



THE UNIVERSAL PERIODIC REVIEW (UPR)

STAKEHOLDERS REPORT with a Focus on Youth LEBANON July 2020

Prepared and Submitted by Masar association

With the Support of Friedrich Ebert Foundation in Lebanon

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“The observations and opinions expressed in this publication do not necessarily reflect the views, policies or position of Friedrich-Ebert-Stiftung”

July 2020

Masar is a Lebanese non- governmental organization that was founded in 2005 with the aim to contribute to national development processes and the advancement of society. Masar’s vision is to build a civic, inclusive, secular, democratic and non-sectarian society. Masar’s mission is to promote citizens’ participation through empowerment and advocacy, and by mobilization, training, evidence generation, enabling access to information, and lobbying for policy change.

Masar works with a wide array of stakeholders on the values of local ownership of developmental interventions, participatory decision making, networking, gender equity and transparency.

Masar works in Development with a focus on youth, and operates at the community and policy levels in parallel through 3 programs: the Community Youth Development (CYD) Program, the National Youth Policy (NYP) Program, and the “Human Rights for Palestinian Refugees in Lebanon” Program.

TABLE OF CONTENTS

ACRONYMS	7
INTRODUCTION	8
I. ECONOMIC & SOCIAL RIGHTS	10
1. Right to Education	10
• Access to Education	10
• Quality of Education	11
• Integration of Sex Education in School Curricula	12
2. Right to Work	12
3. Right to Quality Health	14
4. Rights of Persons with Disabilities (PWDs)	15
5. Right to the City	16
II. CIVIL & POLITICAL RIGHTS	17
1. Participation in Public Life	17
2. Access to Information	18
3. Right to a Nationality	18
• Citizenship Rights for Children of Lebanese Women Married to Non-Lebanese Men	18
4. Personal and Individual Freedoms	19

III. PROTECTION	20
1. Young People in Contact with the Law	20
2. Girls Forced into Early Marriage	20
3. Gender-Based and Domestic Violence	20
4. SOGI/E-Based Discrimination	21
IV. PALESTINIAN REFUGEES	22
ANNEX 1 - ACCEPTED RECOMMENDATIONS FROM 2015 SESSION	24
ANNEX 2 - PARTICIPANTS IN THE VALIDATION SESSIONS	29

ACRONYMS

CAS	Central Administration of Statistics
CEDAW	Convention on the Elimination of All forms of Discrimination Against Women
CERD	Center of Educational Research and Development
CRPD	Convention on the Rights of Persons with Disabilities
CRC	Convention on the Rights of the Child
LFHLCs	Labor Force and Household Living Conditions Survey
LGBTQI	Lesbian, Gay, Bisexual, Transgender/Transsexual, Queer, and Intersex
LPDC	Lebanese Palestinian Dialogue Committee
NSSF	National Social Security Fund
NYP	National Youth Policy
PRL	Palestinian Refugees in Lebanon
PRS	Palestinian Refugees from Syria to Lebanon
PwD	Persons with Disabilities
UNICEF	United Nations Children's Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East

INTRODUCTION

This stakeholder report will cover Lebanese youth and young Palestinian refugees living in Lebanon, being the focus of the association's work¹. It will put special emphasis on their economic and social rights, which have been the main engine of the recent youth-led uprising around the country. Youth took to the streets to protest unfair economic measures and lack of justice in carrying the burden of austerity, in a country where 1% of the population controls more than 50% of the wealth², added to the lack of job opportunities and access to services in light of rampant corruption embedded in the sectarian quota-based political system, tax evasion, and collapse of the public services sector. The report will also repose the question of civil and political rights, in light of the recent involvement of young people in shaping their destiny, faced by unchecked state violence, and look into the issue of protection. It will provide specific suggestions to improve the current situation in line with the committee and Stakeholder 2015 UPR comments. Protection from exploitation and abuse will also be tackled. The situation of young Palestinian refugees will be discussed in some details, especially since protestations were also witnessed in Palestinian refugee communities during summer 2019 due to discriminatory decisions by the Ministry of Labor to consider Palestinians refugees as foreigners and restrict their employment and ability to obtain work permits.

On 3 April 2012, Lebanon's Council of Ministers endorsed a National Youth Policy³, a result of years of planning, meetings, discussions, and research. It tackled the impact of youth migration, economic participation, education, culture, health, social integration, and political participation, based on young people's aspirations and in-line with international conventions and agreements. When implemented, the National Youth Policy guarantees young people's access to quality public services in all sectors, based on their specific needs, and provides recommendations regarding their full participation in public life and shaping public policy. However, it is yet to be implemented, in part or in full. As with the abovementioned policy, laws protecting the rights of young people, especially those most vulnerable to discrimination, exploitation, or abuse do exist, but lack implementation mechanisms and resources. The overall situation of human rights as applied to young people suffers from the hold of the clientelist, confessional political system,

1 The category of youth in Lebanon covers those between 15 and 29 years as defined by the Lebanese state based on the country's socioeconomic characteristics.

