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I. BACKGROUND AND FRAMEWORK

A. Introduction

1. The demographic composition of Lebanon is highly diverse, with a multitude of different ethnic, religious and cultural communities living together in relative harmony. However, Lebanon also houses various groups which are highly vulnerable, and not all communities are granted equal rights and protection under the law. All of these vulnerable groups face obstacles and discrimination when trying to assert their rights, receive protection or access basic social services. Existing difficulties have worsened due to an economic crisis that has impacted all aspects of Lebanese society, and which has led to a prolonged period of protests across the country in 2019. While some measures have been taken by the Lebanese authorities since the last UPR to improve the overall human rights situation in the country, progress continues to be slow.

B. Scope of International Obligations

2. Lebanon is party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (CESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Convention on the Rights of the Child (CRC).ⁱ

3. Lebanon has signed, but not ratified, the International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED), the Convention on the Rights of Persons with Disabilities (CRPD) and the two protocols of the CRPD and the CRC respectively.ⁱⁱ At the last UPR, Lebanon supported recommendations to complete ratification of the CRPD, the

ICPPED and the two protocols of the CRPD and the CRC respectively. Lebanon is not a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW), to the Convention Relating to the Status of Refugees (Refugee Convention), nor to the protocols to the ICCPR, the CESCRC and the CEDAW respectively.

C. Constitutional Framework

4. While the Lebanese Constitution was adopted in 1926, substantial amendments were introduced in 1990 to incorporate the 1989 Taif Peace Agreement, concluded at the end of the Civil War (1975-1990). The 1926 Constitution introduced a parliamentary system, while the National Pact of 1943 and the 1990 amendments disaggregated the three branches of government, rearranged the distribution of power and balanced the representation of the different religious sects.

5. The Lebanese Constitution specifically ensures a number of civil and political rights. Article 7 provides a general guarantee of equality, but only for Lebanese citizens. Article 9 guarantees an absolute freedom of conscience and the freedom to exercise religious rites, as long as these do not disturb the public order. Article 10 protects the freedom of education, as long as it does not disturb the public order or violate the morals, and grants communities the right to create their own private schools. Article 11 establishes Arabic as the official national language, while French will be used as determined by the law. Finally, Article 13 protects the freedom of opinion, expression, press, assembly and association, which are ‘guaranteed within the scope of the law’.

II. HUMAN RIGHTS VIOLATIONS

D. Right to Equality and Non-Discrimination

Articles 2 and 7 UDHR; Articles 2 and 26 ICCPR; Article 2(2) ICESCR, Articles 2 and 5 ICERD; Article 2 CRC

6. While Article 7 of the Lebanese Constitution guarantees the right to equality and non-discrimination of all Lebanese citizens, it does not extend this right to non-nationals. Furthermore, several groups who are covered by this constitutional provision still experience discrimination and inequality in Lebanon.

7. The Lebanese government has granted official status to 18 religious groups, which include different Christian, Muslim, Jewish and Druze communities. Other religious groups, such as Bahá'í, Hindus, Buddhists, Jehovah's Witnesses, members of the Church of Jesus Christ of the Latter-day Saints and various Protestant evangelical groups have not been officially recognised.ⁱⁱⁱ This system of official recognition continues to have serious consequences for the rights and treatment of those groups that remain unrecognised, leading to members of unofficial religious communities to register themselves as belonging to one of the recognised religions. Such alignment is necessary in order for members of unofficial religious communities to be able to vote, apply for IDs and passports, work for the government, run for office, or occupy higher public functions.^{iv}

8. In addition, personal status matters, including marriage, divorce, child custody or inheritance, are not regulated by a single civil code, but rather by 15 separate personal status laws applicable to each of the 18 recognised religious groups. Separate religious courts exist to apply these laws.^v Unrecognised religious communities and non-believers are left with no choice but to align themselves with one of the official religions for their personal status to be regulated by one of the personal status laws and to be adjudicated by one of the religious court systems.^{vi} More generally, this legal construction creates a system of unequal treatment,

in which different legal rules are applied depending on religious affiliation.

