



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Lebanese Republic and welcome the constructive engagement of your Government during the 37th session of the UPR Working Group in January 2021.

As the final outcome report on the review of Lebanon has been recently adopted by the Human Rights Council at its 47th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Lebanon – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 105 delegations and the presentation made and responses provided by the delegation of Lebanon. I have also considered the actions taken by the Government of Lebanon to implement the 128 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I also appreciate the establishment of various bodies concerned with the promotion and protection of human rights, including the National Human Rights Commission and the Committee for the Prevention of Torture, whose independence and effectiveness needs to be ensured at all times.

I welcome the initiation of a process to update the National Action Plan for Human Rights in Lebanon, which updates the earlier plan 2014-2019, and encourage Lebanon to use the action plan to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and the United Nations Development Programme.

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His Excellency
Abdullah Abou Habib
Minister for Foreign Affairs and Emigrants,
Lebanese Republic

I encourage Lebanon to continue making further efforts to strengthen its national mechanism for comprehensive reporting and follow-up in relation to recommendations received from all international and regional human rights mechanisms and to treaty obligations, while linking these to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:
http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Lebanon to consider submitting a mid-term report on follow-up to the third cycle of the review, by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Lebanon in relation to the areas identified in this letter and its annex.

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



Michelle Bachelet
High Commissioner for Human Rights

cc: His Excellency
Mr. Salim BADDOURA
Ambassador, Permanent Representative of Lebanon in Geneva

Ms. Najat ROCHDI
Deputy Special Coordinator, United Nations Resident and Humanitarian Coordinator
Lebanese Republic

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance, and harmonizing national legislation to ensure their full application.

National human rights framework

- Ensuring that the National Human Rights Commission and the Committee for the Prevention of Torture are provided with the necessary resources to conduct their work independently.
- Allocating sufficient budget for both, the National Human Rights Commission and the Committee for the Prevention of Torture, to operate effectively, and ratifying related financial decrees.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Fighting against harassment and intimidation of lesbian, bisexual, gay, transgender and intersex persons.
- Revising article 534 of the Penal Code so that its scope is clearly defined and it does not discriminate against persons on the basis of their sexual orientation and gender identity.
- Continuing to introduce law reforms, where applicable, and implementing programmes to ensure gender equality.

Development, the environment, and business and human rights

- Intensifying efforts to develop and strengthen the necessary legislative frameworks to address cross-sectoral environmental challenges, including climate change adaptation and mitigation frameworks, and ensuring that women, children, persons with disabilities, and indigenous and local communities are meaningfully engaged in this implementation.

Human rights and counter-terrorism

- Continuing to take robust measures against violent extremism and terrorism that have long afflicted the region and the country's vicinity and have caused massive human rights violations and humanitarian catastrophes.

B. Civil and political rights

Right to life, liberty and security of person

- Implementing the anti-torture law (Act NO. 65), including by operationalizing the national preventive mechanism, and bringing it fully in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Continuing efforts to address the problem of missing and forcibly disappeared persons; investigating unresolved cases of disappeared and missing persons that occurred during the civil war; and making the National Commission for Forcibly Disappeared Persons operational.

Administration of justice, including impunity, and the rule of law

- Guaranteeing the independence of the judiciary, in particular by adopting a law to this end, and fighting against impunity, by completing an independent and credible investigation into the causes of and the assignment of responsibility in the explosion of 4 August 2020.
- Stepping up the efforts to operationalize the National Human Rights Commission and the Committee for the Prevention of Torture in order to combat impunity, and ensuring appropriate judicial procedures.
- Establishing an independent complaints mechanism empowered to investigate acts of torture and ill-treatment.
- Ensuring adequate investigation into all attacks against journalists, media professionals, bloggers and human rights defenders, and ensuring full implementation of the rule of law.

Fundamental freedoms

- Reviewing the legislation on defamation and bringing it into conformity with international standards.
- Protecting the right of media professionals to freedom of expression.
- Taking additional measures to further enhance the safety of journalists and implementing the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.
- Taking measures to foster a safe, respectful and enabling environment for civil society and human rights defenders, free from persecution, intimidation and harassment.
- Fighting against harassment and intimidation of journalists and human rights defenders and ensuring the strict respect for the right to peaceful protest and assembly.

