



Child Rights Situation Analysis

Lebanon
December 2016

Save the Children International
Lebanon Country Office

Child Rights Situation Analysis (CRSA) **Lebanon**

December, 2016

Commissioned by: SCI: SCS, SCL.

Funded by: Swedish Post Code Lottery (SPCL).

© Save the Children Lebanon

Published: By Save the Children Lebanon. December, 2016.



Study Team

International Technical Assistance Services and Consulting

Author: Lina Hamaoui

Disclaimer: This report was commissioned by Save the Children and produced by an independent consultant. The opinions expressed in the report do not necessarily reflect the official position and views of any of the agencies who contributed to the study.

Editor: Triangle consulting

Photos: Save the Children Lebanon's library

Design: Limelight Productions | www.limelightprod.com

Printing: PPS

TABLE OF CONTENTS

FOREWORD	8
ACKNOWLEDGMENTS	9
ACRONYMS	10
CHAPTER ONE: INTRODUCTION	14
1.1 BACKGROUND	14
1.2 OBJECTIVES	14
1.3 SCOPE	15
1.4 CRSA APPROACH AND ADOPTED METHODS	15
1.4.1 Desk Review	
1.4.2 key informant interviews	
1.4.3 Internal validation workshop	
1.4.4 External validation workshops	
1.4.5 Children validation workshops	
CHAPTER TWO: COUNTRY FACTS	18
2.1. INTRODUCTION	18
2.2 DEMOGRAPHY	18
2.3 ECONOMY	19
2.4 DEVELOPMENT	20
2.5 POLITICAL AND SECURITY SITUATION	21
2.6 INTERNATIONAL LEGAL OBLIGATIONS	22
2.7 HUMAN RIGHTS	23
2.8 THE CONVENTION ON THE RIGHTS OF THE CHILD AND THE OPTIONAL PROTOCOLS	24
2.9 THE CONVENTION FOR THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)	25
2.10 THE LOCAL LEGAL SYSTEM	25
CHAPTER THREE: GENERAL MEASURES OF IMPLEMENTATION - GENERAL PRINCIPLES - DEFINITION OF THE CHILD	27
3.1 GENERAL MEASURES OF IMPLEMENTATION (ARTICLES 4, 42, 44.6)	27
3.1.1 Law Reform and Enforcement	
3.1.2 National Plan of Action for the Advancement of Children in Lebanon	
3.1.3 National Coordination Role in Relation to the Various Governmental Bodies and Non-governmental organisations Involved in the Implementation of the Rights of the Child at National and Local Levels	
3.1.4 Independent Monitoring (Children's Ombudsman)	
3.1.5 Allocation of National Resources to Children	
3.1.6 Data Collection	
3.1.7 Cooperation with National Civil Society	
3.1.8 Dissemination of the UNCRC, training Activities among national staff and raising awareness among children and adults on the UNCRC	
3.2 GENERAL PRINCIPLES (ARTICLES 2, 3, 6, 12)	35
3.2.1 Non-discrimination	
3.2.2 Best Interest of the Child	
3.2.3 Right to Life, Survival, and Development	
3.2.4 Participation - Respect of the Views of the Child	
3.2.5 Analysis	
3.2.6 Conclusions	
3.3 DEFINITION OF THE CHILD (Article1)	40
3.3.1 Analysis	
3.3.2 Conclusions	
CHAPTER FOUR: EDUCATION AND CULTURE	42
4.1 THE LEGAL FRAMEWORK AND CURRENT GOVERNMENTAL POLICIES REGARDING EDUCATION	42
4.1.1 The right to education in the constitution and international conventions:	
4.1.2 The right to education in legislative texts and government policies	
4.2 THE EDUCATION SYSTEM IN LEBANON	45
4.3 THE QUALITY OF EDUCATION IN LEBANON	46
4.4 THE EDUCATION STRUCTURE IN LEBANON	48
4.4.1 Pre-Primary Education (Formal & Non-Formal)	
4.4.2 Basic Education – Formal and Non-Formal	
4.4.3 Secondary Education	
4.4.4 Tertiary Education	
4.5 THE IMPACT OF THE SYRIAN CRISIS ON EDUCATION	55
4.6 CHILD DEVELOPMENT	57
4.6.1 Early Childhood Care and Development	
4.6.2 Child Culture and Leisure	
4.7 ANALYSIS AND CONCLUSIONS - EDUCATION AND DEVELOPMENT	58
4.7.1 Basic Education	
4.7.2 Child Development	
4.7.2.1 Early Childhood Care and Development	
4.7.2.2 Child Culture and Leisure	
CHAPTER FIVE: WELFARE AND HEALTH	62
5.1 WELFARE AND STANDARD OF LIVING (ARTICLES 26-27)	62
5.1.1 Local Framework	
5.1.2 Poverty, Food Security and Livelihoods (Impact of the Syrian Crisis)	
5.1.3 Food Security and Livelihoods for Syrian refugees	
5.1.4 Children with Disabilities (Articles 6-18)	
5.1.4.1 Legal Framework	
5.1.4.2 Services	
5.1.5 Welfare as Validated by Children	
5.2 HEALTH	67
5.2.1 Health Indicators and Progress on MDGs Achievement	
5.2.2 Health Services and Financing	
5.2.3 Reforms	
5.2.4 Impact of the Syrian Crisis on the Health Care System	
5.2.5 Syrian Refugees Access to Health Services	
5.3 ANALYSIS	77
5.3.1 Welfare	
5.3.2 Children with Disabilities	
5.3.3 Health	
CHAPTER SIX: CIVIL RIGHTS AND FREEDOMS (articles 7, 8, 13-17, 37)	80
6.1 BIRTH REGISTRATION, NAME AND NATIONALITY (article 7)	80
6.2 PRESERVATION OF IDENTITY (article 8)	82
6.3 FREEDOM OF THOUGHT, CONSCIENCE, AND RELIGION (Article 14)	82
6.4 THE RIGHT OF ASSOCIATION AND PEACEFUL ASSEMBLY (article 15)	83
6.5 RIGHT TO PRIVACY (article 16)	83
6.6 EXPRESSION OF VIEWS AND RIGHT TO ASK AND RECEIVE AND TRANSFER INFORMATION. THE RIGHT TO RECEIVE INFORMATION FROM A VARIETY OF SOURCES AND PROTECTION FROM HARMFUL MATERIALS TO THEIR WELL-BEING	83