9. While Lebanon expressed support for many of the recommendations made during the last UPR which focus on promoting gender equality and ending gender-based discrimination (recommendations 79, 80, 82-87, 126, 129, 136, 144, 148, 160, 161, 178, 195, 204), no substantial changes have been implemented during the reporting period. **Women** continue in particular to be negatively affected by the plurality of personal status rules and by the absence of a civil personal status law – especially in relation to matters of marriage, divorce, child custody, property and inheritance rights.^{vii} Women systematically encounter obstacles when asserting their rights, stemming both from the current personal status laws and their application by the religious courts. Religious courts have a high level of discretion, there is little judicial oversight over their proceedings and judgements, and women face difficulties accessing legal and financial support.^{viii}

10. Members of the **Lesbian, Gay, Bisexual and Trans (LGBT) community** continue to face discrimination and violence as well. While several judgments have found that consensual sex between same-sex individuals is not unlawful,^{ix} Article 534 of the Lebanese Penal Code which prohibits ‘sexual intercourse contrary to the order of nature’ remains in force and the number of people arrested on the basis of Article 534 increased in 2018.^x Arbitrary arrests on the basis of suspicion of same-sex relations continue to take place, while those detained are harassed, assaulted or threatened with anal examinations.^{xi} Transgender individuals systematically face violence and threats of violence by relatives and the general public.^{xii} They do not receive protection from the authorities and on the contrary, they are commonly subjected to arbitrary arrests and detention and assaulted by law enforcement officials. These individuals also encounter obstacles when trying to access basic social services. Transgender refugees remain particularly vulnerable in this regard.^{xiii}

11. Other marginalised groups also face discrimination and inequality when trying to access basic social services. At the last UPR, Lebanon supported the recommendations aimed at protecting and integrating people with disabilities (recommendations 19, 20, 183-193). However, **people with disabilities** still had difficulties accessing health care, due to financial constraints, inadequacy of services and insufficiency of information. Individuals also reported instances of exploitation, violence and discrimination on the basis of gender, disability or refugee status.^{xiv} Likewise, children with disabilities do not have equal access to education, as they are often refused admission, receive inadequate education or cannot physically enter school buildings.^{xv}

12. While Lebanon supported multiple recommendations related to the protection of refugees and migrants at the last UPR (recommendations 195, 198, 199, 205 and 207), few substantial changes have been implemented. Indeed, both **refugees and migrant workers** remain especially vulnerable to discrimination, as they are not Lebanese citizens and therefore not protected by the constitutional provisions on the right to equality. Refugees have been subjected to restrictive government policies, including the restriction of employment to only a few sectors, stringent residency regulations and discriminatory laws which prevent refugees from accessing basic social services and ownership rights. The inability of many refugees to pay for the residency visa and long bureaucratic procedures have meant that they remain in Lebanon illegally, makes them particularly vulnerable to arbitrary detention, deportation and violence.^{xvi}

13. With regard to **migrant workers**, in principle Lebanese labour standards apply to foreign workers as well, granting them the right to minimum wage, reasonable working hours and holiday pay. However, application of these laws to foreign workers has been irregular and

employers often deny migrant workers their labour rights. Working conditions are often harsh and even though some groups of migrant workers can join labour unions under Lebanese labour law, they cannot elect or be elected as union representatives, and foreign workers who actively seek to organise themselves have been detained or deported.^{xvii} In addition, the *kafala* system, which ties the legality of the stay of migrant workers to their employer through direct sponsorship, remains operative and continues to severely restrict the rights and freedoms of these workers.^{xviii}

E. Right to Freedom of Religion or Belief

Article 18 UDHR; Articles 18 and 27 ICCPR; Article 5(d)(vii) ICERD; Articles 14 and 30 CRC

14. The right to freedom of religion or belief has generally been considered to be well-protected in Lebanon. Apart from article 9 of the Lebanese constitution, which guarantees the freedom to exercise religious rites under the protection of the state, the Penal Code specifically prohibits issuing calls to strife and sedition on the basis of religion, and penalises contempt for religious rites, disruptions of religious ceremonies, infringements of religious conversions and blasphemy. While some of these provisions can participate in the protection of freedom of religion or belief, when applied in line with human rights standards, a number of these prohibitions and the way they are implemented violate other rights, including the right to freedom of expression.^{xix}

15. During the last UPR, Lebanon was encouraged to ‘continue its policy of tolerance and diversity among the different ethnic and religious groups’ (recommendation 90). The report of the Special Rapporteur on freedom of religion or belief on his mission to Lebanon in 2015 was overall positive on the right of people in Lebanon to freely practice their religions or

beliefs. While certain religious groups, mainly those who do not enjoy official recognition, face discrimination and other disadvantages in Lebanon, they generally feel sufficiently free and protected to exercise their faith. New houses of worship continue to be built,^{xx} and the renovation of the 1925 Maghen Abraham Synagogue was completed in 2019.^{xxi}