Prohibition of all forms of slavery

- Stepping up efforts to combat trafficking in human beings, including considering the possibility of adopting a strategy or an action plan in this sphere and additional measures to identify victims of trafficking, especially among children, and ensuring their comprehensive protection and rehabilitation.

- Making legislative amendments to protect and ensure support for the victims of human trafficking, particularly boys, girls and women, in line with Sustainable Development Goal 8.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Tackling unemployment, especially among young people and women.

Right to social security

- Amending the provisions of the Social Security Act to ensure equal access to the national social security fund.
- Considering improving the social protection system that would comprise all categories of people, targeting the most vulnerable.
- Continuing and intensifying the efforts to extend comprehensive social protection to all sections of the population.
- Promoting, as much as possible, measures targeting vulnerable groups, in particular to support access to social security.

Right to an adequate standard of living

- Continuing the efforts to combat poverty and improve the lives of vulnerable groups, in particular women, young girls and older persons, including through the implementation of the National Programme to Support the Poorest Families so as to alleviate and eradicate poverty in the country.
- Increasing investment in health and education and further guaranteeing people's right to health and education.
- Adopting a holistic approach in devising the post-COVID-19 recovery plan in order to safeguard economic and social rights, with a particular focus on education.

Right to health

- Continue adopting measures aimed at expanding the scope, availability and impact of health services at all levels, paying special attention to the COVID-19 pandemic and other public health emergencies.
- Guaranteeing universal access to sexual and reproductive health information and services, particularly for persons with disabilities, lesbian, bisexual, gay, transgender and intersex persons, migrants and refugees.
- Continuing efforts to improve the quality of health and social services for older persons.

Right to education

- Enshrining the right to education for all without discrimination.

- Continuing the efforts to improve education in schools and ensuring not to restrict access to education on the basis of nationality or immigration status.
- Ensuring access to affordable quality education for all children, especially for children in the most vulnerable situations.

D. Rights of specific persons or groups

Women

- Making further legislative efforts to prevent domestic violence and lifting the reservation to the Convention on the Elimination of All Forms of Discrimination against Women.
- Taking measures to effectively combat domestic violence against women, in particular migrant domestic workers; adopting a comprehensive legal framework to prevent and respond to gender-based violence and harassment and taking practical steps to implement the laws on violence against women and domestic violence; and raising awareness among the wider public.
- Taking additional measures to put an end to forced marriages of women and girls.
- Continuing the efforts to ensure gender equality, including through the implementation of the Lebanon National Action Plan on United Nations Security Council Resolution 1325 (2019-2022) and of Law No. 293/2014 on domestic violence, and through the reform of relevant provisions in the family law.
- Continuing progress in increasing the participation of women in public life, including in elected government positions, the judiciary and the armed services, as well as achieving an equitable representation of women in the public and political spheres, including in legislative and executive bodies.
- Enacting a unified law on the personal civil status guaranteeing equal treatment of citizens and eliminating gender-based discrimination.
- Amending the nationality law to afford women the same rights as men, in particular to allow women to pass on citizenship to their children.

Children

- Ensuring the promotion and protection of all rights of the child, including to end all forms of violence.
- Prohibiting corporal punishment of children in all settings.
- Raising the minimum age of criminal responsibility to 18.
- Increasing financial support to families in situation of poverty, with a view to reducing the institutionalization of children.

Persons with disabilities

- Implementing the necessary policies and legislative frameworks to protect the rights of children with disabilities, in particular of children living in poverty and children of Palestinian and Syrian refugees.
- Developing a national strategy on education of children with disabilities.
- Strengthening support to caregivers of children with disabilities.

Migrants, refugees and asylum seekers

- Ensuring the protection of the rights of migrant workers and affording them full legal protections in line with Lebanon's international commitments on forced labour and discrimination.
- Expanding labour law protection to domestic migrant workers and providing them access to effective legal remedies.
- Abolishing the kafalah system with regards to migrant workers.
- Reforming the sponsorship system for migrant workers, guaranteeing that the migratory situation of said workers does not depend on their employers, and promoting the use of a standard contract that includes protections for migrant domestic workers.
- Ensuring that the Standard Unified Contract enters into force without delay and that it introduces a system of effective oversight and enforcement, and enforcing it in order to protect migrant domestic worker rights as a key step towards dismantling the work sponsorship system.