

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1481
Land:	Syrien
Kilde:	UN Country Team
Titel:	Universal Periodic Review of Lebanon, 3 rd Cycle - Submission by the United Nations Country Team
Udgivet:	26. marts 2020
Optaget på baggrundsmaterialet:	5. maj 2021

Universal Periodic Review of Lebanon, 3rd Cycle

Submission by the United Nations Country Team¹

26 March 2020

Contents

I.	Introduction.....	3
II.	Promotion and protection of human rights.....	3
A.	Engagement with international human rights mechanisms.....	3
B.	Institution-building for national human rights mechanisms.....	3
C.	Civil and Political Rights.....	4
	<i>Death penalty</i>	4
	<i>Prohibition of torture and cruel, inhuman and degrading treatment</i>	4
	<i>Detention</i>	5
	<i>Independence of the judiciary and jurisdiction of military courts</i>	5
	<i>Prohibition of slavery, trafficking</i>	5
	<i>Enforced disappearance</i>	6
	<i>Freedom of opinion and expression</i>	6
	<i>Freedom of peaceful assembly and association</i>	6
D.	Economic, Social and Cultural Rights.....	7
	<i>Adequate standard of living including housing</i>	7
	<i>Education</i>	8
	<i>Labor rights</i>	9
	<i>Health</i>	9
	<i>Social Protection</i>	10
E.	Groups at risk.....	10
	<i>Women and girls</i>	10
	<i>Lesbian, gay, bisexual and transgender persons</i>	12
	<i>Children</i>	12
	<i>Youth</i>	13
	<i>Persons with disabilities</i>	13
	<i>Migrant workers</i>	14
	<i>Refugees, asylum seekers and displaced persons</i>	14

I. Introduction

1. The UPR review of Lebanon comes at a critical moment, as the Government seeks to restore public confidence and address grievances that have triggered unprecedented nationwide public demonstrations amidst a serious economic crisis.² Ensuring the protection and realization of human rights will be critical for these efforts to succeed.

II. Promotion and protection of human rights

A. Engagement with international human rights mechanisms

Ratification of international treaties and conventionsⁱ

2. Since the last UPR review, Lebanon did not ratify any of the core international human rights treaties to which is yet to become a party.³
3. Recommendations:
 - Implement recommendations supported by the Government in 2015 to ratify the CPED, CRPD, OP-CRPD, and OP-CRC on the involvement of children in armed conflict; and take steps to ratify all of the core international human rights and statelessness treaties.

Cooperation with treaty bodiesⁱⁱ

4. Over the past five years, the Government of Lebanon submitted long-overdue reports under the international human rights treaties, bringing the country up to date on most of its reporting obligations,⁴ with the exception of the initial report under the OP-CRC on sale of children, child prostitution and child pornography, overdue since December 2006.
5. Recommendations:
 - Continue to meet reporting obligations under the human rights treaties, ensure timely submission of reports due in 2021 (CAT, ICESCR) and 2023 (ICCPR, CRC), and submission of initial report to CRC-OP.

B. Institution-building for national human rights mechanisms

6. Lebanon accepted several recommendations to establish both a National Human Rights Institution (NHRI) and a National Preventive Mechanism (NPM).⁵

National Human Rights Institutionⁱⁱⁱ

7. In November 2016, the Parliament adopted Law No. 62 on the Establishment of the National Commission for Human Rights (the Commission). The Commission has a mandate to protect and promote human rights in Lebanon, to monitor and report on human rights, to review the legislation and to receive and process individual complaints on alleged human rights violations.

National Preventive Mechanism^{iv}

ⁱ Recommendations 132.1-132.28, 132.56, 132.62, 132.156.

ⁱⁱ Recommendation 132.77.

ⁱⁱⁱ Recommendations 132.42-132.55, 132.63, 132.64, 132.80, 132.147, 132.160, 132.186.

^{iv} Recommendations 132.45, 132.57-132.59, 132.60, 132.61.

8. Within the Commission, the Law establishes a National Preventive Mechanisms (NPM), as required under OP-CAT.⁶ The NPM is composed of five of the Commission's ten members, and has the power to visit all places of detention, interview inmates, monitor and report on its findings, and to process individual cases of alleged ill-treatment.
9. Pursuant to Law No.62, all Lebanese authorities are obliged to cooperate with the Commission and the Committee. The establishment of these institutions should enhance promotion and protection of human rights in Lebanon. However, there have been significant delays in making the Commission and the NPM operational, including a lengthy process in appointing the members.⁷ As of end February 2020, both mechanisms had yet to become operational, and had not received a dedicated budget.⁸
10. Recommendations:
 - Allocate sufficient budget for the NHRI and NPM so that they may operate effectively and independently.

C. Civil and Political Rights

Death penalty^v

11. The moratorium on executions remains informal, with no commitments from the Government to consider abolition of the death penalty.
12. Recommendations:
 - Declare an official moratorium on the use of the death penalty with a view to its abolition from the penal code, and commute the sentences of prisoners already sentenced to death.

Prohibition of torture and cruel, inhuman and degrading treatment^{vi}

13. Lebanon supported several recommendations to criminalize torture in line with international standards. In April 2017, the Committee against Torture had also recommended that Lebanon issue legislation to ensure an absolute prohibition of torture, defining clear penalties and the removing statute of limitation.
14. On 20 October 2017, the Parliament adopted Law No. 65 on the Punishment of Torture and Other Cruel, Inhuman or Degrading Treatment.⁹ Concerns have been raised, including from the UN Human Rights Committee, that the law does not meet international standards.¹⁰ In January 2020, the Lebanese Parliamentary Human Rights Committee started considering amending Law No. 65.¹¹
15. A case of alleged torture concerning a Lebanese man, Mr. Hassan Dika, who died in detention on 11 May 2019,¹² had been closely followed by OHCHR since January 2019. On 14 May 2019, the UN High Commissioner for Human Rights issued a public statement calling for a thorough, effective and independent investigation into the death.¹³
16. Recommendations:
 - Amend Law No. 65 with the aim to align it with the recommendations of the UN Human Rights Committee and the Committee against Torture.

^v Recommendations 132.101-132.109.

^{vi} Recommendations 132.35, 132.36, 132.45, 132.57-132.59, 132.61, 132.111-132.120, 132.124, 132.34, 132.206.

- Introduce robust safeguards in the criminal justice system aimed at prevention and elimination of ill-treatment.

