



REFERENCE: GH/fup-134

6 April 2022

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the recommendations contained in paragraphs 20, 38 and 40 of the concluding observations on the report submitted by Lebanon ([CCPR/C/LBN/CO/3](#)), adopted by the Committee at its 122nd session held from 12 March to 6 April 2018.

On 15 April 2020, the Committee received the reply of the State party. At its 134th session (28 February to 25 March 2022), the Committee evaluated this information. The assessment of the Committee and the additional information requested from the State party are reflected in the Addendum 3 (see [CCPR/C/134/3/Add.3](#)) to the Report on follow-up to concluding observations (see [CCPR/C/134/3](#)). I hereby include a copy of the Addendum 3 (advance unedited version).

The Committee considered that the recommendations selected for the follow-up procedure have not been fully implemented and decided to request additional information on their implementation. The requests for additional information will be included, as appropriate, in the list of issues prior to submission of the fourth periodic report of the State party.

The Committee looks forward to pursuing its constructive dialogue with the State party on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

Vasilka SANCIN

Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee

H.E. Mr. Salim BADDOURA
Ambassador Extraordinary and Plenipotentiary
Permanent Mission of the Lebanese Republic to the United Nations Office
and other international organizations in Geneva
Email: lebanon@lebmissiongva.org



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

| | |
|---|--|
| <i>Concluding observations (122nd session):</i> | CCPR/C/LBN/CO/3 , 3 April 2018 |
| <i>Follow-up paragraphs:</i> | 20, 38 and 40 |
| <i>Information received from State party:</i> | CCPR/C/LBN/FCO/3 , 15 April 2020 |
| <i>Information received from stakeholders:</i> | MENA Rights Group and Global Detention Project (JS1), 20 January 2022; ALEF - Act for Human Rights and CCPR Centre (ALEF), 1 February 2022 |
| <i>Committee's evaluation:</i> | 20[C][B], 38[C][B] and 40[C] |

The text of the follow-up paragraphs, containing the Committee's recommendation, is not reproduced due to the word limit.¹

Paragraph 20: Violence against women, including domestic and sexual violence²

Summary of information received from the State party

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

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

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

(c) Efforts to prevent violence against women, including domestic violence, have increased in recent years, alongside efforts to implement Act No. 293, which establishes a mechanism for reporting violence that has been widely publicized.

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

(d) Relevant public and private sector staff has been trained on how to detect and address violence against women. The Ministry of Social Affairs provided social workers with training on implementing Act No. 293 and is developing tools to monitor and address cases of gender-based violence. The Ministry of Justice and the National Commission for

¹ [A/RES/68/268, para. 15.](#)

² [CCPR/C/LBN/CO/3, para. 20.](#)



Lebanese Women organized training for judges on enforcing Act No. 293. The Ministry of Public Health has also trained its medical staff on how to detect and address cases of violence against women.

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

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

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

Summary of information received from stakeholders

(a),(b), (e) ALEF noted the absence of protection measures for women, especially the failure to criminalize domestic violence and amend articles 505 and 518 of the Criminal Code. It stated that no change was made to data collection (data is scattered and incomplete).

(c) ALEF noted steps taken, including available statistics and domestic violence being a priority for security institutions, but expressed the need for real support, shelter and assistance, in addition to showing that security institutions function, in order for victims to report cases without fear of humiliation.

(d) ALEF stated that, although members of security institutions had benefited from training and were better equipped to collect testimonies in a digital and private manner, their high turnover rate hindered retention of knowledge, which was a structural and systematic challenge.

Committee's evaluation

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

The Committee notes the information provided, but remains concerned at the absence of information on any concrete steps taken within the reporting period to strengthen legal protection against such forms of violence against women and requests provision of such information. The Committee welcomes the fact that a law criminalizing sexual harassment has been proposed and requests up-to-date information about the status of these efforts and additional details on whether harassment in all settings, including the home, will be included and the penalties envisaged for such offences.

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

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

[B]: (c) and (d)



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

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

Paragraph 38: Refugees and asylum seekers³

Summary of information received from the State party

- (a) Since the outbreak of the conflict in Syria in 2011, Lebanon has become a refuge for the large number of displaced persons. Although not a party to the Convention relating to the Status of Refugees, Lebanon provides them with assistance and is fully upholding the principle of non-refoulement.
- (b) No information provided.
- (c) All administrative decisions are subject to review at the request of the party concerned.
- (d) No information provided.
- (e) Municipalities hosting large numbers of refugees enforced curfews as an exceptional and time limited measure for security and social reasons. The enforcement of these curfews was abandoned after a short period.
- (f) In February 2017, the Minister of the Interior and Municipalities issued a decree waiving the residency fee for Syrian refugees who had registered with the Office of the United Nations High Commissioner for Refugees before 1 January 2015 and had the relevant registration card.

Summary of information received from stakeholders

- (a) JS1 noted the worsening situation, as illustrated by continued deportation of Syrians, including cases of refoulement, and the absence of procedural safeguards against refoulement. JS1 also noted deficiencies regarding the principle of non-refoulement in domestic legislation. ALEF indicated that, despite decreased deportations caused by the closure of border with Syria between 2020 and 2021, 863 cases of refoulement had been identified.
- (b) JS1 and ALEF stated that Lebanon had not reformed its legislation, and refugees and asylum seekers remained at high risk of administrative detention, sometimes for years. JS1 reported cases of torture and ill-treatment of refugees in incommunicado detention.
- (c) ALEF stated that access to appeals procedures regarding detention or deportation had not been made easier. JS1 indicated that, in practice, the judicial authorities rarely scrutinise or review the legalities of detention.
- (d) ALEF stated that, despite decreased evictions due to financial crisis and the COVID-19 pandemic, evictions actually increased by the end of 2020, and security personnel were rarely and untimely deployed to violent clashes.
- (e) JS1 and ALEF noted the imposition of discriminatory curfews targeting non-nationals and restrictions imposed by 21 municipalities on Syrian refugees during the COVID-19 pandemic.

³ [CCPR/C/LBN/CO/3, para. 38.](#)



(f) ALEF stated that the residency fee waiver had not been expanded to include refugees not currently covered.

Committee's evaluation

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

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

[B]: (e)

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

Paragraph 40: Migrant domestic workers⁴

Summary of information received from the State party

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

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

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

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

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

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

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

Summary of information received from stakeholders

⁴ [CCPR/C/LBN/CO/3, para. 40.](#)



ALEF indicated that labour law protection had not been expanded to domestic workers who completely relied on their employer but noted that the court of labour arbitration had jurisdictions over their cases even if they were excluded from the labour code. ALEF added that a protection framework through the Ministry of Labour, which would include a specific contract to protect migrant domestic workers, had been drafted but dropped, leaving no protection mechanisms for them.

Committee's evaluation

[C]

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

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

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