CHAPTER SEVEN: CHILD PROTECTION	85
7.1 CHILD PROTECTION FRAMEWORK	85
7.2 LEGAL MANDATE, ROLES, AND RESPONSIBILITIES	87
7.3 CHILD PROTECTION - FAMILY ENVIRONMENT AND ALTERNATIVE CARE (ARTICLE 20-25).....	89
7.3.1 Family Environment Separation and Alternative Care	
7.3.2 Institutionalisation of Children	
7.3.3 Alternative Care in Emergencies	
7.3.4 Analysis	
7.3.5 Conclusions	
7.4 VIOLENCE AGAINST CHILDREN.....	94
7.4.1 Physical and Humiliating Punishment	
7.4.1.1 Analysis	
7.4.1.2 Child Sexual Abuse and Violence	
7.4.2 Conclusions	
7.5 CHILDREN IN CONFLICT WITH THE LAW.....	99
7.5.1 Administration	
7.5.2 Analysis	
7.5.3 Conclusions	
7.6 CHILD LABOUR.....	104
7.6.1 Analysis	
7.7 CHILD PROSTITUTION AND TRAFFICKED CHILDREN.....	111
7.7.1 Analysis	
7.8 CHILDREN AND ARMED CONFLICT.....	113
7.8.1 Analysis	
7.9 CHILD PROTECTION IN EMERGENCIES.....	116
7.10 ANALYSIS OF THE CHILD PROTECTION SYSTEM	116
CHAPTER EIGHT: ANALYSIS OF CROSS-CUTTING FACTORS AND ACTORS	118
8.1 KEY FACTORS IMPORTANT TO THE REALISATION OF RIGHTS.....	118
8.1.1 Structures	
8.1.2 Decentralisation	
8.1.3 Disaster Risk Management	
8.1.4 The Syrian Crisis and Lebanon Crisis Response Plan (2015-2016)	
8.1.5 Political Stalemate, Legislation and Budgeting	
8.1.6 Corruption	
8.2 CAPACITIES AND INTERACTIONS OF KEY ACTORS IN RIGHTS.....	128
CHAPTER NINE: RECOMMENDATIONS	134
9.1 GENERAL RECOMMENDATIONS AND SAVE THE CHILDREN'S RECOMMENDATIONS	
REFERENCES	134
ANNEXES	152
ANNEX 1: CHILD RIGHTS SITUATION ANALYSIS IN LEBANON	
TERMS OF REFERENCE	
ANNEX 2: THE CONSULTING COMPANY AND CV OF THE CRSA CONSULTANT.	
THE CONSULTANT CV	
ANNEX 3: PLANNED DATA COLLECTION METHODS AND KEY INFORMANTS	
ANNEX 4: LIST OF INTERVIEWED KEY INFORMANTS	
ANNEX 5: PARTICIPANT LIST	
ANNEX 6 - METHODOLOGY CHILDREN VALIDATION WORKSHOPS	
ANNEX 7: INTERVIEW GUIDES	
Annex P: Key Factors in Protection-Family environment (Articles 5, 9, 10, 11, 18, 19, 20, 21, 25, 27)	
Annex E-Interview Guide Education	
Interview Guide – Education -UNRWA	



FOREWORD

A Child Rights Situation Analysis is an in-depth description of the extent to which children's rights are being enjoyed and an analysis of the obstacles to, and enablers of, the realisation of those rights. A general CRSA takes a holistic, broad overview of the realisation of all rights in a country sufficient to inform longer-term decisions regarding future thematic priorities in the country.