Detention^{vii}

17. Lebanon accepted two recommendations to improve the conditions in prisons and places of detention.^{viii} During visits by lawyers from the Bar Associations of Beirut and Tripoli to detention facilities in December 2019, Bar members reported that conditions in several detention facilities were such that they could amount to ill-treatment. According to the ISF, the overcrowding ratio has reached 275% in prisons and 351% in detention centres inside police stations and House Courts.¹⁴
18. In September 2019, the Ministry of the Interior and Municipalities (MoIM) launched a "Roadmap for Transitioning to a Rehabilitative Detention System", which aims to address the most pressing flaws of the prison's system, as well as enhance coordination amongst all actors involved, including UN agencies.¹⁵
19. In 2018, the UN Human Rights Committee expressed concern over reports of arbitrary and extrajudicial arrest and detention by security forces; the practice of incommunicado detention, with no access to a lawyer; frequent violations of the 48-hour deadline to bring an arrestee before a judge; the large number of prisoners held in pre-trial detention and prolonged pre-trial detention without an access to a council; and the pre-trial detention of children. The Committee further noted reports of the prolonged administrative detention of asylum seekers and refugees.¹⁶
20. Recommendations
 - Fully implement the Mandela Rules with regard to the administration and conditions in detention and prison facilities.

Independence of the judiciary and jurisdiction of military courts^{ix}

21. Lebanon noted a recommendation to limit the Military Tribunal's jurisdiction to members of the armed forces and to enhance the independence of the judiciary. Concerns have repeatedly been raised by the Human Rights Committee about the broad jurisdiction of military courts that extends to civilians,¹⁷ as well as about political pressure reportedly exerted on the judiciary, including in the appointment of key prosecutors and investigating magistrates.¹⁸
22. Recommendations
 - Remove the jurisdiction of military courts over civilians.
 - Strengthen efforts to project the independence of the judiciary from political interference.

Prohibition of slavery, trafficking^x

23. On 28 May 2018, a bill was presented to the Council of Ministers to developing a comprehensive law to combat human trafficking, including a mechanisms for identifying and providing protection for victims, and steps have been take to develop standard operating procedures for victim of trafficking identification, assistance and protection.¹⁹
24. Recommendations:

^{vii} Recommendations 132.121-132.123.

^{viii} Recommendations 132.121, 132.122.

^{ix} Recommendation 132.149.

^x Recommendations 132.143-148.

-
- Adopt a national action plan and comprehensive anti-trafficking law in line with international standards.
 - Ensure proper identification and protection of victims of trafficking, including the non-criminalization of victims.
 - Establish a fund to assist victims of trafficking.

Enforced disappearance^{xi}

25. Lebanon accepted two recommendations to address the issue of enforced disappearances. Law No. 105 on the Missing and Forcibly Disappeared was passed on 13 November 2018. The law foresees the establishment of the National Commission for Missing and Enforced Disappearance, tasked with investigating enforced disappearances. The law enshrines the right for all families to know the fate of their missing or forcibly disappeared family members and relatives. As of end February 2020, action had still to be taken to appoint the commissioners and allocate a budget to make the Commission operational.
26. Recommendations:
- Implement Law No. 105 and establish and make operational the National Commission for Missing and Enforced Disappearance.

Freedom of opinion and expression^{xii}

27. Lebanon noted one recommendation to assure freedom of expression.²⁰ Notwithstanding the constitutional protection of freedom of opinion and expression,²¹ several pieces of legislation continue to restrict certain topics of speech, including the criminalization of blasphemy, in addition to defamation, insult and criticism, in particular of the President, public officials, public institutions, the flag, or national emblem.²² There is also the occasional practice of censorship, in particular of artistic works that might cause religious offence.²³
28. There have been several criminal investigations and prosecutions against individuals on allegations of insult or defamation of public officials. Recently, several defamation charges have been brought against protesters and journalists for opinions expressed through social media in the context of demonstrations. At the international level, since 2016, seven communications on Lebanon by the UN Special Procedures included the mandate on freedom of opinion and expression.²⁴
29. Recommendations:
- Ensure the full respect for freedom of expression, including personal opinions and convictions expressed through social media and other platforms.
 - Ensure that LGBT communities are afforded their full right to freedom of opinion of expression without discrimination on the basis of sexual orientation and gender identity.

Freedom of peaceful assembly and association^{xiii}

30. The wave of nationwide demonstrations that began in October 2019 are ongoing as of the time of writing, albeit to a lesser degree. While the protests have been by and large peaceful, there have been documented reports of violence, riots and vandalism on several occasions by smaller groups of protesters and counter-protesters. The right to assembly has been generally respected and the

^{xi} Recommendations 132.16, 132.110.

^{xii} Recommendation 133.2.

^{xiii} Recommendation 132.99.

conduct of the security forces largely proportionate.²⁵ However, there have been credible reports of incidents of excessive use of force by security forces.²⁶

31. Recommendations:

- Conduct prompt, thorough, independent, transparent and impartial investigations into alleged excessive use of force and ill-treatment by security forces in the context of the protests.
- Ensure that all law enforcement personnel are adequately equipped and trained to engage in crowd-control operations in strict compliance with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- Take all necessary steps to ensure the safety of peaceful protestors and create an enabling environment for demonstrators to exercise their rights without fear of harassment, intimidation, reprisals, threats or violence, including through prompt investigations into such acts.

32. Cases of anti-union discrimination continue to be witnessed in the different economic sectors (private and public). In May 2019, the prime minister issued a memo (No. 14/2019), based on Decree number 112/ 12-6-1959, warning civil servants from striking or expressing their opinion about national budget discussions. In May 2018, police used force to end a strike of employees of a public hospital in Sidon and arrested the leaders of the trade union committee.

33. Recommendation:

- Take all the necessary actions to protect trade union rights in line with international labour standards.

Political participation and representation

34. On 6 May 2018, Lebanon held its first parliamentary elections in nine years under a new electoral law. Out of 128 seats, only six women and three persons under the age of 35 were elected to Parliament, whereas persons with disabilities encountered significant obstacles during the voting process. Spurred by the popular protests, electoral reform has reemerged as a political priority, which provides an important opportunity to enhance the inclusiveness of the electoral framework.

35. Recommendations:

- Improve participation and representation of women in elections, including through the adoption of temporary special measures, and enhance youth and persons with disabilities' participation in electoral processes through lowering the voting age and enhancing accessibility.

D. Economic, Social and Cultural Rights

Adequate standard of living including housing^{xiv}

36. Lebanon received several recommendations to combat poverty and improve living conditions, especially for the country's most marginalized populations including asylum seekers and refugees. Lebanon supported the call to improve economic and social rights, including housing.^{xv}

37. The grave economic situation, has increased social exclusion and financial hardship for many households in Lebanon.²⁷ With regard to adequate housing, the Parliament passed a new rent law in 2017, in an effort to improve the tenure security of hundreds of thousands of households holding old rental agreements. The new law still fails to define a comprehensive and clear rent policy and rules

^{xiv}Recommendations 132.166, 132.168, 132.169, 132.171, 132.209, 132.213, 132.170.