2 In 2014, Credit Suisse bank in its Global Wealth Report estimated that 0.3% of Lebanese own 50% of the wealth.

3 Youth Forum for Youth Policy, «The Document of the Youth Policy in Lebanon,» Endorsed by the Lebanese Council of Ministers on 3 April 2012, available at: https://www.youthpolicy.org/national/Lebanon_2012_National_Youth_Policy.pdf.

which hinders their political, social, and economic independence and initiative, in addition to equitable and tailored access to services. In particular, the lack of a civil personal status code limits young people's freedoms in choosing partners and setting up families, while imposing numerous restrictions, particularly on women, due to their subjugation to religious courts.

In terms of Palestinian refugees, although about 480,000 are registered by UNRWA⁴, the latest census conducted by the Lebanese Palestinian Dialogue Committee (LPDC) (Under the Presidency of the Council of Ministers) "enumerated 224,901 people including 183,255 Palestinian refugees in 168 localities⁵." They endure the continuous violation of their human rights (especially in employment, mobility, and access to services). Officially, there is a chronic lack of clarity of the various duty bearers and their responsibilities before the refugee population, which compounds the absence of human rights, as they fall outside the Refugee Convention and are under the mandate of a services agency (UNRWA).

Recent figures show that "of the total population (PRL and PRS), around 50% are under 24 years, and 20-25% are between 15 and 24 years of age.⁶" The latter age group, according to UNRWA and UNICEF, is one of the most affected by poverty⁷.

4 Website of the United Nations Relief and Works Agency for Palestinian Refugees, accessible at: <https://www.unrwa.org/where-we-work/lebanon>

5 Lebanese Palestinian Dialogue Committee, Central Administration of statistics, Palestinian Central Bureau of Statistics (2019). The Population and Housing Census in Palestinian Camps and Gatherings - 2017, Detailed Analytical Report, Beirut, Lebanon.

6 UNRWA & UNICEF, Youth Strategic Framework for Palestine Refugees in Lebanon, UNRWA, May 2018, available: https://www.unrwa.org/sites/default/files/content/resources/unrwa_unicef_youth_strategic_framework.pdf.

7 Ibid.

I. ECONOMIC & SOCIAL RIGHTS

1. Right to Education

According to a World Bank analysis of household data in Lebanon in 2012, “education is also a strong predictor of poverty. People with some university education have significantly lower poverty rates than average. While 9% percent of people with some university education is poor, about one-third of those with primary schooling or less are so. Enrollment rates drop dramatically for children aged 7-21 from the poorest quintile of the population after reaching the age of 13. The drop in enrollment is more pronounced for men and the non-Lebanese population. For example, the overall enrollment rate among Lebanese children aged 7-21 is about 83% compared to 43% among non-Lebanese⁸.” The more recent Labor Force and Household Living Conditions Survey (LFHCLS) 2018-2019 confirmed these findings and emphasized that “average hourly earnings increased with level of educational attainment. The largest increase occurred when passing from secondary to university. The average hourly pay for those with secondary education was about 6,400 LBP, while for those with a university degree it was about 10,300 LBP.⁹”

Based on World Bank statistics and government budgets in the past several years, total government expenditure on education is about US\$1.2 billion annually (approximately 2.45% of GDP and 6.4% of total public expenditure). However, a major part of the educational budget goes to subsidizing private schools (usually semi-free and controlled by religious institutions and politicians), attended by 70% of the student population. With a market size of about US\$1.3 billion in tuition fees alone, the private sector consumes a large portion of household expenditures, with the average education cost in private schools reaching USD 65,000 for all school years¹⁰.

Access to Education

Recent statistics have shown that “of residents aged between 3 and 24 years, 71.7% were enrolled in an educational institution (74.4% of females and

8 Central Administration for Statistics and World Bank, «Snapshot of Poverty and Labor Market outcomes in Lebanon Based on Household Budget Survey 2011/2012.» Central Administration for Statistics and World Bank, 2012, available at: <http://www.cas.gov.lb/images/Excel/Poverty/Snapshot%20of%20Poverty%20and%20Labor%20Market%20in%20Lebanon.pdf>.

9 Lebanese Republic Central Administration of Statistics (CAS); International Labour Organization (ILO); European Union (EU), Labour Force and Household Living Conditions Survey 2018-2019 Lebanon, Beirut, 2020, available at: <http://www.cas.gov.lb/images/Publications/Labour%20Force%20and%20Household%20Living%20Conditions%20Survey%202018-2019.pdf>.

10 World Bank. Lebanon - Education Public Expenditure Review 2017 (English). Washington, D.C. : World Bank Group, 2018, available at: <http://documents.worldbank.org/curated/en/513651529680033141/Lebanon-Education-Public-Expenditure-Review-2017>.

69.1% of males). The rate for Lebanese (79.2%) was much higher than for non-Lebanese (48.2%). The raw enrolment rate (the capacity of the system) at the elementary level was 98.9% and 76.8% at the secondary level. The net enrolment rate at the elementary level was 87.2% and 54.9% at the secondary level. Net enrolment rates of Lebanese at intermediate level were 78.5% and 64.9% at secondary; for non-Lebanese they were 28.7% and 15.0%, respectively.¹¹

As for Palestinian refugees, secondary school has the lowest enrolment rate among all school levels averaging at 61.2% for PRL and 35.8% for PRS¹², despite high enrolment rates in primary schools. Some of the reasons behind this drop could be attributed to the fact that Palestinians are not admitted into public schools unless there remains a “place for them,” noting that they cannot afford private school tuition, on one hand, and that UNRWA schools (especially secondary level) are not available in all areas. However, “Palestine refugees are required to study under the Lebanese curriculum in order to obtain educational certificates recognized by the Government of Lebanon¹³.”

