

23 August 2016

Submission from the Lebanese Transparency Association to the UN Committee on Economic, Social and Cultural Rights: a response to the List of Issues (E/C.12/LBN/Q/2) in relation to the State Party report of Lebanon (E/C.12/LBN/2)

The following submission is intended to inform the Committee on Economic, Social and Cultural Rights by presenting an objective civil society perspective on the key issues of concern raised in the 'List of Issues' in advance of the Committee's consideration of Lebanon's State Party report on 26-27 September 2016.

The Lebanese Transparency Association was founded in May 1999 as Transparency International (TI)'s Lebanese chapter. It is the first Lebanese NGO that focuses on curbing corruption and promoting the principles of good governance. The organization resorts to all appropriate means to fight corruption, improve the quality of life, and encourage civil society to take measures towards transparency and accountability.¹

This submission is supported by Transparency International Secretariat (TI-S). With more than 100 national chapters worldwide and an international secretariat in Berlin, we work with partners in government, business and civil society to put effective measures in place to tackle corruption.² Transparency International believes that the relationship between corruption and the violation of human rights is clear, and the Secretariat and national chapters are starting to utilize international and regional human rights mechanisms to address the impact of corruption on the realization of human rights. We also acknowledge and welcome the fact that the Committee is giving increased consideration and recommendations on states' obligations to tackle corruption as part of their obligations under the Covenant.

- **Introduction:**

For a politically unstable and paralyzed government such as Lebanon's, implementing the rights set forth in the International Covenant on Economic, Social and Cultural Rights is remarkably difficult. Many draft laws that specifically economic, social and cultural rights, such as anti-corruption laws, and even the national budget, have stalled due to parliamentary gridlock. This renders the political infrastructure inefficient and immobile, and the continued use of an outdated budget based means that, under the '12 month rule, the public authorities are currently failing to fulfil their constitutional

¹ See more at: <http://www.transparency-lebanon.org/#sthash.9y45SGoA.dpuf>

² See more at: <http://www.transparency.org/whoweare/organisation/>

duties³. Had a new budget been passed as required, it would allow for the economy's increasing debt to become more manageable, and would improve fiscal planning, and would allow the State to progressively realize its obligations under the ICESCR by being able to calculate the maximum availability of resources.

Since the State Party submitted its periodic report to the Committee in August 2015, the gross public debt has grown by approximately US\$ 7 billion to reach US\$ 71.04 billion in 2016.⁴ In order to service its increasing debt, the Lebanese government has resorted to taking on more debt. Such handling of resources and debt management has resulted in wasteful channeling of finances. Approximately 45% of the public budget is allotted to servicing the debt, an estimated 35% is delegated to pay off administrative expenses and salaries and the remaining 20% allotted for institutional development is shared between: the Presidency of the Republic, Presidency of the Council of the Ministers, 21 ministries, the Lebanese Parliament, the Constitutional Council, and some State Owned Enterprises (SOEs) such as, Electricité du Liban⁵, the Council for Development and Reconstruction, the Council for the South of Lebanon, and 30 public hospitals. A higher burden is therefore placed on civil society and the private sector to provide services which should otherwise be the government's duty and responsibility towards its constituents.

Subsequently, there has been consistent inadequacy in carrying out public administration tasks in many ministries. Basic tasks such as archiving data, generating statistics, hosting and maintaining an official website, and publishing annual reports are constantly being neglected. As such, there is a profound inaccessibility to information on the performance of the ministries and any initiatives taken by them. This results in a huge discrepancy between the expected results proposed by projects or strategies and the reported outcomes.

The absence of the President of the Republic for over two years, the paralysis of the Parliament, and the inability of the political parties represented in the Cabinet to agree on key issues, has led to a state of total stagnation and a lack of political infrastructure to pass and implement laws. Coupled with the current financial situation, this has resulted in severe weaknesses regarding the capacity to enact any of the required articles of the Covenant.