F. Right to an Adequate Standard of Living

Article 25 UDHR; Article 11 ICESCR; Article 2(2) ICERD; Article 27 CRC

16. At the last UPR, Lebanon committed to combatting poverty and protecting the most vulnerable groups in society (recommendations 170 and 171). However, in October 2019 protests erupted throughout the country, in relation to the country's economic crisis, rising poverty levels, inadequate living standards and a general absence of social security. The World Bank forecasted in late 2019 a sharp increase in unemployment levels, a significant recession and the possibility of poverty levels to rise to 50% of the population in 2020.^{xxii} Persistent economic hardship, exacerbated by the COVID-19 crisis, continues to worsen as food prices go up, inflation increases and more and more people have lost their source of income.^{xxiii}

17. In addition, there is a crisis within the healthcare system, caused by the state's failure to reimburse hospital bills and a general shortage of dollars, which impedes the ability of hospitals to pay their staff and import or purchase medical goods.^{xxiv} Furthermore, while an integrated solid waste management law was adopted by Parliament in September 2018, government plans still involve the creation of new landfills. In the meantime, trash left in the streets and the open burning of waste severely impacting the health of nearby residents.^{xxv}

18. The poorest and most vulnerable communities in Lebanon have been hit hardest by the current circumstances. The conditions which previously impeded the access of vulnerable groups, such as LGBT people, people with disabilities, refugees and foreign workers, to basic social services have worsened. Some LGBT people are increasingly isolated due to the current crises, as they often cannot rely on family support networks or official government channels for assistance.^{xxvi} People with disabilities and their specific needs have been largely absent in the Lebanese response to the COVID-19 pandemic, and they struggle to receive access to important information.^{xxvii} While refugee populations have generally been excluded from the government's response to the various crises, populist rhetoric blames the existing economic crisis and the spread of the virus on the refugees.^{xxviii} Some foreign workers have been unjustifiably detained and are unable to return to their home countries, while others have lost their jobs and have been left out in the streets.^{xxix}

G. Right to Peaceful Assembly and Protest

Articles 2 and 20 UDHR; Article 21 ICCPR; Articles 4(c) and 5 (ix) ICERD; Articles 15, 17(d) and 30 CRC

19. While Article 13 of the Constitution guarantees freedom of assembly, the 1911 Public Assemblies Law and subsequent amendments regulates the organisation of assemblies. It stipulates that the Ministry of Interior and local administrative authorities need to be notified of any planned assembly and that authorities can prohibit assemblies which threaten national security, public order or public morality, and which would contravene public interests. Authorities have previously used these regulations to prohibit assemblies from taking place.^{xxx}

20. A workshop on human rights, organised by the Arab Foundation for Freedoms and Equality (AFE) in August 2017, was shut down by General Security Forces when they ordered the venue to cancel the event. Again, in September 2018, the General Security Forces forced a venue to cancel a conference organised by the AFE on gender and sexuality, questioned the executive director of the AFE and took the details of all participants.^{xxxix} Several non-Lebanese activists and academics who had taken part in the conference were subsequently barred from entering Lebanon.^{xxxix} In May 2018, events organised for Beirut Pride were suspended after the Internal Security Forces interrupted a theatre reading and took the organiser of Beirut Pride into custody.^{xxxix}

21. During the last UPR, Lebanon supported the recommendation to ensure that its security forces operate according to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials during peaceful demonstrations (recommendation 99). However, violence by security forces against peaceful protestors has repeatedly taken place throughout the reporting period. Since the start of widespread protests in October 2019, Security Forces have used excessive force against peaceful protesters and reporters,^{xxxiv} and have used tear gas, water cannons, rubber bullets and live ammunition to disperse the crowds.^{xxxv}

22. In November 2019 one of the protesters, Alaa Abou Fakhr, was shot and killed in Khalde by military forces.^{xxxvi} In addition, the Internal Security Forces have threatened and assaulted protesters and reporters and subjected them to arbitrary detention, during which these individuals faced further abuse and were denied access to lawyers, medical care or contact with relatives. Reports have emerged that some detainees were subjected to mock executions and forced confessions.^{xxxvii} Furthermore, security forces have failed to protect peaceful protestors from violence committed by other, non-state actors, and have not arrested those

responsible for these attacks.^{xxxviii}

III. RECOMMENDATIONS

MRG urges the Working Group to recommend the following to the Lebanese Republic:

- *Complete ratification of the ICPED, CRPD and the two protocols to the CAT and CRC, and accede to the CRMW, the Refugee Convention and the protocols to the ICCPR, the CESCRC and the CEDAW.*
- *Establish an independent national human rights institution in line with the Paris Principles.*
- *Reform the system of personal status laws to end discrimination against religious minorities, non-believers and ensure that personal status rules and court proceedings to implement them are not discriminatory towards women and girls.*
- *Secure the human rights of lesbian, gay, bisexual and transgender persons by repealing Article 534 of the Lebanese Penal Code and by protecting lesbian, gay, bisexual and transgender persons from discrimination in law and practice.*
- *Enhance the domestic legal framework to promote human rights, security and equality of non-nationals in Lebanon, in particular refugees and migrant workers.*
- *Ensure sufficient and non-discriminatory access to basic social services for vulnerable groups, including LGBT people, people with disabilities, refugees and*

migrant workers, and ensure that vulnerable groups have access to food, water, healthcare and other basic needs.