Child Rights Situation Analyses have been used to inform Save the Children's strategic planning since shortly after the United Nations Convention on the Rights of the Child (UNCRC) came into force in 1990. Lebanon ratified the UNCRC in 1996 and subsequently took significant measures for the realisation of children's rights.

In order to fully understand the situation of children it is imperative to take stock of two determinants: namely the status of children's rights prior to the Syrian crisis, and the impact of the Syrian crisis that led to a regression in children's rights and a strain on resources. It is important to shed light on contextual factors impeding the realisation of children's rights. In examining the period prior to the Syrian refugee crisis, it becomes evident that Lebanon suffered from its own chronic issues which manifested themselves in the country's institutions and in the status of children's rights. Political instability, security concerns, and economic crises consistently shift focus away from prioritising children's rights. This dynamic is exacerbated by government instability leading to policy regression. Political deadlock led to paralysis in legislation and delays in project implementation. Similar to the last national budget of 2005, debt and other constraints present major obstacles for the enactment of children's rights strategies and the allocation of resources necessary to implement action plans.

The Syrian crisis significantly affected Lebanon's demographic profile, making it the highest per capita hosting country in the world, such that one fifth of its population are Syrians (27 Syrians per 100 Lebanese). The Syrian crisis had a cross-cutting impact on many sectors, stretching already limited resources in the economic, social, and public health spaces. Lebanon Child Rights Situation Analysis (CRSA) 2015 attempts to analyse the situation of children in Lebanon based on the UNCRC articles including those establishing systems of cross-cutting principles, those establishing substantive rights, and analyses of different factors and players as outlined in the CRSA structure below.

The CRSA report is divided into nine different chapters. Chapter one is the introduction, which gives information about background, objectives, approach, and limitations. Chapter two concerns the country's context including its demographic, economic, political, and security situation, in addition to the international legal obligations, human rights and national legal systems. Chapter three analyses the general measures of implementation, UNCRC principles, and definition of the child. Chapter four analyses the right to education, early childhood care, and development of the child's right to leisure and culture. Chapter five covers the right to health and welfare. Chapter six focuses on civil rights and freedoms. Chapter seven analyses the situation of child protection rights including those children deprived of family care and general and special protection measures. Chapter eight analyses key factors affecting children's rights as well as the prevailing roles and interactions of key actors and duty bearers. Chapter Nine focuses on conclusions and recommendations. The recommendations are addressed to the Lebanese state, relevant stakeholders, and to Save the Children International in Collaboration with a Broad Spectrum of Civil Society Organisations.

Finally, the CRSA is the product of 20 months of collaboration between the ITASC team and Save the Children, concerned governmental organisations, international organisations, and civil society organisations and members as well as children. The children's opinion and recommendations have been reflected in the CRSA and in a separate document available in English and Arabic. A summary is also available in both English and Arabic languages.

Allison Zelkowitz
Country Director
Lebanon Country Office

ACKNOWLEDGMENTS

This CRSA would have not been possible without the support of the Save the Children Lebanon assigned steering committee and working group.

Special thanks and appreciation to Save the Children Sweden who provided technical and funding support.

It would be impossible to mention everyone by name but we extend our gratitude to all involved through interviews and validation workshops for their invaluable participation and insight.

ACRONYMS

ACINET	Arab Anti-Corruption and Integrity Network
AFDC	Association for Forests, Development and Conservation
AIDS	Acquired Immunodeficiency Syndrome
ANND	Arab NGO Network for Development
ATM	Automated Teller Machine
AUB	American University of Beirut
CARE	Cooperative for Assistance and Relief Everywhere
CAS	Central Administration of Statistics
CBO	Community-Based Organisation
CCA	Climate Change Adaption
CCM	Convention on Cluster Munitions
CCW	Certain Conventional Weapons
CDR	Council for Development and Reconstruction
CEDAW	Convention for the Elimination of All Forms of Discrimination Against Women
CERD	Centre for Educational Research and Development
CFS	Council for the South
CLDH	Centre Libanais des Droits de l'Homme, Lebanese Center for Human Rights
CLU	Child Labour Unit
CNRS	Centre for Science and National Research
CP	Child Protection
CPiEWG	Child Protection in Emergencies Working Group
CPRA	Child Protection Rapid Assessment
CRG	Child Rights Governance
CRPD	Convention on the Rights of Persons with Disabilities
CRSA	Child Rights Situation Analysis
CRTDA	Collective for Research and Training on Development-Action
CS	Community Service
CSO	Civil Society Organisations
CSR	Corporate Social Responsibility
DAFI	Deutsch Akademische Flüchtlings Initiative
DDR	Demobilisation, Disarmament and Reintegration
DNA	Deoxyribonucleic acid
DPO	Disabled Persons' Organisation
DGHE	Directorate General for Higher Education
DGVTE	Directorate General for Vocational and Technical Education
DRC	Danish Refugee Council
DRR	Disaster Risk Reduction
ECE	Early Childhood Education
ECCD	Early Childhood Care and Development
ERW	Explosive Remnants of War
ESDP	Education Sector Development Plan
EU	European Union
FAO	Food and Agriculture Organisation of the United Nations
FPSC	Fundación Promoción Social de la Cultura
FSS	Food Security Sector
FFD	Fund for the Displaced
GoL	Government of Lebanon
GDP	Gross Domestic Product
GII	Gender Inequality Index
HCC	Higher Council for Childhood
HDI	Human Development Index