Recommendations: The government must ensure proper implementation of Decree #1692 of 9/4/2009 related to free and compulsory education in primary education (until age 15), provide the necessary funds for its implementation, and reduce the dependency of private schools on government subsidies. It should also equip schools to accommodate all students and provide a safe learning environment, especially for PWD, girls, and others.

UNRWA, in coordination with the Lebanese government, should ensure the accessibility and availability of quality education at all levels for Palestinian refugees, whether through increasing their numbers in public schools or providing additional facilities.

Quality of Education

Public schools and educational facilities face chronic neglect and some lack even the most basic services, such as heating or hygiene (including availability of potable water and bathroom facilities). Classrooms suffer from crowding and neglected infrastructure. Educational resources, especially modern technology, are lacking. The educational staff, especially in public schools, is not well trained, negatively impacting student performance. This is in addition to long educational hours and exhausting daily homework, without regard to other needs.¹⁴

At the university level, although Lebanon boasts a number of regionally renowned private institutions, the Lebanese University suffers from numerous problems

¹¹ Ibid.

¹² UNRWA/UNICEF, 2018, op. cit.

¹³ Ibid.

¹⁴ Discussions with students during preparation for National Youth Policy.

related to corruption, added to the lack of equipment and facilities. Although it boasts around 80,000 students, the annual budget is around USD250,000,000 or around USD3,000 per student¹⁵.

Recommendations: The government should allocate a higher budget for public schools and the national university to improve infrastructure, curricula, and build the capacity of teachers and staff to ensure the achievement of the right to education enshrined in international conventions.

Integration of Sex Education in School Curricula

In 2009, the sex education curriculum was acknowledged by the Center of Educational Research and Development (CERD) under the title “Life skills applied to education in reproductive health from a gender perspective”, and integrated into cycle one at schools. The Center for Educational Research and Development endorsed 2 manuals on sex education, but has not yet conducted training on their use or introduced them in the curriculum.

Recommendations: The Ministry of Education and Higher Education and the Center for Educational Research and Development should integrate the sex education manuals developed by CERD in the second and third cycles in all schools in order to fully achieve the right to education, the right to health, and the right to access information.

2. Right to Work

Based on the latest Labor Force and Household Living Conditions Survey, “the youth (15–24 years old) unemployment rate (23.3%) was more than double the general unemployment rate (11.4%), and was even higher among youth with a university degree (35.7%)... Taking into account time-related underemployment and the potential labor force, including discouragement from job-search, the survey revealed that 29.4% of the extended youth labor force were in various forms of labor underutilization... About 50% of unemployed youth had been seeking employment for more than 12 months at the time of the survey... The percentage of young people not in employment, education or training (NEET) was about 22%, but significantly higher among young women (26.8%) than young men (16.7%).”¹⁶

According to the National Youth Policy Document, the “unemployment problem in Lebanon is chronic, and involves young people par excellence, as studies show that 66% of the unemployed are young people. An essential problem pertaining to the unemployment of youth is the duration of the search for jobs of those who want to

¹⁵ World Bank, 2018, op. cit.

¹⁶ CAS, LFHLCs 2020, op. cit.

enter the labor market for the first time. Also, young people face challenges related to work permanency, fair wages, and protection from exploitation. Hence, planning should be made to reduce unemployment and offer young people decent working conditions.¹⁷

In terms of formality, “the majority of the employed population hold informal jobs at their main job (54.9%) and more than a third of the employed population were working in the informal sector at their main job (35.2%)¹⁸.” An earlier study had indicated that “young workers (15-24 years) have the highest rates of informality (69%) compared with other age groups... It is remarkable that two-thirds of informal workers are under 34 years of age, and one-third of them are under the age of 24. Self-employed workers are also relatively younger than formal workers, with %33 of them under the age of 34¹⁹.”

In terms of Palestinian refugees, “about 35.3%...are employed... Another 8.5% were also in the labor force, but unemployed. Thus, the Labor Force Participation Rate is 43.8%. Remaining 56.2% were economically inactive. The large percentage of ‘inactive’ population is due to the very low percentage of employed among females (11.9%) compared to that of males (59.0%). Percentage of unemployed is also lower among females (4.5%) compared to males (12.5%).

Gender differentials are high among both PRL and PRS. For both males and females, the LFPR initially increases by age and then declines. For males, the LFPR is highest in the age group 35-39 followed by 30-34 where it reaches 91.6 and 91.4% respectively. In the case of females, the highest level of LFPR is in the age group 25-29 followed by age group 20-24.²⁰

According to UNRWA, “among all age categories of PRL, youth (15-24 years old) experience the highest rates of unemployment (36.4%)²¹.” Furthermore, “unemployment among PRL has a strong gender dimension, where the female unemployment rate – considering the population aged 15 and above - registers 32.4%, while that of males is 20.8%. The majority of employed PRL are males (81%) and females are five times less likely to be employed than males.

