j. Enact a law whereby the minor children of a Lebanese mother, who has lost her foreign husband for any reason, are entitled to the Lebanese nationality as a fundamental civil right. (MT)

2- The Council of Ministers and public administrations

- a. Take special measures (provisional positive measures) such as the implementation of the quota system, in order to expedite the establishment of equality in terms of women's participation in decision-making and the government. (ST)
- b. Develop and implement comprehensive programmes to promote and support a culture of gender equality. (MT)
- c. Emphasize on the special needs of women in the post-war era. Implement UN Security Council's Resolution no. (1325), for the year 2000, on "Women, Peace and Security". (MT)
- d. Implement socio-economic women empowerment programmes to improve women's economic participation, with special emphasis on rural women. (MT)

17. CHILDREN'S RIGHTS

1- The Parliament

- a. Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (signed by Lebanon in 2002). (ST)
- b. Ratify the Third Protocol to the Convention on the Rights of the Child on a complaints mechanism for violations of children's rights (2011). (ST)
- c. Continue amending children related provisions until they are in full compliance with the Convention on the Rights of the Child (CRC) and other relevant instruments, based on a comparative study between Lebanese legislation on children and the CRC. Create complete files including the reasons for which existing laws should be amended or new laws issued for the benefit of children. (ST)
- d. Conduct a comparative study between Lebanese laws and the CRC in order to draft a standard law on child rights, as children require special care and legal protection. (MT)
- e. Enact a standard law protecting children's rights, and issue application decrees for any such laws issued. (MT)
- f. Amend the Penal Code, particularly its article (186) therein. This article currently allows parents and teachers to discipline their children according to customary practices. There is an urgent need for a special law to protect children from all forms of violence, particularly domestic violence and physical punishment at school. (MT)
- g. Amend Law no. (422/2002) on Children at Risk or Children Violating the Law in accordance with the provisions and principles of the Convention on the Rights of the Child and other relevant international conventions. By virtue of the amendment, the age of criminal responsibility should become 12, trials should be confidential, there should be a room at the Ministry of Justice dedicated to the interrogation of juveniles without the use of police stations, judgments rendered in relation to offenses may be appealed and a special security unit dedicated to juveniles should be established; this could be a police unit dedicated to the interrogation of juveniles and to public prosecution. (MT)
- h. Amend the Juveniles Law in line with the principles of the Convention on the Rights of the Child and other relevant conventions. Replace prisons with correctional and rehabilitation facilities. The resort to a correctional facility for the shortest period required is in the best interest of juveniles, because of the harm they suffer from at any institution and that is almost impossible to avoid. (MT)

2- The Council of Ministers and public administrations

- a. Make education free and compulsory for children until the age of 15, in line with the International Labour Organization Convention concerning Minimum Age for Admission to Employment. (ST)
- b. Support the development of the National Strategy and Action Plan for Children (*) with the involvement of children and youth. Define and prioritize the needs of marginalized and disadvantaged children, like children with disabilities, non-

- citizens, refugee children, rural children, children without parental care, working children, migrant workers' children and street children. (ST)
- c. Address gaps in the legal and practical protection of refugee children including Palestinians. (MT)
 - d. Grant children born to a Lebanese mother and a foreign father the right to have the Lebanese nationality. (MT)
 - e. Build institutional capacities by training judges for instance to issue judgments on the basis of the Convention on the Rights of the Child, the International Convention for the Elimination of All Forms of Discrimination against Women, and other similar human rights conventions ratified by Lebanon. (MT)
 - f. Support the establishment of systems to offer free counseling and legal services to children. (MT)
 - g. Create an Ombudsman for children with necessary financial and human resources. (MT)
 - h. Develop a national contingency plan and focus on children since Lebanon is continuously exposed to violations. (MT)
 - i. Give utmost priority to early childhood, as it is an important milestone for human development. Provide a healthy education and knowledge environment to help children develop, master knowledge and acquire the skills needed to access such sources of knowledge. This will also help every child understand himself and achieve his full potential. Therefore, there is an urgent need for quality education and standards that define the competence of educators. (MT)
 - j. Cooperate with the Ministry of Social Affairs to define the standards and regulations governing contracts with child care institutions. Support the family child care programme as an alternative to institutional care and ensure its required funding. (MT)
 - k. Approve a health insurance programme based on the compulsory medical card for children whose parents are not covered by Social Security. (MT)
 - l. Protect children from sexual abuse, support psychosocial rehabilitation programmes for sexually abused children, and impose harsher sanctions on perpetrators. (MT)
 - m. Develop permanent coordination mechanisms: enhance the role of the Higher Council for Childhood by increasing its budget and provide technical capacities for strategic development. (MT)
 - n. Conduct a nationwide analysis of the status of children's rights, especially the marginalized/vulnerable children. Regularly publish regularly information about children's status (gender, religion, region, disability, citizenship, etc.). These measures are necessary as the current national progress indicators are unreliable and fail to reflect regional discrepancies or the situation of distinct groups of children in Lebanon. (MT)
 - o. Ensure the regular submission of reports to Human Rights bodies, such as the Convention on the Rights of the Child, the Universal Periodic Review, and the Convention on the Elimination of all Forms of Discrimination against Women. (MT)
 - p. Publish the reports and final observations of the International Committee on the Rights of the Child in Geneva on the periodical official report submitted by Lebanon

in order to enable all those who work with children to be informed of these reports, comply with them and contribute to the improvement of the situation of children. (MT)

- q. Conduct in-depth studies about violence against children, children living in specialized institutions, refugee children and early marriages. (MT)
- r. Allocate appropriate national and municipal budgets to children. (MT)
- s. Incorporate the Convention on the Rights of the Child into Lebanon's educational curriculum. (MT)
- t. Integrate children with disabilities into the official educational system to the maximum extent possible in line with a comprehensive education for all approach (*). (MT)
- u. Allow civil organizations, particularly those concerned with child affairs and complying with specific scientific norms, to file civil actions when the rights of children are violated. (MT)
- v. Ensure the Ministry of Education includes cultural programmes at public and private schools. (MT)
- w. Involve the media in the enhancement of child rights by providing guidance and orientation programmes and involving children in the making of such programmes. (MT)
- x. Enhance the role of the Higher Council for Childhood. (MT)
- y. Protect children from economic exploitation, working on the street, and being traded for illegal adoption. (MT)
- z. Continue to appeal for technical and financial assistance to support the removal of land mines as children are among the most vulnerable groups in the Lebanese society and are always exposed to unexploded ordnances (*). (MT)

3- Lebanese and international civil society organizations

- a. Ensure children and civil society players participate in the development, execution and allocation of relevant budgets. (ST)
- b. Enhance the role of children and civil society in submitting periodical reports to international human rights bodies. (ST)
- c. Build the capacities of civil servants, including specialists working for and with children (e.g. teachers, psychologists, social workers, health professionals, justice police officers, police officers and lawyers). (ST)
- d. Organize awareness campaigns for families, children and schools on the protection from domestic violence and physical punishment - at schools and homes. (ST)
- e. Train religious authorities on the implementation of the Convention on the Rights of the Child and involve them in national plans due to their influence in the Lebanese society. (ST)
- f. Distribute child friendly copies of the Convention on the Rights of the Child in Arabic to children. (ST)