^{xv} Recommendation 132.166.

for the determination rental rates.

38. There are mounting concerns over the security of tenure of tenants due to the unofficial currency exchange rate soaring up to 50% over the official USD peg to the Lebanese pound (LBP). Tenants are facing an increasing and real risk of eviction due to landlords pressuring to receive rent payments in USD, despite dollars being in extremely scarce supply, which translates to a 50% increase of their rent payment. Where this is not feasible, tenants are being forced to leave their homes.²⁸ Refugees also face risks of evictions by local authorities due to perceived threats to the environment, availability of resources or security.
39. Recommendations:
- Security of tenure should be ensured to the most disadvantaged and vulnerable groups at the highest risk of eviction.
 - Legislators should introduce an overarching national housing policy, including a rent policy that ensures equitable access to housing by different income groups.
 - Ensure respect for due process guarantees and the rule of law when considering evictions of refugees from sites in municipalities.

Education^{xvi}

40. Lebanon supported all recommendations it received concerning the strengthening of its education system, including improving accessibility and quality. Though the law stipulates that basic education is compulsory and free until the age of 15 in public schools, this remains to be fully implemented.²⁹ The public education system in Lebanon remains inadequately resourced, with a government budget of about US\$1.2 billion annually – approximately 2.45% of GDP.³⁰
41. The protracted nature of the refugee crisis, aggravated by the mounting economic and political instability, has overstretched the capacity of the already weak public education system, despite important support from the UN, and adversely affected the most vulnerable Lebanese and refugee children. These children face multiple barriers, including difficulties in physically accessing schools, as well as higher dropout rates on account of greater risk of child labour or child marriage. The Ministry of Education and Higher Education (MEHE) developed non-formal education programs, with the support of UN and other partners, to provide access to learning for vulnerable children (including street children) to help them reintegrate into formal education or youth employability programs.³¹
42. A large-scale revision of the education curriculum is underway, including to improve teacher training. To be effective, such efforts needs to include a professionalization strategy/entry requirements for the teaching corps, enhanced capacity of institutions and longer-term strategies.
43. Recommendations:
- Ensure that basic education³² is free of all costs and attended by all children, including children with disabilities, stateless, refugee, and migrant children.
 - Establish a formal mechanism for identification and referral of out of school children to formal education and other learning opportunities.
 - Address the issue of regional disparities in the number of teachers by ensuring a decent living wage for teachers, and improve the teaching profession through training and capacity building.
 - Develop a costed road map to enhance alignment of main system components - such as curriculum/learning, learning environments, and school and classroom management - in line

^{xvi} Recommendations 132.69, 132.139, 132.173-132.177, 132.179-132.182, 132.187, 132.191-132.193.

with SDG4 targets.

- Ensure a unified education management information system to improve the quality and timeliness of education data.

Labor rights^{xvii}

44. Lebanon noted several recommendations related to labour rights, in particular concerning working conditions for Palestine refugees from Lebanon (PRL).
45. Between July and October 2019, the Ministry of Labor (MoL) implemented a plan called, “Action against Illegal Foreign Employment on the Lebanese Territory”. The plan focused on the implementation of existing laws and obligations, launching a nation-wide crackdown on non-compliant employers and irregular employees.³³ The plan undermines the protections of a refugee under international law by classifying displaced Syrians into two categories, ‘refugees’ and ‘migrant workers’, and by stating that the MoL will withhold work permits for refugees registered with UNHCR.
46. Palestine refugees from Lebanon are still prohibited from practicing 39 professions due to the precondition of holding the Lebanese nationality, or having to meet the reciprocity of treatment condition in order to access the profession. PRL are required to obtain an annual work permit from the Ministry of Labor to work legally in Lebanon. According to the amended Labor Law 129/2010, PRL employees can obtain this work permit free of charge, but it is bound to the will of their employer and requires a cumbersome administrative procedure. Furthermore, PRL workers do not benefit fully from the National Social Security Fund as per their contributions, nor can they access other social security benefits including sickness, maternity, and family allowances funds.
47. Recommendations:
- Take the necessary actions to respect the fundamental principles and rights at work for all workers, and reform the labour legislations to be in line with international labour standards through social dialogue with workers and employers organizations.
 - Amend the syndicated by-laws to allow skilled Palestinian professionals to work legally in the 39 restricted professions in Lebanon.
 - Facilitate the acquisition of work permits for refugees by reducing requirements and by ensuring that refugees with legal residency based on a UNHCR certificate can apply for and obtain work permits in the sectors where refugees are allowed to work. Amend the Labor Law, recognizing the special status of Palestine refugees from Lebanon and exempting them from the requirements to obtain a work permit in Lebanon.
 - Amend the National Social Security Fund (NSSF) Law to ensure that Palestinian refugees from Lebanon are able to fully exercise their right to social security, thus ensuring they contribute to the NSSF only to the extent of the benefit they can receive.

Health^{xviii}

48. Lebanon received several recommendations to improve accessibility and quality of health services, the majority of which it supported. Lebanon’s health care sector is dominated by private health providers, and health care is mainly financed by out-of-pocket expenditures. The National Social Security Fund provides health insurance to employees in the formal sector as well as their dependents; it is also available through private providers.

^{xvii} Recommendations 132.162-132.165, 132.184, 132.197, 132.202, 132.203.

^{xviii} Recommendations 132.172, 132.178, 132.185, 132.190, 132.217, 132.26.

49. In Lebanon, health services in areas hosting many refugees have come under pressure to meet the additional demand. To alleviate some of the pressure, mobile medical units have been made available, providing basic primary healthcare services in remote communities. The Government has further invested in upgrading 30 public hospitals across Lebanon. UNHCR and other actors, in partnership with the Government, have taken the lead to provide Syrian refugees with access to healthcare. With funding from the international community, Syrian refugees are provided access to healthcare through the national health system, to reduce parallel structures and increase efficiency and effectiveness.
50. Mental healthcare in Lebanon is limited in terms of geographic coverage and availability. Quality of care for children and youth is compromised by lack of accreditation standards for mental health and substance abuse treatment centres that consider the particular needs of young people. The country also lacks enough mental health professionals that are specialized in the treatment of children and adolescents. Many people suffering from a mental health issue do not seek treatment due to the associated social stigma, as well as misconceptions about mental health disorders.
51. Recommendations:
- Ensure that access to health care facilities, goods and services are accessible and affordable for everyone.
 - Improve guidelines for Mental Health Psychosocial Support (MHPSS) interventions designed for children and adolescents.
 - Enable nationwide free psychological counselling for children and youth.
 - Launch awareness-raising campaigns to combat the social stigma associated with mental health issues.