The burden of household chores, women’s mobility, familial obligations/caregiving and social restrictions often placed on women, are all factors that substantially reduce their access to employment.²²

17 National Youth Policy, op. cit.

18 CAS, LFHCLS 2020, op. cit.

19 Fakhri, Rabih, «Informal Employment in Lebanon,» in Arab Watch Report on Informal Employment, Arab NGO Network for Development, 2016, available at: <http://www.annd.org/cd/arabwatch2016/#english>.

20 LPDC, 2017, op. cit.

21 Ibid.

22 Ibid.

Barred from over 30 professions²³ and facing numerous restrictions on work permits by the Lebanese Ministry of Labor, young Palestinian refugees do not seem to have any prospects. In the summer of 2019, Palestinian camps, including unemployed youth rose against a decision by the Ministry to restrict illegal foreign labor, including the Palestinian refugee community.

Recommendations: The government should: (1) adopt national plans aiming at developing the labor market and enhancing youth engagement in it (including career guidance and orientation sessions on the university majors that match Labor market needs); (2) tackle the question of informality and provide alternatives for precarious workers; (3) ensure that youth benefit from the National Social Security Fund (NSSF); (4) create a system for unemployment benefits; (5) ensure the fair implementation of the Labor law by employers and reduce the exploitation of youth through internships and prolonged probation periods; (6) address the question of brain drain; (7) and address the question of the lack of public housing and transportation and its impact on young workers.

In terms of Palestinian refugees, it must reverse its restrictions on professions and allow professional unions to accept them as members, in addition to exemption from work permits and restrictions imposed on foreign workers.

3. Right to Quality Health

Lebanon has one of the highest health expenditures in the region; however, 37% of health expenditures are out of pocket, due to very low insurance rates (around one third benefiting from public insurance and another third from private insurance). A big proportion of the public expenditure on health (already only around 3.3% of the public budget²⁴) goes to the private sector. Despite the availability of technology and the latest cures in the country, they are almost confined to prohibitively costly private facilities (for example, a visit to a private doctor costs 25% of the minimum wage). Young people are especially susceptible to this discrepancy, due to long job-search periods and high informality rates, not to mention the rampant abuse of the social security system (NSSF) by employers (declaring reduced wages, delay in registration, and abusing probation periods).

Furthermore, “around 17% of PRL aged 15-24 years suffer from a chronic illness, and over 6% are disabled. The rates for young PRS are similar, with 16% having a chronic

²³ The number of professions varies according to estimate and ministerial decisions; for example, please see International Labour Organization, Palestinian Employment in Lebanon: Facts and Challenges, ILO, 2012, available at https://www.ilo.org/wcmsp5/groups/public/-arabstates/---ro-beirut/documents/publication/wcms_236502.pdf.

²⁴ Lebanese Republic, Ministry of Finance, 2020 Budget, available at: <https://www.lbcgroup.tv/ExtImages/images1/machrou.pdf>.

illness and 5% suffering from a functional disability.²⁵ In 2016, UNRWA amended its hospitalization policy “according to which the percentage of the Agency’s coverage for secondary care will be adjusted to 90 percent for government hospitals, 90 percent for private hospitals and 100 percent for Palestine Red Crescent hospitals²⁶.”

Recommendations: The government needs to address the prohibitive costs of health services and channel public funding to public facilities. Young people, especially out of education, should be provided with alternative health schemes prior to finding work or during their first years of employment.

In terms of Palestinian refugees, the government and UNRWA must address the question of lack of quality health services and provide alternatives for those seeking specialized services.

4. Rights of Persons with Disabilities (PwDs)

Law 220/2000 guarantees the rights of PwDs to access public services and integrate into society and the labor market by specifying a quota of 3% in employment. However, implementation mechanisms are yet to be issued, despite the law’s approval by Parliament in 2000. The absence of these mechanisms keeps PwDs excluded and deprived of their human rights enshrined in international conventions. This is added to lack of accessibility of public facilities, schools, and workplaces and programs related to inclusion, especially in schools and other aspects of public life. Furthermore, and despite efforts by PwD organizations in the past several elections, electoral centers remain inaccessible and hinder the participation of PwDs, including young people entering into public life. Furthermore, 80% of PwDs in Lebanon are not or have never been employed.²⁷

Among Palestinian refugees with disabilities, unemployment is estimated at 90%²⁸. “As a result of multiple adverse factors, refugee women, children, and youth with disabilities, as well as their caregivers, face a range of risks that affect their Mental Health and Psychological Wellbeing (MHPSW). This includes risks that

²⁵ UNRWA/UNICEF, 2018, op. cit.

²⁶ UNRWA, «UNRWA Strengthening Hospitalization Support in Lebanon,» UNRWA Press Release, 1 June 2016, available at: <https://www.unrwa.org/newsroom/press-releases/unrwa-strengthens-hospitalization-support-lebanon>.