- *Include vulnerable groups in all government plans and strategies which aim to address the current socio-economic crisis and involve them in the design of these plans.*
- *Ensure that the security forces, including the military, when peaceful demonstrations, are trained to apply and effectively respect the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and are sanctioned and held accountable when they fail to do so.*
- *Launch a thorough, independent and effective investigation into human rights abuses committed during the protests.*

ⁱ <https://indicators.ohchr.org/>.

ⁱⁱ <https://indicators.ohchr.org/>.

ⁱⁱⁱ <https://reliefweb.int/sites/reliefweb.int/files/resources/mrg-briefing-religious-minorities-in-lebanon.pdf>.

^{iv} <https://alefliban.org/publications/annual-report-2018/>.

^v <https://alefliban.org/publications/annual-report-2018/>; <https://undocs.org/pdf?symbol=en/A/HRC/31/18/Add.1>.

^{vi} <https://undocs.org/pdf?symbol=en/A/HRC/31/18/Add.1>.

^{vii} <https://www.hrw.org/news/2019/11/01/lebanons-women-have-fought-change-and-should-get-it>;

<https://www.musawah.org/wp-content/uploads/2019/03/Lebanon-Overview-Table.pdf>.

^{viii} <https://www.hrw.org/world-report/2020/country-chapters/lebanon>; <https://www.hrw.org/report/2015/01/19/unequal-and-unprotected/womens-rights-under-lebanese-personal-status-laws>; <https://www.musawah.org/wp-content/uploads/2019/03/Lebanon-Overview-Table.pdf> <https://www.hrw.org/report/2015/01/19/unequal-and-unprotected/womens-rights-under-lebanese-personal-status-laws>.

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^{xi} <https://www.amnesty.org/en/latest/news/2019/05/lgbt-community-activism-in-lebanon-a-story-of-existence-and-oppression/>.

^{xii} <https://www.hrw.org/news/2019/10/07/he-wanted-beat-woman-out-me>.

^{xiii} <https://www.hrw.org/report/2019/09/03/dont-punish-me-who-i-am/systemic-discrimination-against-transgender-women-lebanon>; <https://www.hrw.org/news/2019/09/03/lebanon-end-systemic-violence-against-transgender-women>.

^{xiv} [http://www.annd.org/data/file/files/Policy%20brief Health%20access%20 15122017_4%20page.pdf](http://www.annd.org/data/file/files/Policy%20brief%20Health%20access%2015122017_4%20page.pdf);

<http://www.annd.org/data/file/files/PwH%20.pdf>.

^{xv} <https://www.hrw.org/news/2019/07/17/lebanon-steering-further-away-inclusion>;

<https://www.hrw.org/news/2018/03/23/open-classrooms-children-disabilities>; <https://www.hrw.org/report/2018/03/22/i-would-go-school/barriers-education-children-disabilities-lebanon>.

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^{xviii} <https://www.hrw.org/news/2018/04/06/lebanon-migrant-workers-abuse-account>; <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>

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^{xx} <https://www.reuters.com/article/us-lebanon-architecture/beirut-skyline-captures-religious-rivalry-and-harmony-idUSKBN13I0WX>; <https://www.admiddleeast.com/this-mosque-lebanese-is-a-contemporary-piece-of-islamic-architecture>.

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^{xxiv} <https://www.hrw.org/news/2019/12/10/lebanon-hospital-crisis-endangering-health>.

^{xxv} <https://www.hrw.org/news/2019/08/10/lebanon-no-quick-fixes-trash-crisis>; <https://www.hrw.org/report/2017/12/01/if-youre-inhaling-your-death/health-risks-burning-waste-lebanon>.

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^{xxxviii} <https://www.amnesty.org/en/latest/news/2019/11/lebanon-authorities-must-protect-protesters-from-violent-attacks-by-government-supporters/>; <https://www.amnesty.org/en/latest/news/2019/10/lebanon-authorities-must-protect-peaceful-protesters-and-respect-their-right-to-assemble/>; <https://www.hrw.org/news/2019/11/08/lebanon-protect-protesters-attacks>.