Social Protection

52. Social protection in Lebanon is significantly underdeveloped, underfinanced and characterized by programmes with limited coverage or inefficient.³⁴ It urgently needs to be strengthened as a growing number of people risk falling into poverty in the context of the economic crisis.³⁵
53. In 2019, the Ministry of Social Affairs initiated the work with the Ministry of Labour and other ministries to establish a National Social Protection Policy with the technical support of partners.³⁶
54. Recommendations:
- Develop the National Social Protection Policy with a clear institutional leadership.
 - Provide cash-based social assistance based on a transparent and socially acceptable targeting mechanism of vulnerable groups.
 - Ensure short-term financial viability of the National Social Security Fund (NSSF), while further strengthening its governance and capacity, reducing delays in benefit delivery, and reviewing potential mechanism for extension of coverage to categories of workers currently unprotected.
 - Protect national budget allocations to ensure affordable basic services in the public system.

E. Groups at risk

Women and girls

a. National Action Plan on Women, Peace and Security

55. On 12 September 2019, Lebanon endorsed the country's first National Action Plan (NAP) on United Nations Security Council Resolution 1325 on Women Peace and Security for the 2019 – 2022 period.³⁷ In its Ministerial Statement of 6 February 2020, the new Government reiterated its commitment to enacting the Plan and achieving gender-equality by abolishing all forms of discrimination against women and girls in Lebanese law and regulations.

56. Recommendations:

- Accelerate the implementation of the National Action Plan on UN Resolution 1325 and adopt the necessary legislation and decrees as well as other related steps, including sufficient financial support, to bring to an end all discrimination against women and girls.

b. Discrimination in nationality laws^{xix}

57. Lebanon noted several recommendations on allowing women to confer their nationality to their children and foreign husbands, as restricted in the Nationality Law of 1925. Some progress is underway insofar as gender equality in the Nationality Law is under discussion, and draft proposals aimed at addressing this issue have been presented by several parliamentarians and political parties.³⁸

58. Recommendations:

- Withdraw its reservation to Article 9(2) of CEDAW and amend the Nationality Law (1925) to allow women to pass the citizenship to their children

c. Gender-based violence^{xx}

59. The adoption of Law No. 293 in 2014 on the protection of women and other family members from domestic violence has contributed to strengthening the capacity of institutions to address violence. This is especially noticeable in the courts where, following the adoption of the law, some judges have issued judicial decisions that expand the interpretation of the law around the concept of violence. Security institutions have also taken steps to improve their ability to deal with domestic violence.³⁹

60. Lebanon noted several recommendations that called for increasing and standardizing the age of marriage to combat the practice of child and early marriage. Yet, the 15 religious-based personal status laws, which delimit the conditions for *inter alia* marriage, are regulated by confessional standards and vary considerably, some of which allow the marriage of girls as young as nine years.⁴⁰

41

61. Calls for a unified civil personal status law to regulate marriage, divorce, guardianship, custody, and inheritance were renewed during nationwide protests that began in October 2019. A draft bill on setting the minimum age for marriage at 18 across all denominations is currently under review by parliamentary committees. In 2019, a National Child Marriage Action Plan was developed in collaboration with Ministry of Social Affairs (MoSA) and the Higher Council for Children, with a draft plan due to be finalized in early 2020.

62. UNFPA, UNDP and UN Women led the elaboration of the national gender justice report (2018), launched under the auspices of the Minister of State for Women's Affairs. The report aims at identifying the strengths and weaknesses of the legal frameworks related to sexual and gender-based violence in Lebanon.⁴² A roadmap was finalized to capture all recommendations/actions

^{xix} Recommendations 132.30-132.32, 132.78, 132.79, 132.81, 132.82, 132.84, 132.85, 132.87-132.89, 132.93, 132.155, 132.204.

^{xx} Recommendations 132.91, 132.125-128, 132.219, 132.212, 133.1.

needed to realize gender justice.

63. In August 2017, Parliament abolished Article 522 of the Penal Code, which previously exonerated a perpetrator of rape from prosecution if he married his victim. However, exoneration for sexual assault of a minor is still provided in certain circumstances under Articles 505 and 518, if the perpetrator marries his victim.

64. Recommendations:

- Adopt a state civil law, prohibiting child marriage, and setting the legal minimum age for marriage at 18 years for everybody.
- Amend articles 505 and 518 of the Criminal Code to ensure that perpetrators of rape incur criminal responsibility without exception and regardless of the age of the victim.⁴³

Lesbian, gay, bisexual and transgender persons^{xxi}

65. Discrimination, hate speech and harassment against LGBT individuals persist and Lebanese law continues to criminalize same-sex relations.⁴⁴

66. Recommendations:

- Explicitly prohibit discrimination on the basis of sexual orientation and gender identity and repeal article 534 of the Criminal Code.

Children^{xxii}

a. Child labor

67. Lebanon supported all five recommendations that called for measures to combat child labour. Under Lebanese Labor Law (1946), the minimum age of employment is 14 years, and it is further forbidden to set children below 18 years of age to work more than six hours per day. However, the refugee crisis has increased households' vulnerability, social exclusion and economic hardship. An increasing number of children are working long hours for low wages, often in work that is hazardous, exposing them to violence, exploitation and abuse, and depriving them of education.

68. In particular, exploitation of Syrian refugee children in Lebanon is increasing. The majority of these children are working in the informal sector and thus fall outside of government inspection and monitoring. Due to the deterioration of the economic conditions, many Syrian refugee families send their children to work as negative coping mechanism to survive. Very often, refugee children will work alongside other family members, contributing their wages to support the household. The working conditions of many Syrian children are often grave, and they are often compelled to beg on streets.⁴⁵

69. Recommendations:

- Introduce integrated, cross-ministerial interventions to ensure that child labor is addressed through an inter-sectoral and comprehensive approach that includes social policy, education, health and child protection.
- Raise the minimum age for labor from 14 to 15 to align with the age of compulsory education 6-14.