²⁷ Committee on Economic, Social and Cultural Rights, «Concluding observations on the second periodic report of Lebanon (Concluding observations No. E/C.12/LBN/CO/2). UN, Economic and Social Council, 2016, available at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW%2bqI9EVGtH59rb%2f5qYCKL9EJN1b6cd380Vay5v9yoUJhyrQK06cMljwD15gpkbzvJrlrOYI2CrCaFiz1cOLXSmsc2%2bQhz0DztVRFaDgnC5a>.

²⁸ Joint stakeholders 15 [JS15]. (n.d.). Joint Submission 15. A common presentation by several PwD Associations, to ‘the High Commissioner of Human Rights’ on the occasion of the 10th session of the ‘Universal Periodic Review 2015’, available at: <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=2061&file=EnglishTranslation>.

are distinct from those faced by other persons with disabilities in Lebanon.²⁹

Palestinian refugees with disabilities, as well as their caregivers, experience specific difficulties. They often live in poor conditions and face widespread discrimination in both laws and practices. This puts them at high risk of exclusion from public and private services, of exploitation, and of violence.

Recommendations: The government and Parliament should immediately ratify the Convention on the Rights of People with Disabilities (CRPD) and establish a national plan to implement it and Law 220/2000. Central and local governments and refugee agencies and organizations should focus on the question of accessibility of educational institutions and other facilities frequented by youth. They should also integrate disability issues in all planning related to employment and public services.

5. Right to the City

Young people in Lebanon are deprived of public space in the cities, due to a lack of green spaces or non-commercial/non-partisan facilities offering opportunities to network and develop. For example, public beaches are occupied by private resources in violation of the law and accessibility is limited and prohibitive. The recent uprising has provided an opportunity for youth to reclaim some of the public space and provide alternatives for its use by the general population.

Recommendations: Municipalities should construct and maintain green and other public spaces in urban (and rural) areas across the country, also to ensure the full commitment to the achievement of the right to health and in line with SDG 11 (Sustainable Cities and Communities). Along with other public institutions, they should open their premises to host activities.

²⁹ Women's Refugee Commission & UNICEF. «Disability Inclusion in Child Protection and Gender-based Violence Programs. Disability Inclusion in Psychosocial Support Programs in Lebanon: Guidance for Psychosocial Support Facilitators,» 2018, available at <https://wrc.ms/2pIEVND>.

II. CIVIL & POLITICAL RIGHTS

The events of 17 October 2019 have made it clear that Lebanon is witnessing a shift in the political atmosphere that takes on a generational aspect. Young people made up the majority of those who took to the streets, showing unprecedented inter-confessional unity at times, protesting the economic downturn induced by the financial sector. In the past three months, several youth and youth-led initiatives have emerged on many fronts, from political organizing to economic awareness, to community-building, to agro-ecological movements. It was an indication of the possibility of an alternative politics led by young people who are more connected than ever and have unprecedented access to knowledge. However, laws and practices by the Lebanese state lag behind and cause an impediment to the full realization of young peoples' civil and political rights. They can be summarized as follows:

1. Participation in Public Life

Currently and despite years of campaigning by civil society and public political support by various sides, the voting age remains at 21 and that of candidacy to elections at 25 due to fears regarding the sectarian balance. The age of majority on all legal matters being 18, the current law leads to inequality between adult citizens. Similarly, young Lebanese cannot form or join associations before the age of 20, according to Law 1909 at the Ministry of Interior and the age of 18 according to Law 629/2004 at the Ministry of Youth & Sports. The discrepancy in both matters violates the Lebanese Constitution and several international agreements on civil and political rights (namely the Child Rights Convention that Lebanon ratified in 1991).

Recent events during the 2019 uprising highlighted the increasing use of repression by the state against protestors, both on the streets and on social media. Several instances of police violence were documented by the media during the demonstrations and the past months have witnessed an increase in legal action related to posts on Facebook and other social media³⁰.

Recommendations: The government must lower the voting age to 18 and the candidacy age to 21 in parliamentary and municipal elections. It should also consider lowering the age to form and join associations to 15 years. For Palestinians, the government should allow them to form and join associations to ensure they operate legally and are not subject to exploitation.

³⁰ See for example, Amnesty International, «MENA: Renewed wave of mass uprisings met with brutality and repression during 'year of defiance',» 18 February 2020, available at: <https://www.amnesty.org/en/latest/news/2020/02/mena-renewed-wave-of-mass-uprisings-met-with-brutality-and-repression-during-year-of-defiance/>.

The government, and the Ministry of Interior in particular, should immediately investigate cases of brutality against protesters during the October 2019 uprising and clarify the reach and scope of the Information Security Branch responsible for suppressing expression on social media.

2. Access to Information

Despite taking effect in February 2017, the authorities have largely failed to comply with the Right to Access to Information Law, which obligates all government bodies, public institutions, and institutions that perform public functions to publish key legal, organizational, and financial documents. It also gives citizens the right to request information, including decisions, statistics, and contracts, from those administrations and to receive a response within 15 days. However, the government has not established the body designated to oversee its implementation nearly three years after its passage.

Recommendations: The government must respect the Right to Access to Information Law and establish a body designated to oversee its implementation, with the involvement of civil society. It must also work on reducing internet costs (considered some of the highest in the world) and expand coverage (and quality of service) outside Beirut. It should also equip schools with research technologies. Municipalities must establish and equip public libraries with internet access, especially in the peripheries.