HFA	Hyogo Framework for Action
HIV	Human Immunodeficiency Virus
HRC	Higher Relief Council
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ILO	International Labour Organisation
IMC	International Medical Corps
INEE	Inter-Agency Network for Education in Emergencies
INGO	International non-governmental organisation
IPEC	International Programme on the Elimination of Child Labour
IRC	International Rescue Committee
ISCED	International Standard Classification of Education
ISF	Internal Security Forces
ISIS	Islamic State in Iraq and Syria
ITASC	International Technical Assistance Services and Consulting
LCRP	Lebanon Crisis Response Plan
LIU	Lebanese International University
LMAC	Lebanon Mine Action Centre
LMAP	Lebanese National Mine Action Programme
LPHU	Lebanese Physical Handicapped Union
LU	Lebanese University
MAG	Mine Advisory Group
MDG	Millennium Development Goal
MDM	Medecins du Monde
MENA	Middle East and North Africa
MEHE	Ministry of Education and Higher Education
MICS	Multiple Indicator Cluster Survey
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOSA	Ministry of Social Affairs
MMR	Maternal Mortality Rate
MRE	Mine-Risk Education
MSNA	Multi-Sector Needs Assessment
NAP	National Action Plan
NGO	Non-Governmental Organisation
NHRAP	National Human Rights Action Plan
NRC	Norwegian Refugee Council
NSDS	National Social Development Strategy
NSSF	National Social Security Fund
OBI	Open Budget Index
OBS	Open Budget Survey
OECD	Economic Co-operation and Development Convention
OMSAR	Office of the Minister of State for Administrative Reform
OP	Optional Protocol
PB	Professional Brevet
PMO	Project Management Office
PMU	Project Management Unit
PPM	Permanent Peace Movement
PRS	Palestinian Refugee from Syria
PWD	Persons With Disabilities

RACE	Reaching All Children with Education
RED	Reach Every District
RI	Relief International
SBC	Street Based Children
SC	Save the Children
SCI	Save the Children International
SCL	Save the Children Lebanon
SCS	Save the Children Sweden
SDC	Social Development Centre
SGBV	Sexual and Gender-Based Violence
SOP	Standard Operating Procedure
SRSG	Special Representative of the Secretary-General
SSN	Social Safety Nets
STC	Siblin Training Centre
STI	Sexually Transmitted Infections
TDH	Terre Des Hommes
TI	Transparency International
TIMSS	Trends in International Mathematics and Science Study
TVET	Technical and Vocational Education and Training
UASC	Unaccompanied and Separated Refugee Children
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNCAT	United Nations Convention Against Torture
UNCRC	United Nations Convention on the Rights of the Child
UNDAF	United Nations Development Assistance Framework
UNDEF	United Nations Democracy Fund
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children Fund
UNISDR	United Nations Office for Disaster Risk Reduction
UNODC	United Nations Office for Drug Control and Crime Prevention
UNOHCHR	UN Office of the High Commissioner for Human Rights
UNRWA	United Nations Relief and Works Agency
UPEL	Union for the Protection of Juveniles in Lebanon
UPR	Universal Periodic Review
VTTC	Vocational and Technical Training Centres
WFP	World Food Programme
WHO	World Health Organisation
WRF	World Rehabilitation Fund
WVI	World Vision International





1

INTRODUCTION

1.1 Background

SCL decided to undertake a CRSA in 2015, in response to the need for a foundation from which to develop advanced rights-based programmes that would guarantee better integration between humanitarian and development efforts.

A CRSA constitutes an essential source of data intended to inform Save the Children's strategic decision-making related to both development and humanitarian programming in each country where we operate. All SC Country Offices has been advised to carry out a CRSA as a basis for the development of a new strategy for 2016–2018.

For SCL, this CRSA is expected to serve as an integral part of strategic decision-making and will be the primary assessment that will feed into the 2016-2018 country strategic plan.