^{xxi} Recommendations 132.93-98

^{xxii} Recommendations 132.33, 132.37, 132.92, 132.128, 132.130-132, 132.136, 132.138, 132.140-142, 132.150, 132.151, 132.153, 132.154, 132.157.

b. Juvenile justice

70. Lebanon received several UPR recommendations with regard to reforming juvenile/child justice, including increasing the age of criminal responsibility (currently 7 years of age), and putting an end to corporal punishment. The Parliamentary Committee on Women and Children is working on amending the relevant legislation, in collaboration with relevant ministries and UNICEF.⁴⁶
71. There are worrying reports of children being detained with adult prisoners in many detention facilities in Lebanon. The Law established juvenile courts, but the coverage of the courts is severely lacking. Moreover, the Committee on the Rights of the Child expressed concern about reports of torture and ill-treatment of children in detention.⁴⁷ Juvenile judges state that children in need of protection and child victims/witnesses are far more than children in conflict with the law.
72. Recommendations:
- Raise, as a matter of priority, the minimum age of criminal responsibility to 14 years, in line with the comments of the Committee on the Rights of the Child.⁴⁸
 - Promote alternatives to detention and take effective measures to improve the condition of detention and prison facilities for children in conflict with the law including segregating children from adult prisoners, and ensure that deprivation of liberty of children is used only as a measure of last resort and for the shortest appropriate period of time.
 - Continue to strengthen the quality and availability of specialized juvenile courts and judges, police officers, child advocates and lawyers, prosecutors and social workers.

Youth

73. At its last review, Lebanon did not receive any recommendations focussing on the rights of youth. Yet, having in mind that young people under 25 represent over 40% of the population in Lebanon, it is critical that youth participation in public affairs is prioritised by government policies and initiatives.⁴⁹
74. Societal norms in Lebanon have consistently excluded young people from participation in public affairs beyond a supportive, non-speaking role, despite their potential as powerful agents of change.
75. Recommendations:
- Systematically involve young people in all stages of decision-making processes, including by ensuring information on consultation processes is accessible to young people.
 - Adopt and implement the action plan for the Youth Policy in Lebanon.⁵⁰

Persons with disabilities^{xxiii}

76. Lebanon committed to ratifying the Convention on the Rights of Persons with Disabilities (CRPD), which is expected to be submitted to parliament for action. In addition, new laws on disability rights are being discussed by both the Parliamentary Human Rights Committee and the Parliamentary Committee on the SDGs.
77. Although Law 220/2000 calls on the State to provide persons with disabilities with full medical coverage and health care, the ministerial circulars to adopt the disability card for hospitalization are not respected in most public hospitals. Outpatient medical support in terms of medical care,

^{xxiii} Recommendations 132.183-132.193, 132.217.

laboratory and medicine are not provided either. In addition, there are few opportunities for community-based rehabilitation.

78. Children with disabilities continue to face significant challenges in access to education, health and protection services. There are no family support services or specialized case management and referral services for children with disabilities, which leads to high rates of institutionalization (over 7,000 children in institutions). Children and young persons with intellectual disabilities are at high risk of experiencing violence, including sexual abuse. Concerning education, Law 220/2000 stipulates the right of persons with disabilities to education within “regular or special classes”. However, though the law makes provisions for a parallel system (*i.e.* inclusive education and special education), it does not clarify how the decisions for special or inclusive classes should be made.⁵¹

79. Recommendations:

- Accelerate ratification of the Convention on the Rights of Persons with Disabilities.
- Develop a national policy around persons with disabilities determining priority areas for action.
- Develop an inclusive education policy (from early childhood to tertiary education), roadmap and financing plan, with close coordination with disabled persons’ organizations.
- Create social protection schemes for persons with disabilities.

Migrant workers

80. Migrant workers remain highly vulnerable to discrimination and human rights abuse and are afforded inadequate legal protection and access to remedies.

81. Recommendations:

- Dismantle the sponsorship system for migrant workers, including migrant domestic workers; expand labour law protection for these workers; introduce a standard employment contract; and provide effective remedies for their protection.⁵²

Refugees, asylum seekers and displaced persons^{xxiv}

a. Deportation

82. Lebanon received numerous recommendations related to the situation of refugees and asylum seekers, most of which it noted. Recommendations included providing an effective registration process, combatting discrimination, and developing a legal framework to define and protect the rights of refugees and displaced persons in general. Recommendations expressly mentioned both Palestinian and Syrian refugee populations.

83. Since Lebanon’s last review, the issue of deportation of Syrian refugees and Palestine refugees from Syria has come to the forefront, raising serious concern regarding Lebanon’s adherence to the principles of due process and *non-refoulement*.⁵³ In April 2019, the Higher Defence Council (HDC) adopted a decision on stricter measures against irregular entry.⁵⁴ This was later followed by an instruction by the General Security Office⁵⁵ providing for the deportation of Syrians apprehended for irregular entry after 24 April 2019 and their handing over to the Syrian authorities. Deportations based on these decisions started being implemented in May 2019.

84. These deportations are normally executed following only a verbal confirmation from the Public Prosecution, without the judicial review required by Article 88 of the Lebanese Penal Code.⁵⁶ Consequently, Syrians are not afforded the possibility to have an independent assessment as regards

^{xxiv} Recommendations 132.38, 132.39, 132.40, 132.74, 132.167, 132.206, 132.207, 132.210, 132.211, 132.214-216, 132.154.

the possibility of persecution, torture, inhuman or degrading treatment or punishment upon a deportation, as required pursuant to the CAT, ICCPR and CRC. UNHCR has documented cases of Syrians who have been arrested and detained upon deportation to Syria.

85. The United Nations, and notably UNHCR, has raised the need to apply the procedural safeguards set out in the national law in these deportation cases with the Government of Lebanon and its authorities. While fully acknowledging Lebanon's right to manage its borders and prevent illegal migration, the United Nations has stressed the need for due process to ensure respect for the principle of *non-refoulement* in individual cases.

86. Recommendations:

- Ensure full respect for the principle of non-refoulement by applying the procedural safeguards provided for in national law, notably Article 88 of the Lebanese Penal Code, which prescribes that deportation can only take place on the basis of a court decision.
- Fully implement Lebanon's *non-refoulement* obligations under international law, and ensure that this obligation is given due consideration by national courts based on the priority that the *Lebanese Constitution* gives to international law.
- Establish a mechanism that enables persons in need to seek international protection at Lebanon's border crossings, within the framework of a protection-sensitive border management.

b. Legal residency

87. Lebanon noted four recommendations related specifically to legal residency for refugees. Despite steps taken by the Government to facilitate access to legal residency,⁵⁷ a considerable number of refugees are still unable to obtain a temporary residence permit in Lebanon.⁵⁸ The rate of legal residency among Syrian refugees has continued to decline.⁵⁹

88. Recommendations:

- Apply the 2017 fee waiver in a full and inclusive way across the country, and further facilitate all refugees' access to legal residency by waiving the fee for temporary residence for all categories of refugees.

c. The situation of Palestinian refugees

89. Lebanon noted several recommendations that specifically addressed the rights of Palestinian refugees, including as regards access to the labour market,⁶⁰ property rights, and birth registration. Since 2001, Palestine refugees from Lebanon (PRL) are prevented from acquiring or transferring immovable property in Lebanon.⁶¹ No positive legislative changes have taken place during the period under review to give PRL the right to own, transfer and register immovable property in Lebanon. This situation has led to insecurity of tenure as many PRL have been forced into informal rental arrangements and have been deprived of the benefits of property ownership.