3. Right to a Nationality

Citizenship Rights for Children of Lebanese Women Married to Non-Lebanese Men

Lebanese women married to non-Lebanese men are not allowed to pass on their nationality to their children and husbands. Consequently, their children are stripped of their rights as citizens. This blatant discrimination against women leads to several repercussions on their children at the social, psychological and economic levels, especially in terms of access to education, services, and employment, in addition to security risks.

Recommendations: The government must acknowledge the right of Lebanese women married to non-Lebanese men to grant the Lebanese nationality to their children and lift its reservations on Article 9 (2)25 and Article 16 (1)(c)(d)(f) and (g)26 of the CEDAW.

4. Personal and Individual Freedoms

Laws regulating national identity and personal status (relegated to religious courts) impede young people's ability to build families freely and without coercion (social or otherwise) and breach the principle of equality among all citizens, enshrined in the Lebanese constitution. Unmarried young people are required to submit family registers in all legal procedures and are forced to identify the religious sect they were born into, regardless of actual belief or affiliation.

Recommendation: The use of family registers must be reduced to matters involving proof of lineage and the sort and young people freed from it at the age of legal majority. This should go hand in hand with the adoption of a mandatory civil status law in order to ensure full equality among all citizens, as enshrined in the constitution.

III. PROTECTION

1. Young People in Contact with the Law

Law 422 of 2002 guarantees the protection of juveniles who break the law or are at risk, including how security forces should approach and deal with juveniles and the availability of adequate and well-equipped facilities. Despite some developments, juveniles in the penal system remain subject to violence, humiliation, and deteriorating health conditions, added to the stigma they face in society.

Recommendations: The government must ensure the proper and full application of Law 422 and apply protection measures to non-Lebanese juveniles (including the stateless). It should consider shifting to prevention and social rehabilitation programs instead of incarceration.

2. Girls Forced into Early Marriage

Marriage procedures in Lebanon are bound by religious laws, where each sect sets the legal age for marriage. Some religious sects allow girls to be married off as early as the age of 9. According to UNICEF, 4.1% of Lebanese girls between 15 and 19 are married today, and 6% of those between the ages of 20 and 24 were married before the age of 18.

Recommendation: The government should issue a law banning and penalizing marriages below the age of 18, binding for all religious groups in Lebanon, and in accordance with Article 1622 of the CEDAW.

3. Gender-Based and Domestic Violence

The Law on the Protection of Women and other Family Members from Domestic Violence was passed in early April 2014 but fell short in many key areas, according to women's and human rights organizations. Although it establishes important protection measures and related policing and court reforms, the Law left women at risk of marital rape and other abuse, in addition to leaving the question of child custody to religious courts.

Recommendations: Parliament needs to amend the Domestic Violence Law based on recommendations by women's organizations and in accordance with the CRC (Article 19) and CEDAW, and create social protection mechanisms based thereof.

4. SOGI/E-Based Discrimination

Article 534 of the Lebanese Penal Code criminalizes “sexual intercourse contrary to nature” by up to 1 year in prison. The article is used to criminalize homosexuality and transgenderism. In general, LGBTIQ individuals face harassment and bullying on all levels, without access to state justice, this includes the use of infamous anal examinations and arbitrary arrest and exploitation by the police.

Recommendations: Parliament must reform the Penal Code to decriminalize homosexuality and transgenderism by removing Article 534 and other articles related to criminalizing transgenderism (209/531, 521, 523-6), in addition to tackling any resulting institutionalized discrimination. Access to services and public space must be protected for all regardless of sexual orientation or gender identity/expression.

IV. PALESTINIAN REFUGEES

In addition to the rights illustrated above and the lack of access to public services in Lebanon in general, Palestinian refugees in Lebanon face a complex set of discriminatory measures, which impedes their development, including the right to housing through the ban on the import of construction materials into the camps. The right to movement is also impeded, especially through the wall erected around Ain el Helweh Camp, the largest of the Palestinian refugee camps in the country. The wall is a reflection of a xenophobic and securitarian attitude adopted by the Lebanese government, restricting the mobility of around 11% of the Palestinian refugee population. This is not to mention the slow pace of reconstruction of Nahr el-Bared camp in North Lebanon, leaving many families displaced since 2007. The situation in the camps is that of over crowdedness and collapsing infrastructure. Unattended electrical wiring causes several fatal accidents during the rainy season, reaching 86 victims in Burj al-Barajneh camp alone since 2000.³¹

Palestinians in Lebanon, including youth, are unable to secure decent living conditions, and often are subject to discrimination, xenophobia, and exclusion. They are barred from jobs that are organized into unions. Even if they happen to be employed, they pay social security fees but are not entitled to all the benefits of the NSSF. They are also not entitled to own a house or other property or to form associations and face difficulties in accessing public services, such as education and health. More than 35,000³² are not registered at the Refugees Department at the Ministry of Interior (non-R) and others (between 3,000 and 5,000³³) do not have any identification documents (non-ID). The multilayered siege (physical, security, political, and social) imposed on Palestinian refugee camps, where Palestinians reside in Lebanon is an obstacle to the achievement of several economic, social, cultural, civil, and political rights.