1.2 Objectives

The overall objective of the 2015 CRSA exercise is to conduct a review of the situation of boys and girls among the Lebanese and refugee populations in Lebanon, to assess the realisation of their rights based on the UNCRC, and to identify the obstacles and enablers of their fulfilment. The Child Rights Analysis intends to inform future strategic planning of SCL's programming in Lebanon.

Specific CRSA objectives include

- Obtain an overview of the situation of boys and girls among Lebanese and refugee children and their rights in Lebanon including the extent to which their rights have been realised and the reasons for their fulfilment or non-fulfilment. The regional child rights' context will be considered in this overview as it may influence the fulfilment of child rights in Lebanon positively or negatively.
- Develop recommendations for the Lebanon country office's 2016-2018 strategic plan based on current information on children's rights. These recommendations should be focused on how to integrate humanitarian and development programming and ensure sustainable solutions are planned in order to increase the realisation of child rights and improve children's resilience;

- Raise awareness and understanding of children's rights and their fulfilment in Lebanon among SCL staff, duty bearers, and rights holders;
- Develop an advocacy strategy based on the results of the CRSA to increase children's rights-based programming in humanitarian and development interventions in Lebanon;
- Draw comparisons between the last CRSA's results from the 2015 exercise to identify trends in children's rights realisation.

1.3 Scope

The CRSA shall include a general overview of the children's rights violations, fulfilments, and a presentation of the immediate and underlying causes of those violations based on available data and sources in Lebanon.

The analysis will provide inputs to guide SCL's efforts to address the rapidly-changing situation of children in Lebanon. It shall not only focus on the situation at the national and local levels, but also take into account developments in the region that hamper or encourage the implementation of children's rights in Lebanon. Additionally it shall take into account the chronic emergency situation resulting from the conflict in Syria and its impact on Lebanon, which continues to expose Lebanese and refugee boys and girls to even more vulnerable circumstances and constrains the development of civil society.

The analysis will address governance issues by examining the legal framework, governance structure, role, resources, commitments, and capacity of the government to enforce all children's rights in Lebanon at the national, regional, and local levels. It will also pay special attention to the profile and role of local civil society, the private sector, the United Nations (UN), and International Non-Governmental Organisations (INGOs) in promoting the rights of the child. The analysis will also give insight on the status of civil society in Lebanon and the region, particularly the child rights-based civil society organisations/coalitions, assess their situations, the challenges they face in developing their activities, and describe existing mechanisms in place to hold the Government of Lebanon (GoL) accountable for fulfilling children's' rights.

1.4 CRSA Approach and Adopted Methods

The approach for this child rights situation analysis is laid out in Save the Children's "Child Rights Situation Analysis Guidelines" from 2013.

The process of the 2015 CRSA study was divided between the local office for Save the Children and an outsourced consultant, International Technical Assistance Services and Consulting (ITASC). SCL assembled a Steering Committee which was responsible for the implementation of the CRSA and to ensure budget compliance. The consultant was responsible for steering the day-to-day management of the CRSA process as well as ensuring quality data review, collection phases, analysis and final reporting, in addition to the primary data collection tasks.

The CRSA was based on two sources of information: secondary and primary data. The first was reviewed and scrutinised to prepare for the primary data collection. Secondary data was extracted from several reports, research papers, policy briefs and legislative documents published by civil society organisations, as well as national and international agencies, Non-Governmental Organisations (NGOs) and INGOs.

Following the collection of secondary data, the CRSA team identified the requirements for primary data collection that allowed the consultant to design the appropriate methodology through key informant interviews. The consultant identified areas of insufficient or non-existent secondary data and took the appropriate steps towards filling that gap in order to showcase the differences and common points between the 2011 and the 2015 CRSA.

SCL adopted a participatory validation process encompassing internal stakeholders from SCL and external relevant stakeholders, as well as a parallel validation process with children including Lebanese, Palestinian and Syrian children.

The following methods were used for the CRSA:

1.4.1 Desk Review

The study team conducted a desk review that includes:

- UNCRC-State party reports and respective concluding observations (when available).
- UNCRC alternative reports issued by civil society.
- National legislation pertaining to children.
- Governmental reports about policy and programmes related to/affecting children (such as government sector plans e.g. strategic plans, poverty reduction strategy papers, education, health), Reaching All Children with Education (RACE), Lebanon Crisis Response Plan (LCRP), Ministry of Social Affairs (MOSA), National Statistics Institution, youth assessments, case management systems, and street children assessment.
- Policy materials, guidelines and research reports produced by SC members.
- Reports produced by the United Nations Children Fund (UNICEF), United Nations High Commissioner for Refugees (UNHCR), the World Health Organisation (WHO) and any other relevant UN agencies.
- The UN Study on Violence Against Children.
- Monitoring and Reporting Mechanism reports - UN Office of the Special Representative of the Secretary General for Children in Armed Conflict.
- Reports produced by international organisations.
- Reports produced by local, national or regional human and child rights organisations and academic/research institutions.
- Budget analyses related to public expenditure on children.
- Civil society partners' reports and consultation.
- Child-led reports.
- Disaster Risk Assessment – Lebanon (United Nations Development Programme -UNDP 2010).
- The Child Rights Situation Analysis published by SCS in Lebanon in 2011.
- Lebanon National Progress Report on the Implementation of the Hyogo Framework for Action (2013-2015).