90. Recommendations:

- Eliminate the discriminatory practices against Palestine refugees from Lebanon (PRL) regarding their right to property ownership in Lebanon, and amend the Lebanese Legal Framework to ensure the protection of their security of tenure.

¹ The present submission was prepared by members of the UNCT in Lebanon. The report was drafted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for the Middle and North Africa (ROMENA), with the substantive input from the UNCT members: United Nations Children's Fund (UNICEF), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Entity for Gender Equality and the Empowerment of Women

(UN Women), United Nations Population Fund (UNFPA), Office of the United Nations Special Coordinator for Lebanon (UNSCOL), United Nations High Commissioner for Refugees (UNHCR), United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), International Labour Organization (ILO), International Organization for Migration (IOM), United Nations Development Programme (UNDP), United Nations Human Settlements Programme (UN-HABITAT), United Nations Office on Drugs and Crime (UNODC), and World Health Organization (WHO).

² 17 October 2019 marked the beginning of Lebanon's biggest protests in years as a response to the Government's failure to address the economic crisis, and triggered by the circulation of information about new taxes, including on WhatsApp calls, as part of an austerity budget. While there have been a number of incidents of violence, riots and vandalism, both by protesters and counter-protesters, by and large, protests across the country have been carried out in a peaceful manner, bringing together people across all age groups, walks of life and political and religious groups. Women have played a prominent role during the protests, as also documented in a UN Women document: "Understanding the role of women and feminist actors in Lebanon's 2019 protests" available at: <https://arabstates.unwomen.org/en/digital-library/publications/2019/12/gendering-lebanons-2019-protests>.

³ Namely, the Convention for the Protection of All Persons from Enforced Disappearance (CEPD), the Convention on the Rights of Persons with Disabilities (CRPD), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as seven optional protocols

⁴ 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.

⁵ Concerning the National Human Rights Plan (NHRP) [2014-2019], it worth noting that the plan was never formally ratified by the Lebanese Parliament (Parliament); rather, it took note of its development. No specific budget line was set to see through its implementation, though certain aspects under the plan were taken forward including the establishment of the NHRI. UNDP and OHCHR have initiated discussion with the Parliament to update the map for the coming period.

⁶ When Lebanon acceded to OP-CAT in December 2008, it assumed the obligation to establish a NPM within one year.

⁷ The ten members of the Commission were only sworn in in July 2019. This was followed by the election of the presidents of the Commission and the Committee, and members of the Bureau of the Commission, in November 2019.

⁸ Original provision of the Law on the budget was amended in 2019, stipulating that a specialized chapter would be created for the Commission under the Prime Minister Office's Chapter of the General Budget. This reiterated that the Commission was an independent entity on the financial and administrative level. However, the Lebanese 2020 General Budget, which was adopted in January 2020, failed to stipulate any such budget for the Commission. It is worth noting that under Article 18 of OP-CAT, States parties "undertake to make available the necessary resources for the functioning of the national preventive mechanisms".

⁹ Law No. 65/2017. The Law amended the Lebanese Penal Code by including an absolute ban against torture, and defines the requisite elements of the crime as well as the sanctions. Further, the amendments require courts to determine a measure of rehabilitating victims of torture, in addition to personal compensation. The Criminal Procedure Code (CPC) was also amended to make inadmissible any evidence obtained through torture, and to specify the prosecution of torture crimes. By virtue of Article 3 of Law No. 65/2017 and Article 10 of the CPC, the crime of torture is subjected to the ten-year statute of limitation, which starts to run with the victim's release.

¹⁰ In March 2018, in its Concluding Observations on the third periodic report of Lebanon, the Human Rights Committee noted with concern that Law No. 65/2017 does not meet the requirements of article 7 of the Covenant, as it: (a) limits the definition of torture to situations of investigation, interrogation, judicial investigation, trial and punishment; (b) fails to criminalize cruel, inhuman and degrading treatment or punishment; (c) includes a statute of limitations for prosecuting torture; (d) prescribes penalties that do not reflect the gravity of the crime; and (e) does not provide for effective remedies and reparation (arts. 2 and 7).

¹¹ There is no publicly available data on the implementation of the Law No. 65 to show how many cases of torture crime have been reported, prosecuted and sanctioned by the courts. It has been reported that no such cases have been processed by the judiciary since the adoption of this law. The common perception is that ill-treatment is widespread as a method of interrogation, with the aim of extracting a confession and subsequently securing a conviction. Practicing lawyers as well as NGOs assert that defendants suspected of terrorism and those processed by the military judiciary for serious crimes, have been subjected to ill-treatment to confess and they confessed under duress. In July 2017, the Army stated that four arrested Syrian men died in detention. The investigation led by the military judicial authorities concluded that the deaths were attributable to detainees' chronic diseases, and not to any injuries. However, the details of the investigation and the relevant documents have not been made public, and allegations of torture persist.

¹² Suspected of drug dealing, Mr. Dika was arrested in November 2018. During the interrogation, according to his father, he was severely beaten, subjected to electro-shocks and forced nudity in order that he sign a confession. Mr. Dika's request for a transfer to a medical facility for necessary treatment was denied, and his lawsuit against the authorities for the torture suffered was rejected. During his detention, Mr. Dika was allegedly held in a small, severely overcrowded underground cell without adequate ventilation or lighting. In April 2019, reportedly unable to walk or stand, he was admitted to hospital, dying shortly after on 11 May 2019.

¹³ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24609&LangID=E>

¹⁴ The United Nations Office on Drugs and Crime (UNODC) deems that, as of October 2019, over 2,000 detainees are held in ISF police stations. Since 2018, UNODC has been coordinating with the Lebanese Armed Forces (LAF) regarding the improvement of detention conditions, and ensuring minimum basic needs such as health kits for prisoners and improving food distribution.

¹⁵ The Roadmap is linked to SDG 16 to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”.