³ Part 4(B: Finances), Miscellaneous Provisions, of the Lebanese Constitution of 1926, <http://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>

⁴ Debt and Debt Markets, A Quarterly Bulletin Report by the Ministry of Finance, Issue No. 36 (2016), <http://www.finance.gov.lb/en-US/finance/PublicDebt/Documents/Quarterly%20Debt%20Report/2016/Debt%20and%20Debt%20Market%20QI%202016.pdf>

⁵ "Public-Private Investment in Lebanon" Blominvest Bank (April 2016), <http://blog.blominvestbank.com/wp-content/uploads/2016/04/Public-Private-Partnership-in-Lebanon.pdf>

General Information

- (In response to 'List of issues' para. 1) The Lebanese Constitution of 1926 upholds and states the economic, social, and cultural rights of its citizens. Yet there are no known plans to provide constitutional protection of such rights.
- (para. 2) There are no steps taken to establish a national human rights institution in compliance with the Paris Principles. However, there is a Parliamentary Committee for Human Rights.
- (para. 4) The recent roots of corruption in Lebanon can be understood from the point of the Ta'if Accord, which brought an end to the civil war on 22 October 1989, and introduced a new power-sharing structure that significantly weakened the President and Prime Minister's prerogatives, and diluted clear lines of authority and accountability by in effect empowering individual ministers above all other actors in the system. As a consequence, ministers became sultans of their respective ministries able to act without accountability, thus feeding corruption, nepotism, and clientelism on levels never seen before in Lebanon's history.

This, coupled with inadequate oversight of cabinet ministers by parliament and other relevant oversight bodies (such as the Constitutional Council, Telecom's Regulatory Authority, and the Court of Accounts), has led to institutionalized corruption at all levels of the governmental system in Lebanon. This situation is further aggravated by a public administration that is ineffective, inefficient, non-neutral, and not adequately trained or compensated to provide satisfactory levels of public service delivery.

- On 22 April 2009, Lebanon acceded to the UN Convention against Corruption (UNCAC), yet the State Party has taken no measures in passing laws required by the UNCAC to combat corruption. **No concrete laws** have been enacted by the State Party to fight corruption and to combat related impunity. Draft laws have been proposed to the parliament including the Whistleblower Protection draft law⁶, Right of Access to Information draft law⁷, and Combating Corruption in the Public Sector, and the Anti-Corruption draft law.—These draft laws in large part have been prepared by the civil society and presented to members of parliament. Due to the absence of access to information law, these draft laws remain inaccessible to the public - however, one member of parliament has published some of these laws on his website.⁸

There has been one case filed in regards to corruption and bribery cases against

⁶ http://www.ghassanmoukheiber.com/showArticles_ar.aspx?aid=369

⁷ <http://www.ghassanmoukheiber.com/showArticles.aspx?aid=194>

⁸ <http://www.ghassanmoukheiber.com/bycategory.aspx?sid=20>

high-level officials or senior civil servants - the head of the state-owned telecom operator Ogero, Abdel Moneim Youssef was indicted along with two other senior employees on charges of negligence. However, there has been no progress made on this case and Abdel Moneim Youssef is currently not in the country.

On the ground, in large part only civil society is raising awareness on these fundamental issues by developing and submitting draft laws to parliament, working closely with youth and municipalities to promote good governance and accountability, and encouraging citizens to publish what they pay in bribes and to inform themselves of their rights when faced with corruption.

Nonetheless, some ministries have also tried to act against corruption, such as the Ministry of Public Health's current campaign to promote food safety and access to safe medicine (as well as regulating the trade of safe medicine). Currently, what is missing above all else is increased pressure by citizens on politicians and decision-makers through effective advocacy mechanisms, which still need to be developed.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)

Article 2 (1)

- (para. 5) The public budget of the Lebanese Government has remained the same since 2005. Draft budget laws have been prepared by the Council of Ministers that would enact a new budget, however the Parliament has yet to ratify any. The method of budget allocation, mentioned in Article 86 of the Constitution, used since 2005 is called 'the 12-month rule'.⁹ This rule states that the proportions allocated to a specific ministry (in each month) will be repeated each following year.
- (para. 6) There is no legal nor institutional framework in place which ensures transparency nor accountability in loan negotiation and contracting and in debt management. The Ministry of Finance has been publishing budget documents and public debt reports,¹⁰ as well as other ministries that have been publishing their expenditures online.

Article 2 (2)

- (para. 7) The laws guarantee the principle of non-discrimination, however, the situation on the ground reflects otherwise (and the law provides no definition for the term 'discrimination').