1.4.2 Key informant interviews

The CRSA emphasised collecting relevant data/information from key informants and conducted 13 interviews and a group meeting (encompassing six interviews) with stakeholders from selected governmental ministries, civil society, UN agencies, and INGOs. Interviews were guided by the need to fill information gaps and validate specific information within the available timeframe and availability of informants. Annex 1 outlines the matrix of key informant selection based on required information. Refer to Annex 2 for the Key Informant list.

1.4.3 Internal Validation workshop

An internal validation workshop was conducted (including the SCL country director, managers, officers and field teams) in the presence of SCS's technical advisors on Child Rights Governance (CRG) and Child Protection (CP). The participants discussed and analysed the CRSA main findings and issued relevant recommendations.

1.4.4 External Validation Workshops

An external validation workshop was organised for 28 key stakeholders from the government, civil society, UN agencies and INGOs. Similarly, attendees discussed and analysed the CRSA main findings and issued relevant recommendations. Refer to Annex 3 for the list of participants.

1.4.5 Children validation workshops

Children validation workshops were organised encompassing 72 children from the various Lebanese governorates, including Lebanese, Palestinian, and Syrian children in the 14-15 year age group from both genders. Children discussed and analysed the main findings of the CRSA that were simplified for the purpose of the workshops. Refer to Annex 4 for detailed methodology.

1.5 Timeframe

The CRSA was intended to be carried out in one year, however the process started in May 2015 and ended in December 2016.

1.6 Limitations

A key limitation that this CRSA also shares with the 2011 situation analysis is the absence of reliable statistics. The Lebanese Government has not released a population census since 1932 and NGOs (local and international) cannot carry out a full scale study on the whole population. Therefore, many of the numbers used in this report are based on a sample population and do not accurately represent the situation at the national level or the situation of all children from all nationalities. Readers must take these numbers as indicators of the situation and not as a final, agreed upon statistic. In addition, many national indicators date back to 2009 when the Multiple Indicator Cluster Survey (MICS) was conducted. Several ministries have since stopped generating timely statistics.

This limitation must be an impetus to adopt creative methods and tools in order to assist future research, and consequently provide a better understanding of the problem which would lead to action guided by accurate information.





2 COUNTRY FACTS

2.1 Introduction

Lebanon is located along the eastern coast of the Mediterranean Sea and is bordered on the north and east by Syria, and by the Occupied Palestinian Territories in the south, with a surface area of 10,452 sq. km. The main cities are distributed along the sea coast and the capital is Beirut. Mountains align the inland and eastern part of the country and in between these ranges lies the Bekaa valley, a fertile agricultural area. Lebanon is a Mediterranean country with moderate weather. Lebanon exhibits the four seasons, including wet winters with significant heavy winter snow in the Lebanese mountains, and summers that are found to be hot and dry.¹

2.2 Demography

Prior to the Syrian Crisis, Lebanon was home to 4.2 million people, out of which 1.3 million were below the age of 18 and 322,000 below the age of 5.² In the population, 95 percent are Arab and 5 percent are Armenian or from another ethnic group.³

Additionally, a study by the Central Administration of Statistics (CAS) published in 2013, based on the 2009 MICS, showed that children between 0 and 17 years represent just under one third of the total population, amounting to 31 percent. Younger children, those between 0 and 4 years old, represented 5 percent while the older children, aged 5 to 17 years, represented 26 percent.⁴

Since 1948, and up until the Syrian Crisis, 425,000 Palestinian refugees were registered with the United Nations Relief and Works Agency (UNRWA), the official body mandated to provide the basic services to the Palestinian refugees in Lebanon's camps. The latest study conducted by the American University of Beirut (AUB) estimated that 260,000-280,000 refugees were residing in Lebanon in 2010, most of them in the camps, half of them under the age of 25.⁵ The Palestinian refugee population in Lebanon is estimated to be young, with more than 45 percent of refugees under the age of 18.⁶ Before the Syrian Crisis more than 80 percent of the 9,000 refugees and asylum seekers registered with the UNHCR were from Iraq.⁷

1 Central Intelligence Agency World Factbook, Lebanon

2 UNICEF, 'Lebanon: Statistics', 2009 figures

3 Central Intelligence Agency World Factbook, Lebanon

4 CAS, Multiple Indicator Cluster Survey (MICS), 2009

5 American University of Beirut, Socio-Economic Survey of Palestinian Refugees in Lebanon, 2010

6 UNICEF, 'Palestinian Children and Women in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory Country Programme Document 2011-2013', 2010