¹⁶ See CCPR/C/79/Add.78.

¹⁷ See: CCPR/C/LBN/CO/3, para. 43; CCPR/C/79/Add.78, para. 14

¹⁸ CCPR/C/LBN/CO/3, paras. 41-42.

¹⁹ IOM has been supporting the Counter-trafficking unit of the ISF to improve the capacity and skills of the unit to effectively respond to trafficking in persons (TIP) challenges, and the identification of victims and their referral to specialized services. A counter-trafficking working group (CTWG) developed standards operating procedures for victim of trafficking identification, assistance and protection. It comprises representatives from the Ministry of Justice including a representative of the Juvenile Department, the Ministry of Labor, the Ministry of Social Affairs, Internal Security Forces (ISF), General Security (GS); representative from the Prime Minister office and NGOs. This initiative was supported by IOM, OHCHR, UNICEF, UNODC, and UNHCR. The draft SOPs is yet to be adopted.

²⁰ Recommendation 133.2, made by Israel. The recommendation further called on Lebanon to guarantee the protections of peaceful protesters.

²¹ Constitution of Lebanon (1926 and its amendments), as enshrined in the Preamble, as well as Article 13.

²² See *inter alia* the Lebanese Penal Code, articles 317, 383, 384, 388, 473, 474, and 588, and the Publications Law (1997), articles 23, 23, 25.

²³ See concluding observations of the HR Committee in 2018, CCPR/C/LBN/CO/3, paras. 45 and 46.

²⁴ Seven communications have been sent in the reporting period (since 2016). They have addressed multiple mandates, including freedom of opinion and expression. The communications are available in the database here: <https://spcommreports.ohchr.org/TmSearch/Results>

²⁵ Coordination between the Lebanese armed forces, the internal security forces and General Security was established early in the uprising with the establishment of an operational room at the LAF HQ. However, the lack of coordination during some protest events prompted the LAF and the ISF to enhanced coordinated operations. Due to an insufficient number of internal security forces personnel to cover all operational needs, the Army assumed a significant portion of the security response, while the ISF mostly operated in central Beirut.

²⁶ In January 2020, the UN High Commissioner for Human Rights called on the authorities to conduct prompt, thorough, independent, transparent and impartial investigations into alleged use of force violations committed during the latest outbreaks of violence and ill-treatment during arrest and detention (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25483&LangID=E>). On 20 November 2019, a communication was also addressed by the Special Procedures to Lebanon concerning several instances of alleged excessive force and ill-treatment by security forces against protesters, and failures to adequately protect protesters from violent attacks by counter protesters (LBN 6/2019, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile ?gId=24948>).

²⁷ For further information on the situation of economic and social rights in Lebanon, see UN Committee on Economic, Social and Cultural Rights (CESCR), Concluding observations on the second periodic report of Lebanon, 24 October 2016, available at: <https://www.refworld.org/docid/5881f4524.html>.

²⁸ Another housing-related issue that has been brought to light since the beginning of the protests in October 2019 has been the poor quality of housing and deteriorating living conditions in Lebanon, in particular incidents of buildings collapsing in the poorest neighborhoods in major cities in Lebanon. Reported incidents of roofs collapsing on their residents and building foundations destabilizing are recurring issues, especially during extreme weather conditions.

²⁹ Law No. 150 (2011). Pre-primary education is not compulsory by law, although Decree 5046/2010 extended the number of years for kindergarten from two years to three). The UN has supported the Ministry of Education and Higher Education (MEHE) to subsidise the cost of education, while UNICEF has support the MEHE in several education initiatives.

³⁰ Approximately 6.4% of total public expenditure. Over 80% of the total education budget is allocated to teachers’ salaries and the rest to infrastructure and private school tuition benefits for civil servants While government expenditure in absolute terms has gone up since 2005, the percentage share of education expenditure as a percentage of total expenditure has decreased by 17 points during the last decade. The cost of education is high for many families.

³¹ In August 2019, MEHE, with the support of UNESCO, launched its National Strategy for Alternative Education Pathways, <https://en.unesco.org/news/national-strategy-alternative-education-pathways>.

³² I.e., grades 1-9, compulsory and free education level.

³³ The actions of the Ministry of Labor inspectors were strongly condemned by the Palestinian leadership and overall community in Lebanon, and led to nationwide protests. On 5 August 2019, the Ministry of Labor adopted Decree 93/1 to simplify the administrative procedure for PRL to obtain work permits, though not delinking it from the work contract. On 22 August 2019, the Lebanese Government formed a Ministerial Committee, headed by the Prime Minister, to discuss the issue of Palestinian refugees' employment in Lebanon. However, the Ministerial Committee never convened after its formation as the then Prime Minister Hariri announced his resignation shortly thereafter, on 29 October 2019.

³⁴ See also concluding observations of the UN Committee on Economic, Social and Cultural Rights (E/C.12/LBN/CO/2) calling on the Government of Lebanon to establish a social protection floor comprising basic social security guarantees.

³⁵ The poverty rate has increased from 27.4 percent in 2011-2012, and in November 2019, the World Bank warned that poverty in Lebanon could rise to 50% if the economic situation worsens, while already high unemployment, especially among youth, could further rise sharply. See: <https://www.worldbank.org/en/news/press-release/2019/11/06/world-bank-lebanon-is-in-the-midst-of-economic-financial-and-social-hardship-situation-could-get-worse>

³⁶ UNICEF and ILO, working in close coordination with other key actors in the UN, World Bank and the EU

³⁷ Available at: <https://nclw.gov.lb/wp-content/uploads/2019/12/NCLW-NAP-1325-EN-report-Combined.pdf>. Amongst other things, the NAP seeks to promote gender equal legislative frameworks and support advocacy efforts to amend, adopt, and implement at least ten laws and decrees promoting gender equality, such as the child marriage bill, the nationality law, and the anti-trafficking law.

³⁸ In September 2019, the Chairperson of the Parliamentary Committee on Women and Children also submitted a bill to grant children of Lebanese mothers and foreign-born fathers civil and economic rights.

³⁹ The Directorate of the Internal Security Forces (ISF) has adopted a strategic plan (2018-2023) based on the principle of respect for human rights and protection of women from violence. The ISF, in coordination with NGOs, has organized training sessions on best practices for the implementation of the Law 293. It has also issued a service note on domestic violence, which specifies the duties and obligations of members of the ISF, their means of intervention to protect women, and due punishments in case of violations. In addition, UNFPA, at the request of the MoIM, enhanced the capacities of the ISF on gender-based violence (GBV), including on Law No.293. This is expected to contribute to increased number of GBV cases being reported and properly handled by the ISF.