⁹ Lebanese Constitution:

<http://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>

¹⁰ <http://www.finance.gov.lb/en-US/finance/BudgetInformation/Pages/default.aspx>;

<http://www.finance.gov.lb/en-US/finance/PublicDebt/Pages/default.aspx>

- There have been no measures taken by the State Party to combat and prevent stigma and discrimination against marginalized individuals and groups
- With regards to discrimination against marginalized individuals and groups:
 - Persons with disabilities: Law 220 (Persons with Disabilities Law, 2000) is not being implemented as it should be. Combating discrimination in dealing with persons with disabilities¹¹ has been neglected as there has been no law enforcement efforts that proves otherwise;
 - Migrants and Refugees: Syrian Migrants and Palestinian Refugees – Lebanon is not a signatory of 1951 Convention on Refugees, Palestinians are restricted to certain occupations according to Legislative Decree 17561 of 1964.
 - Due to the Syrian refugee influx into Lebanon, conflicts between Lebanese in many provinces and the refugees has led to many municipalities enforcing curfews for the refugees. This curfew is illegal, and violates refugees' rights to assembly and free movement of persons. This enforcement of the curfew is illegal due to the fact that it is the Ministry of Interior that reserves the authority to prohibit the movement of refugees, and it is not within the jurisdiction of the municipality¹² to do so.
 - Lebanon has made no efforts in reforming the *kafala* system, which exploits and abuses migrant domestic workers. Under such a system, they are excluded from the Lebanese labor law. The decree 17561¹³ organizes the procedures of exit and entry. Unfortunately, this system had led to many cases of abuse and exploitation amongst migrant workers¹⁴.
 - In regards to combating discrimination towards LGBT persons; a notable ruling occurred in 2014 where a judge decreed that sex between a man and a transgender (previously a man) could not be deemed unnatural. This ruling was in reaction to Article 534, which states that any sexual acts which contradict the laws of nature is punishable by up to a year in prison.
 - There is no known plan to combat discrimination towards people with AIDS or HIV
- (para. 9) There are no official statistics published by the Ministry of Health on the number of people with disabilities nor holders of personal disability cards. According

¹¹ Universal Periodic Review Lebanon, pg.119 (2015), <http://www.annd.org/data/item/pdf/139.pdf>

¹² Municipal Law: http://www.localiban.org/IMG/pdf/_118.pdf

¹³

http://www.labor.gov.lb/_layouts/MOL_Application/Cur/%D9%85%D8%B1%D8%B3%D9%88%D9%85%20%D8%AA%D9%86%D8%B8%D9%8A%D9%85%20%D8%B9%D9%85%D9%84%20%D8%A7%D9%84%D8%A7%D8%AC%D8%A7%D9%86%D8%A8%2017561.pdf

¹⁴ "Trafficking of Migrant Domestic Workers in Lebanon, A Legal Analysis" Kathleen Hamill (March 2011), <http://www.kafa.org.lb/studiespublicationpdf/prpdf37.pdf>

to the Universal Periodic Review of Lebanon in 2015,¹⁵ approximately 10% of the Lebanese population (about 400,000 citizens) face physical or mental disabilities. Additionally, around 3% hold a disability card.¹⁶ However, this does not ensure healthcare provision since many face difficulties being admitted into hospitals.

Article 3

- (para. 11) There have been no further amendments taken in regards to nationality and the right to marry, nor measures taken to amend the legal provisions which are discriminatory against women since the State Party report was issued in 2015.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6

- (para. 14) Despite the claim in the Policy Statement of the National Interest Government of 2014¹⁷ that the government will work on establishing projects to reduce the economic and social impacts of the Syrian crisis, however, no efforts have been taken to implement these proposed policies. An indicator of such inactivity is the rising unemployment rate – which is currently close to 30% for all people living in Lebanon.¹⁸ Officially it was 6.4% in 2014 – excluding all foreigners and refugees - and since then there have not been any official rates published by the Ministry of Labor determining the unemployment rate.
- (para. 16) Contrary to the State Party's report (E /C.12/LBN/2, 12 August 2015, para. 94), which lists all the efforts said to be executed, at the implementation level, the state has continuously failed to fulfil its duties towards people with disabilities. The absence of both a legislative apparatus and any policies to eliminate discriminatory forms of employment has played a major role in the weak recruitment of people with disabilities. There is yet to be a law implemented that sets a certain quota for the employment of persons with disabilities (in both the public and private sectors). There is also an absence of rehabilitation programs that would help these persons enter the labor force.¹⁹

¹⁵ <http://www.annd.org/data/item/pdf/139.pdf>

¹⁶ Ibid.