7 UNHCR, 'Country Operations Profile-Lebanon', 2011

In addition, there are reports that 80,000 stateless persons (among them Kurds, Bedouins, and those that were unregistered at birth, including children born out of wedlock) reside in Lebanon.⁸ There are an estimated 758,000 international migrants, out of which nearly half are women, mainly domestic workers.⁹

As illustrated by the numbers above, Lebanon is the only UN member state that has not conducted a population census since the end of World War II. The sensitivity and politicisation of demographic statistics hinders a uniform and official demographic analysis of the country. The only population census made was under the French mandate in 1932 that found Christian Maronites to constitute the largest demographic group, followed by Sunni Muslims and then Shiite Muslims. Accurate demographic statistics in Lebanon are scarce and existing statistics should be understood as approximations.

The Syrian Crisis significantly affected the demographic profile of the country. The population of Lebanon is now one fifth Syrian (27 Syrians per 100 Lebanese), rendering it the highest per capita hosting country in the world when accounting for its previous refugee populations.¹⁰ The Lebanon Crisis Response Plan (2015-2016) estimated the population living in Lebanon at 5.9 million,¹¹ out of which 1,033,513 Syrians are registered as refugees with UNHCR up to the 30th of June 2016. UNHCR figures indicate that the number of registered Iraqi refugees remained at 6,100.¹² UNRWA estimates the number of Palestinian refugees coming from Syria (PRS) to remain constant in 2015 at around 45,000.¹³ UNRWA estimates the number of Palestinian Refugees from Syria (PRS) to remain constant in 2015 at around 45,000.¹⁴

2.3 Economy

Lebanon is a middle income country whose economy relies on two main sources: services and foreign aid. In terms of internal funding, Lebanon continues to rely on the services sector, particularly its commercial banking system. Simultaneously, a heavy inflow of foreign aid continues to support Lebanon's reconstruction, development, and fiscal and financial stability. Lebanon is a free-market economy with extensive linkages with the developed world in most economic activities. The private sector contributes over 80 percent of Lebanon's gross domestic product (GDP) and is dominated by services like banking, finance, hotels, restaurants, media, and advertising, but also includes agriculture, manufacturing, construction, trade, and tourism.¹⁵ Lebanon's GDP reached (US dollars) \$45.73 billion in 2014.¹⁶ Notably, its gross domestic debt stands at \$69.36 billion and its debt-to-GDP ratio stood at 134 percent at the end of June 2015.¹⁷

A report by the UNDP and the MOSA reported these statistics regarding poverty in Lebanon:

"Poverty in Lebanon continues to be a serious problem, despite the government's efforts in the post-war years. The UNDP estimated Lebanon's extreme poverty rate at 8 percent in 2005. Poverty is concentrated in certain regions in Lebanon, mainly in Baalbek and the north in Akkar. Urban poverty (found in Lebanon's main cities including Beirut) is on the rise. The unemployment rate in Lebanon was 8 percent in 2004, although it was much higher (21 percent) among youth aged 15 to 24, unemployment is also higher among poor unskilled workers, women, and extremely poor youth holding a secondary degree. Poverty in Lebanon is also associated with marginalised social groups such as people with disabilities, the elderly and female-headed households (often widows). Of female-headed households, 36 percent are considered deprived, versus 23 percent of male-headed households".¹⁸

The most recent data outlined in the LCRP indicates that out of the total population of 5.9 million, about 1.5 million Lebanese people are considered vulnerable. Some 29 percent of the Syrian refugees registered with UNHCR are unable to meet their survival needs and an estimated one third lack legal status documentation, limiting their capacity to sustain their own well-being. Equally, more than 336,000 Lebanese and at least 220,000 Palestinian refugees live under Lebanon's lowest poverty line of \$2.4 per day.¹⁹ An assessment conducted by UNRWA showed that 90 percent of PRS are vulnerable.²⁰