Recommendations: In addition to the recommendations in the sections above, the government should respect human rights for Palestinians in Lebanon in general, including youth, particularly the right to work and associated rights (unions and social security), the right to own property, the right to an identity, freedom of association, the right to representation in municipal councils, the right to public services (especially health and education), and the right to movement, security, and adequate housing. It should also address the question

31 Dunya al-Watan, «Electricity kills 86 in Burj al-Barajneh,» 18/1/2020, available at: <http://bit.ly/2tlzpq5>.

32 No recent estimates are available; earlier estimates put the number at around 35,000; for example, please see: Frontiers Center, *Falling Through the Cracks: Legal and Practical Gaps in Refugee Status (A case study of unrecognized refugees in Lebanon)*, Frontiers Center, 2005, available at: https://prn.mcgill.ca/research/papers/050815_fallingthroughthecracks.pdf.

33 UNRWA, «Protection Brief: Palestine Refugees Living in Lebanon,» October 2017, available at: https://www.unrwa.org/sites/default/files/lebanon_protection_brief_october_2017.pdf.

of non-ID Palestinians, allow them the right to own property especially housing, and lift the blockade imposed on refugee camps.

The international community must seek to improve the situation of Palestinian refugees in Lebanon, deeply exacerbated by the influx of Syrian refugees, and provide the necessary resources for UNRWA and the Lebanese state to provide for their welfare, without infringement of Lebanon's sovereign right and the Palestinian right of return.

ANNEX 1 - ACCEPTED RECOMMENDATIONS FROM 2015 SESSION

The following recommendations, accepted by Lebanon in the 2015 session, were used as a guide for the above report, especially in terms of identifying progress or setbacks. In general, and with the exception of some steps taken towards the establishment of the National Commission for Human Rights, Lebanon's National Human Rights Institution (NHRI), which includes a National Preventive Mechanism (NPM), the government has failed to allocate it a budget³⁴ or activate the Commission and there has been no real progress related to the below recommendations, especially in areas related to ratifying the CRPD, addressing acts of torture, a feature of state violence against protesters in Autumn, improving access and quality of services, and the rights of Palestinian refugees, illustrated in the main report.

I. ECONOMIC & SOCIAL RIGHTS

1. Right to Education:

132.18. Positively consider ratifying the Convention on the Rights of Persons with Disabilities to fully ensure the rights of persons with disabilities to education, employment and their participation in political and public life (China)

132.19. Ratify the Convention on the Rights of Persons with Disabilities and effectively implement the national plan in order to make the education system open to children with disabilities (Italy)

132.69. Continue its efforts to spread the culture of human rights across the school curriculum and public awareness campaigns (Yemen)

132.120. Take appropriate steps to address acts of torture of all persons, including migrants in detention, and to tackle the phenomenon of child labor and ensure that all children of school-going age have unimpeded access to education (Ghana)

132.139. Continue efforts of the Lebanese Government to improve the functioning of the education system, including by advancing the enrolment and by protecting street children from the worst forms of child labor (Albania)

132.166. Work towards additional efforts to promote economic and social rights; to enhance in particular the right to work, education, health and housing (Saudi

³⁴ Lebanese Republic, Ministry of Finance, 2020 Budget, op. cit.

Arabia)

132.173. Make primary education compulsory, free and accessible to all children (Togo)

132.174. Pursue efforts to provide education for all people residing in the Lebanese territory (Algeria)

132.175. Continue efforts to establish a free and compulsory quality education for all children up to the age of 15 (Congo)

132.176. Continue its efforts to establish a free and compulsory quality education for children up to the age of 15 years (Djibouti)

132.177. Ensure equitable and sustainable resources to education (Slovakia)

132.178. Improve access to quality education, health, and social services, in particular for children and women (Italy)

132.179. Strengthen and expand the education infrastructure in order to offer quality inclusive education to all children on its territory (Slovenia)

132.180. Pursue efforts to promote the quality of education and to establish mandatory free education for all (Madagascar)

132.181. Guarantee free, obligatory, and quality education for all children (Maldives)

132.182. Further develop, exponentially and progressively, free and compulsory quality education for all children up to 15 years of age (Panama)

132.184. Ensure the effective implementation of the National Plan for the Integration of Persons with Disabilities, especially regarding access to education and employment (Finland)

132.185. Further strengthen efforts to improve the lives of persons with disabilities, including by developing and implementing policy instruments to meet the education needs of children with disabilities (Singapore)

132.187. Continue to realize the rights of persons with disabilities, including their right to education, in the framework of the National Plan for the Integration of Persons with Disabilities which it has adopted (Russian Federation)

132.191. Implement policies focused on the integration of children with special

needs into the public education system, adapt buildings, and provide training to teachers and educational staff to promote an enabling and inclusive environment for education (Canada)

132.192. Intensify efforts to integrate persons with special needs in schools (Oman)

132.193. Continue to strengthen the educational system and to ensure equal access of disabled children to education (Lao People's Democratic Republic)

2. Right to Work

132.18. Positively consider ratifying the Convention on the Rights of Persons with Disabilities to fully ensure the rights of persons with disabilities to education, employment and their participation in political and public life (China)