¹⁷ <http://www.pcm.gov.lb/Library/Files/Policy%20Statement-en.pdf>

¹⁸ <http://www.addiyar.com/article/895607-%D9%86%D8%B3%D8%A8%D8%A9-%D8%A7%D9%84%D8%A8%D8%B7%D8%A7%D9%84%D8%A9-%D9%81%D9%8A-%D9%84%D8%A8%D9%86%D8%A7%D9%86-%D8%AA%D8%B5%D9%84-%D8%A7%D9%84%D9%89-40%D9%88%D9%83%D9%81%D9%88%D8%B1%D9%8A-%D9%8A%D8%AD%D9%85%D9%84-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9-%D8%A7%D9%84%D9%84%D8%A8%D9%86%D8%A7%D9%86%D9%8A%D8%A9-%D8%A7%D9%84%D9%85%D8%B3%D8%A4%D9%88%D9%84%D9%8A%D8%A9>

¹⁹ "Universal Periodic Review Lebanon" pg. 119, (2015), <http://www.annd.org/data/item/pdf/139.pdf>

- (para. 17) Syrian refugees are obliged to pledge not to work when entering Lebanon, however, many still work informally. The pledge is a method the Lebanese government put into place so that the refugees do not take away jobs from the Lebanese citizens since they work for lower wages. Furthermore, they are not given any other sources of livelihoods, it is rather UNHCR that takes the responsibility of providing them with finances. Such categorization rids the state of any responsibilities towards services and goods provision for anyone who enters its territory.
- The state has not announced any plans to remove the legal and administrative obstacles which prevent Palestinian refugees from choosing a profession of their choice for the same reasons.

Article 7

- (para. 18) The monthly minimum wage in Lebanon is set at 675,000 LBP (€390) only,²⁰ the former Minister of Labor Charbel Nahas proposed the integration of the transportation allowance to with the base salary, however it was refused. The minister's proposal was at that time to have a minimum wage of 890,000 LBP including the transportation allowance. The last amendment of the minimum wage was in 2012 and the commission of the cost of living index did not reflect inflation over the past years. Similarly, such a salary does not allow a person to afford a decent living since there is barely any governmental support and very few (if any) services provided by them.
- (para 20) There is no indication that Lebanon plans to reform the 'kafala' system. Different stakeholders are claiming to do so, such as a policy paper which was prepared by Kafa, an NGO working for promoting and protecting women's rights, on reforming the sponsorship system in January 2012, entitled "Towards an Alternative Governance Scheme in Lebanon".²¹ However, due to the inactivity of the Lebanese parliament, this proposal has been ignored and no progress has been made regarding this issue.
- No information could be provided regarding the statistical data on cases relating to abuse and exploitation of migrant workers settled in court, due to the absence of the Access to Information Law.
- (para. 21) Regarding the principle of reciprocity, Lebanese Labor Law distinguishes

²⁰ http://www.ministryinfo.gov.lb/News/Politics/Details/12-01-26/%D9%85%D8%B1%D8%B3%D9%88%D9%85_%D8%A7%D9%84%D8%A7%D8%AC%D9%88%D8%B1.aspx

²¹ <http://www.kafa.org.lb/studiespublicationpdf/prpdf47.pdf>

between Lebanese and non-Lebanese - for example, it does not regularize the status of Palestinian Refugees of Lebanon. Consequently, they remain subject to legal provisions regulating the work of foreigners, despite having been refugees in Lebanon for 67 years. The amendment to Article 59 of Labor Law 129/2010, exempted Palestinian Refugees of Lebanon from the reciprocity principle and work permit fees. However, the requirement of work permits, which need to be annually renewed, increases the difficulty in accessing work.