⁴⁰ <https://www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage71-175/Lebanon.pdf>.

⁴¹ According to the Vulnerability Assessment of Syrian Refugees 2019, the prevalence of child marriage remained high among the Syrian refugee population in Lebanon in particular, with 27% of girls aged 15-19 already married. (VaSyR 2019), available at: <http://vasyr.org/>.

⁴² <https://lebanon.unfpa.org/en/publications/gender-related-laws-policies-and-practices-lebanon>.

⁴³ As recommended by the Human Rights Committee in its Concluding Observations on Lebanon in 2018 [CCPR/C/LBN/CO/3].

⁴⁴ Lebanese law continues to criminalize "intercourse that is contrary to nature" (article 534 of the Criminal Code), and judges still consider that intercourse between persons of the same sex is contrary to nature and liable to prosecution. While a number of recent court rulings support the position that article 534 should not be used to prosecute consensual conduct between adults, the majority of judicial rulings in this regard continue to criminalize homosexual practices (as also reported by the Government, CCPR/C/LBN/Q/3/Add.1/Rev.1, paras. 13-14).

⁴⁵ Other activities with a high number of Syrian child laborers include: picking fruits and vegetables, selling flowers or tissues, shining shoes or cleaning car windscreens, as well as working in markets, factories, auto repair shops, grocery and coffee shops, in construction, and running deliveries.

⁴⁶ Amending Law 422/2002 on the Protection of Children in Conflict with the Law or at risk.

⁴⁷ Committee on the Rights of the Child, Concluding observations (2017) CRC/C/LBN/CO/4-5, para. 44.

⁴⁸ In line with General Comment 24 of the Committee on the Rights of the Child (2019), at para. 22 [CRC/C/GC/24].

⁴⁹ All young people have the right to participate in public affairs, as enshrined in article 21 of the Universal Declaration of Human Rights and article 25 of the International Covenant on Civil and Political Rights.

⁵⁰ Between 2017 and 2019, UNFPA and UNICEF supported the Government in developing a national action plan of the National Youth Policy that was endorsed by parliament in 2012. The action plan has yet to be endorsed by the Cabinet.

⁵¹ In 2017-2018 with UNICEF support MEHE started implementing an inclusive education pilot programme in 30 schools, with publicly funded position of special educator in each of these schools. The approval of the Council of Ministers for the position of special educator was an important milestone as previously such position could not be on MEHE payroll. However, the Government of Lebanon needs to make sure that the hiring freeze in the public sector due to the financial and economic crisis does not hinder the scale-up of the pilot programme to additional schools. The objective of the pilot programme is to operationalize and test the model of inclusive education, to build the capacity of the public-school system to provide quality education; to generate evidence on successful inclusion practices, to positively influence public and professional opinion and attitudes towards the culture of inclusion. Currently the majority of the children with disabilities

included in the pilot programme are children with learning difficulties, but in some of the school's children with visual, hearing and motor disabilities were also included. The scale-up strategy of the pilot is not yet clear – it is planned to be developed in 2020.

⁵² See also recommendations of the Human Rights Committee ([CCPR/C/LBN/CO/3](#)) of 2018, and recommendations of the ILO Committee of Experts on the Applications of Conventions and Recommendations, adopted 2018 and published 108th ILC session (2019), including: ([C29 – forced labour](#)) “to provide migrant domestic workers with an adequate legal protection, by ensuring that the Bill regulating the working conditions of domestic workers will be adopted in the very near future ... [and] ensure that migrant domestic workers are fully protected from abusive practices and working conditions that amount to forced labour”; ([C111 - non-discrimination](#)) “to take the necessary measures, in cooperation with the social partners, to ensure genuine protection for migrant domestic workers, in law and practice, against direct and indirect discrimination on all of the grounds set out in the Convention, including against sexual harassment, and in all areas of their employment, either through the adoption of a bill on the employment of domestic workers or, more generally, within the framework of the labour legislation ...[and] ensure that any new regulations envisaged on the right of migrant workers to change employers do not impose conditions or restrictions likely to increase these workers’ dependence on their employer and thus increase their vulnerability to abuse and discriminatory practices”

⁵³ It is worth noting that Asylum-seekers and refugees of nationalities other than Syrian are also at risk of *refoulement*, through the execution of deportation decisions that have been adopted without a prior independent review of the individual’s risks of persecution, torture, inhuman or degrading treatment or punishment in the country of origin or other country of return.

⁵⁴ HDC Decision No. 50

⁵⁵ GSO Instruction No. 48380.

⁵⁶ The only exception is the administrative deportation which can be carried out by the GSO where an individual’s presence is considered to harm the public order or safety, based on Article 17 of the *1962 Law on Entry and Exit*.

⁵⁷ In March 2017, the Government of Lebanon took an important step towards facilitating access to legal residency by waiving the USD 200 fee for Syrian refugees who had registered with UNHCR before 2015, and not previously renewed their residency based on tourism, sponsorship, property ownership or tenancy. In July 2017, the Lebanese General Security Office issued a memorandum allowing the unlimited free-renewal for six months for those Palestinian refugees from Syria (PRS) who had entered Lebanon regularly before September 2016. This memorandum, however, also excludes all PRS who entered regularly after September 2016, those who entered Lebanon irregularly, and those PRS who were given a departure order.

⁵⁸ The situation is particularly difficult for youth as Syrian and PRS children who have turned 15 years old in Lebanon and who are without a passport or Syrian national identity card, normally required to obtain residency. PRS will be granted a temporary residency document by the Lebanese authorities if they present an individual status record that was issued in the last two years and officially stamped by the Lebanese Embassy in Syria and the Ministries of Foreign Affairs in Syria and Lebanon. Considering the challenges of obtaining such document, a large number of PRS children between 15-17 years old remain without documentation or valid legal residency in Lebanon. The requirement to present a passport or a national identity card was also waived for Syrian refugee youth in this situation, who can instead present a civil extract not less than 3 years old. Such a civil extract is still difficult for many youth to obtain, without going back temporarily to Syria, which can expose them to risks, or to deportation of re-entering Lebanon irregularly.

⁵⁹ In 2019, only 22% of individuals (above 15 years old) reported having legal residency. The primary reason why the majority of refugees – Syrian and those of other nationalities – lack valid residency is the limited scope of the fee waiver and that it is becoming increasingly difficult for refugees to obtain residency on other grounds, due to inability to pay the fee or find a sponsor.

⁶⁰ For further information, see section on labor rights above.

⁶¹ Since the adoption of Law 296/2001.