132.165. Pursue efforts to ensure that labor relations between workers and employers are in line with international labor standards (Iraq)

132.166. Work towards additional efforts to promote economic and social rights; to enhance in particular the right to work, education, health and housing (Saudi Arabia)

132.184. Ensure the effective implementation of the National Plan for the Integration of Persons with Disabilities, especially regarding access to education and employment (Finland)

3. Right to Quality Health

132.86. Implement action-oriented measures to strengthen the protection and promotion of women's rights in the areas of health and combating violence against women (Singapore)

132.166. Work towards additional efforts to promote economic and social rights; to enhance in particular the right to work, education, health and housing (Saudi Arabia)

132.172. Continue the search for measures to address the high cost of health services and the existing quality disparity in the market for such services (Cuba)

132.178. Improve access to quality education, health, and social services, in particular for children and women (Italy)

4. Rights of Persons with Disabilities

132.17. Ratify the Convention on the Rights of Persons with Disabilities (Sierra

Leone) (Honduras) (Portugal); Conclude the ratification process of the Convention on the Rights of Persons with Disabilities (Turkey); Expedite the necessary process to ratify the Convention on the Rights of Persons with Disabilities (Thailand); Facilitate ratification of the Convention on the Rights of Persons with Disabilities (Republic of Korea)

132.18. Positively consider ratifying the Convention on the Rights of Persons with Disabilities to fully ensure the rights of persons with disabilities to education, employment and their participation in political and public life (China)

132.19. Ratify the Convention on the Rights of Persons with Disabilities and effectively implement the national plan in order to make the education system open to children with disabilities (Italy)

132.20. Ratify the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and promote the awareness of the society and institutions on the right to equality and non-discrimination of persons with disabilities in all areas of life (Mexico)

132.23. Ratify various international human rights statutes and conventions, including the Rome Statute, the Convention on the Rights of Persons with Disabilities, and the ILO Conventions Nos. 87, 169 and 189 (Ghana); Comments: A/HRC/31/5/Add.1 states at page 3: 132.23 - Ghana - Partially accepted - The accepted part is the one referring to the ratification of the Convention of the Rights of Persons with Disabilities.

132.68. Continue to strengthen national human rights mechanisms to protect the most vulnerable sectors of society (Bahrain)

132.184. Ensure the effective implementation of the National Plan for the Integration of Persons with Disabilities, especially regarding access to education and employment (Finland)

132.185. Further strengthen efforts to improve the lives of persons with disabilities, including by developing and implementing policy instruments to meet the education needs of children with disabilities (Singapore)

II. CIVIL & POLITICAL RIGHTS

1. Participation in Public Life

132.55. Consider the establishment of an independent mechanism for children and provide it with necessary human and financial resources (Slovakia)

132.99. Ensure that the security forces, including the military, are governed, during peaceful demonstrations, by the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (Costa Rica) 132.161. Implement the necessary policies to encourage women to participate in political and public life (Mexico)

III. PROTECTION

3. Gender-Based and Domestic Violence

132.86. Implement action-oriented measures to strengthen the protection and promotion of women's rights in the areas of health and combating violence against women (Singapore)

132.126. Continue its efforts to combat domestic violence, sexual harassment, and exploitation of women, in particular adolescents, women heads of households without a partner and girls with children (Colombia)

132.129. Adopt and implement all necessary measures to effectively prevent domestic violence and gender-based homicides (Panama)

IV. PALESTINIAN REFUGEES

132.74. Continue its constant support to the human rights issues and provide support to the humanitarian efforts (Kuwait)

132.195. Take into particular consideration the vulnerable situation of migrants and refugees in the country, in particular women and children (Nicaragua)

132.207. Continue the cooperation with international organizations and donor countries to find solutions to the problems of the refugees (Armenia)

ANNEX 2 - PARTICIPANTS IN THE VALIDATION SESSIONS

Masar association organized a series of 5 validation sessions to discuss the draft report with young males and females. These sessions took place between February 28 and March 6, 2020 in Beirut Governorate (2 sessions), South and Nabatieh (1 session), Bekaa and Baalbek-Hermel (1 session), and Mount Lebanon (1) session. Validation sessions were attended by young representatives of 34 youth-led initiatives and youth organizations, including Lebanese and Palestinians, from across Lebanon.

The ideas presented in the UPR report are the sole responsibility of Masar Association and may not reflect the opinion of all participants.

Youth organizations who expressed consent to have their names mentioned in this report are listed below in alphabetical order:

Abnaa Saida Association

Amel Association International

Armenian Revolutionary Federation – Zavarian Student Association

Centre de Lecture et d'Animation Culturelle - KAA

Centre de Lecture et d'Animation Culturelle - Mansoura

Centre Sport & Culture de Hermel

Free Patriotic Movement – Youth and Sports Sector

Future Youth

Haroufy Social Forum

Human Development Center

Lebanese Democratic Youth Forum

Palestinian Cultural Club at the Lebanese American University, Beirut Campus

Palestinian National Liberation Movement- Student Bureau

Palestinian Popular Struggle Front

Palestinian Women Humanitarian Organization

Qob Elias Youth Initiative

Sultan's Youth Initiative- Step

Youth Department at the Embassy of Palestine in Lebanon

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