- The Lebanese Labor Law does guarantee the right to just and favorable conditions of work, yet the situation on the ground is different since no strict application of the labor law in this regard is being ensured. The working conditions of people employed in the informal economy is completely ignored and is entirely unregulated.

Article 8

- (para. 23) The right to strike is guaranteed in the Constitution (Articles 6 – 15)²². However, the workers do not have the right to strike arbitrarily, certain steps must be taken. First off, they have to go to the Ministry of Labor (the arbitrator in the case) who will mediate the conflict of interests between the two parties (the workers and the employer). If no agreement is reached, the workers have the right to strike²³.

Article 9

- (para. 24) Due to the absence of the access to information law, no statistical data is publicly available on the number of persons covered by the Social Security Scheme. The latest amendment took place on 15th of April 2014 - related to maternity leave. Articles 28 and 29²⁴ of the Lebanese Labor Law were amended,²⁵ it ensured that the maternity leave is extended to ten weeks.

Article 10

- (para 25) The National Plan of Action to Eliminate the Worst Forms of Child Labor by 2016 which aimed on providing them with development services (such as free

²² Constitution: <https://www.lp.gov.lb/CustomPage.aspx?id=26&masterId=1>

²³ Procedures necessary to strike: <http://alliedlegals.com/cms/assets/files/edrdb.pdf>

²⁴ Articles in the Labor Law:

http://www.labor.gov.lb/_layouts/MOL_Application/Cur/%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D8%B9%D9%85%D9%84%20%D8%A7%D9%84%D9%84%D8%A8%D9%86%D8%A7%D9%86%D9%8A.pdf

²⁵ Amendments: <http://www.annahar.com/article/121966-%D8%A5%D8%AC%D8%A7%D8%B2%D8%A9-%D8%A7%D9%84%D8%A7%D9%85%D9%88%D9%85%D8%A9-%D8%B9%D8%B4%D8%B1%D8%A9-%D8%A3%D8%B3%D8%A7%D8%A8%D9%8A%D8%B9>

%D8%A5%D8%AC%D8%A7%D8%B2%D8%A9-

%D8%A7%D9%84%D8%A7%D9%85%D9%88%D9%85%D8%A9-

%D8%B9%D8%B4%D8%B1%D8%A9-%D8%A3%D8%B3%D8%A7%D8%A8%D9%8A%D8%B9

education and rehabilitation) as well as legislation that would prohibit child labor,²⁶ has not achieved its objectives as expected by the State Party. With several children (both Syrian and Lebanese) still begging, scavenging, offering labor services, and even forced into prostitution. The National Plan has not been able to achieve its expected outcomes.²⁷ This is largely due to the fact that there have been no governmental efforts to pass laws that prohibit such cases.

- (para 26) There are no official statistical data on children working in the streets. However, many NGOs have conducted research on this point.²⁸

Article 11

- (para 29) Due to the legal status of the refugees in Lebanon, they are incapable of working legally. Not only are they not permitted to work, they also receive almost no financial assistance from the state. Thus, compelling them to take very low paying jobs which force them into very harsh working conditions (sometimes even life threatening). Additionally, in order to find other jobs to finance themselves (and/or their families), many have to be constantly moving around the country. As a result of this mobility, many international organizations have a hard time locating these refugees to provide them with assistance.²⁹
- (para. 30) On 28 December 2014 the Parliament adopted a new law for a gradual increase in rents paid by tenants. Fortunately, no cases of evictions have been reported.

Article 3 of the “Special Aid Fund Provision” states that a fund must be issued that aids a tenant who has an income less than one third of the rent. This fund protects the tenant by providing him/her a 12-year margin from eviction. However, this fund has still not been put into use and nobody is receiving any aid. Compensation in cases of eviction due to demolition or emergency cases are still offered. This fund was planned to protect citizens from homelessness.³⁰

²⁶ “National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016) pg. 12 <https://webcache.googleusercontent.com/search?q=cache:ZLbUVIf8J:https://data.unhcr.org/syrianrefugees/download.php%3Fid%3D11339+&cd=1&hl=en&ct=clnk&gl=lb>

²⁷ “Children Living and Working on the Streets in Lebanon” ILO and UNICEF (Feb 2015): http://webcache.googleusercontent.com/search?q=cache:KiTzneSEiYJ:www.ilo.org/beirut/publications/WCMS_344799/lang--en/index.htm+&cd=2&hl=en&ct=clnk&gl=lb

²⁸ Ibid; Tackling child labour among Syrian refugees and their host communities in Lebanon” ILO and UNICEF (March 2015): http://www.ilo.org/wcmsp5/groups/public/---dgreports/---exrel/documents/briefingnote/wcms_368225.pdf

²⁹ “Poverty, Inequality and Social Protection in Lebanon”, Nupur Kukrety and Sarah Al Jamal (April 2016), https://www.aub.edu.lb/ifi/publications/Documents/research_reports/20160426_poverty_inequality.pdf

³⁰ Article 3 of the Rent Law:

<https://webcache.googleusercontent.com/search?q=cache:qNsTppSobRUJ:https://www.lp.gov.lb/Temp/Files/16e46216-4bf5-487b-a895-738cb1a108fb.doc+&cd=2&hl=en&ct=clnk&gl=sa>

Unlike what is stated in the State Party report (para. 145), there is no overwhelming perception that there has been an 'unprecedented increase' in rent.

- (para. 31) There are no plans by the State Party to ensure that evictions, in law and in practice, are compliant with international standards and that vulnerable groups, landlords and municipalities are aware of housing rights under Lebanese law and international human rights law. The most notable case of large-scale evictions was the project by 'Solidere' to rebuild the downtown in Beirut. There were many recorded cases of people that were forcibly evicted with minimal, if any, compensation from the state.³¹

Article 12

- (para. 32) With the Government's aforementioned incompetence in passing a new budget, a highly fragmented healthcare system, and a large degree of privatization, the ministry remains handicapped to achieve its full potential. The MOPH aims at providing equal accessibility to everyone - however, this is far from being attained. Refusal of admission in cases of emergency is illegal, yet happens quite regularly if hospital staff deems the patient incapable of paying the fees.³² The cost-sharing method of financing that is used in Lebanon for provision of healthcare places a high burden on many INGOs and NGOs to cover costs the MOPH cannot. For example, a large percentage of costs of health-care provision towards refugees is paid for by the UNHCR.^{33 34}
- The MOPH, in collaboration with UNICEF and UNHCR, is attempting to improve its data collection, health provision, and quality of services provided by holding workshops in many public and private hospitals.
- Distribution of primary health care providers by province: Beirut - 8%, Mount Lebanon - 26%, North - 24%, Bekaa - 17%, South - 13%, Nabatiyeh - 12%.³⁵
- (para. 33) These financial deficiencies also affect the standard of mental health care

³¹ Recorded cases of evictions:

<http://webcache.googleusercontent.com/search?q=cache:ssz5KoXfZTIJ:hic-gs.org/content/Online/HD-MIRSAD.doc+&cd=9&hl=en&ct=clnk&gl=lb>

³² "Universal Periodic Review Lebanon 2015" pg. 13 <http://www.annd.org/data/item/pdf/139.pdf>

³³ "Summary of the Referral Care Standing Operating Procedures, Public Health Unit March 2014"

<https://www.google.com/url?q=https://data.unhcr.org/syrianrefugees/download.php%3Fid%3D4936&sa=U&ved=0ahUKEwjnxbDO6MvOAhUFbxQKHVNFAQwQFggEMAA&client=internal-uds-cse&usg=AFQjCNE-IMaaGHgxBXB5W0YZFPAMLiPKyg>

³⁴ "Hospitals in Lebanon", Banque Bemo (June 2013),

<http://www.databank.com.lb/docs/Hospital%20Industry%20Report.%20June%202013.pdf>

³⁵ Annual Report by the Ministry of Public Health pg.2 (2015),

<http://www.moph.gov.lb/userfiles/files/HealthCareSystem/PHC/AnnualReport2015.pdf>

provided by the MOPH. A newly established effort was introduced by the MOPH called the Mental Health Program,³⁶ plus partnerships have been established with international NGOs to train General Practitioners on providing basic mental health services.³⁷ However, the lack of funds proves to be a crucial hurdle for these joint efforts.

- (para. 34) With Lebanon's environment deteriorating one day after the other, access to safe drinking water has become an increasingly pressing issue. With the complete privatization of drinking water in Lebanon, the state has almost no control over the production and provision of safe drinking water to its citizens. In addition, negligence in regards to maintenance of pipelines in the country increases the risk of contamination of tap-water.

Article 13 and 14

- (para. 35) Lebanon does provide free education to all its citizens as well as refugees in the country. However, there is a drastic contrast between the quality of services provided in urban areas and more rural areas. Unfortunately, though refugees are afforded access to education in public schools in Lebanon, many of them do not attend (only approximately 25% do)³⁸ due to many underlying variables such as issues with commuting.
- A program entitled 'Teaching and Learning How to Use Information Technology Literacy Program',³⁹ was introduced by the Ministry of Social Affairs in collaboration with the National Committee for Literacy (NCL). The objective of this program was to educate adults by using technology in an attempt to help them become more literate and accustomed to using technology. No reports have been published since the pilot phase of the project.

Article 15

- (para. 38) Contrary to what is mentioned in the State Party report (para. 128), the Ministry of Culture has not been implementing what is listed. The expansion of the network of public libraries has been implemented, but under the efforts of an NGO

³⁶ <http://www.moph.gov.lb/en/Pages/6/553/the-national-mental-health-program>

³⁷ "Securing Access to Quality Mental Health Services in Primary Healthcare in Lebanon" K2P Dialogue Summary, pg.9 (May 2014), <https://www.aub.edu.lb/k2p/products/Documents/Dialogue%20summary%20-%20Mental%20Health.pdf>

³⁸ "Responding to Crisis: Syrian Refugee Education in Lebanon", Hana A. El-Ghali, Nadine Ghalayini, and Ghida Ismail (2016), http://www.aub.edu.lb/ifi/publications/Documents/policy_memos/2015-2016/20160406_responding_to_crisis.pdf

³⁹ "Adult Literacy Using Information Technology" UNESCO, <http://www.unesco.org/ui/litbase/?menu=4&programme=30>

called 'Assabil'.⁴⁰ In addition, the Beirut International Biennials for Children's Paintings that is supposedly taking place once every two years hasn't taken place since 2009. Most cultural activities that are accessible to marginalized or disadvantaged groups is hosted by municipalities. These activities are usually street festivals that are organized on the basis of how much of the budget is allocated towards them.

- (para. 39) Though on paper the State Party plans on upholding the articles stated in the Covenant which prioritize science, technology and creativity, in reality, the knowledge production and technological innovation envisaged in these policies are far from being attained and very little progress has been made in this aspect.
- There have been many programs announced by the Ministry of Telecommunications to improve quality, accessibility, and affordability of Internet services. However, none of these programs have been translated into anything beneficial to the Lebanese citizens, specifically those in rural areas. Internet in Lebanon remains overpriced, slow, and still does not cover all of Lebanon's territory.

Recommendations

In light of the above observations related to measures that Lebanon has adopted and the progress made in its implementation of the ICESCR, the Lebanese Transparency Association and Transparency International would encourage the Committee to adopt the following recommendations in its concluding observations:

- The Committee should recommend that the State Party approve a national budget as a matter of urgency, in order that the State Party can begin to progressively realise the rights recognized in the ICESCR to the maximum of its available resources (article 2.1). This affects the realization of all other rights.
- The Committee should call upon the State Party to increase its efforts to combat corruption through, among other measures, adopting the draft laws on whistleblower protection, access to information, combating corruption in policy against corruption and also ensure effective protection of victims of corruption, whistle-blowers, and civil society activists.
- The Committee should recommend that the State Party implement a full and comprehensive reform of the system of public administration based on principles of neutrality, effectiveness, efficiency, good governance, and representativeness.

⁴⁰ "Annual Report of 2014" Assabil Network (2014),
http://www.assabil.com/files/Annual%20report2014_ASSABIL_web.pdf

Such reforms should also include a manual of procedures and clear job descriptions with all tasks for every public servant position. Public administration should also inform citizens of the time required and steps necessary to be taken when processing official document requests. Such systematization would improve efficiency within the ministries, create a sense of accountability if the request is not followed through as expected, and reduce the necessity of bribery to process requests.

LTA and TI would also welcome any further recommendations from the Committee that seek to address other issues of concern identified in this submission.