8 Frontiers, Invisible Citizens: A Legal Study on Statelessness in Lebanon, 2009

9 United Nations Population Division, International Migrant Stock: 2008 Revision, 2010

10 World Food Programme, Vulnerability Assessment of Syrian in Lebanon-Preliminary results, 2015

11 Lebanese Republic, UN, Lebanon Crisis Response Plan, 2015-2016, 2014

12 UNHCR, Lebanon Global Appeal, 2014-2015, 2014

13 UNHCR, the UN Refugee Agency, the Registration Trends for Syrians in Lebanon

14 UNRWA, Syria regional crisis, emergency appeal 2015, 2014

15 UNDP, Lebanon Millennium Development Goals Report 2013

16 World Bank, <http://data.worldbank.org/country/lebanon>

17 Ministry of Finance, Public Debt Directorate, General Debt Overview, 2015

18 UNDP and MOSA, Poverty Mapping, 2007

19 Lebanese Republic, UN, Lebanon Crisis Response Plan, 2015-2016, 2014

20 UNRWA, Syria Regional Crisis, Emergency Appeal 2015, 2014

At the macroeconomic level, the Syrian crisis underlined and amplified the repercussions of the deadlocked political situation, and consequently economic growth slowed considerably between 2011 and 2013. According to the International Monetary Fund, GDP growth rates decreased from 2.5 percent in 2012 to 1.5 percent in 2013.²¹ Spillover from the Syrian conflict has negatively affected the humanitarian, economic, and social spheres. According to a World Bank assessment during the 2012-2014 period, the conflict may (1) cut real GDP growth by 2.9 percentage points each year, entailing large losses in terms of wages, profits, taxes, or private consumption and investment; (2) push approximately 170,000 Lebanese into poverty (over and above the 1 million Lebanese, Palestinian and Syrians already living below the poverty line) and double the unemployment rate to above 20 percent, most of them unskilled youth; and (3) depress government revenue collection by \$1.5 billion while simultaneously increasing government expenditure by \$1.1 billion due to the surge in demand for public services, bringing the total fiscal impact to \$2.6 billion.²²

The UNHCR noted, “Humanitarian needs show little signs of abating. As their displacement extends and their savings deplete, refugees’ socio-economic vulnerability increases. An effective display of international solidarity and support is vital for Lebanon, which has received the highest number of Syrian refugees in the world. Failing this, the country’s capacity to respond and withstand the Syria crisis will be severely tested”.²³

2.4 Development

“Historically, policymaking in Lebanon has dissociated the economic from the social agenda, relegating the latter rather to a secondary offshoot. Only recently have social issues started to feature notably in government plans and ministerial statements. The Social Action Plan – a road map consisting mainly of social safety nets – was instigated in 2007 as part of the government’s reform plan submitted to the Paris III conference. The Social Action Plan stipulated the formulation of a national social strategy. Accordingly, in 2011, the National Social Development Strategy (NSDS) was drafted. The strategy calls for a common vision guiding the establishment of a citizen-based civil State²⁴. It has five general objectives that coincide with the Millennium Development Goals (MDG) focus and targets – achieving better health, strengthening social protection mechanisms, providing quality education, improving opportunities for equitable and safe employment, and revitalising communities and developing social capital. More importantly, the strategy aims to change the MOSA from a care provider to a social development agency in charge of putting Lebanon on a comprehensive social development track, rather than keeping social reforms as ad hoc measures that trail economic policies.”²⁵

The last government also drafted an Economic and Social Reform Action Plan to be implemented over the 2012-2015 period, in line with the main pillars of the NSDS 2011. It also committed in its policy statement to work towards social justice and sustainable development.²⁶

“Looking just at the overall strategic objectives of the NSDS and Economic and Social Reform Action Plan – notwithstanding the details of each, and to what extent they were informed by previous strategies or plans – it is clear that policymaking in Lebanon has shifted towards giving more importance to social issues, cross-cutting with achievement of the MDGs. Unfortunately, the complicated political situation and the increasing humanitarian crisis resulting from an influx of Syrian refugees have put these objectives on halt. These two challenges threaten progress towards attainment of the MDG targets and may even result in reversal of past achievements.

Assessing the MDGs cannot take place without taking into account the broader changes in the social, economic and political landscape of Lebanon. Two key emerging challenges weigh on progress in a number of MDG indicators: the political climate and the Syrian crisis, resulting in an unexpected and massive influx of refugees into the country.

Although none of the eight MDGs deals specifically with refugees, most have direct relevance to the plight of refugees and the repercussions for host communities.

Thus, the scope and magnitude of the refugee problem have inevitably significant impacts on progress towards attainment of the MDGs in Lebanon”.²⁷

21 International Monetary Fund, IMF Lebanon Country Report, 2014

22 World Bank, Lebanon economic and social impact assessment of the Syrian conflict, 2013

23 Accessed Online at: <http://www.unhcr.org/pages/49e486676.html>

24 MOSA, National Social Development Strategy, 2011

25 UNDP, Lebanon Millennium Development Goals Report 2013

26 MOSA, Social Reform Action Plan, 2012-2015

27 UNDP, Lebanon Millennium Development Goals Report 2013

Lebanon’s Human Development Index (HDI) value for 2013 is 0.765²⁸ — which is in the high human development category — positioning the country at 65 out of 187 countries and territories. Between 2005 and 2013, Lebanon’s HDI value increased from 0.741 to 0.765, an increase of 3.2 percent or an average annual increase of about 0.40 percent.

Lebanon has a Gender Inequality Index (GII) value of 0.413²⁹, ranking it 80 out of 149 countries in the 2013 index. In Lebanon, 3.1 percent of parliamentary seats are held by women, and 38.8 percent of adult women have reached at least a secondary level of education compared to 38.9 percent of their male counterparts. For every 100,000 live births, 25 women die from pregnancy related causes; and the adolescent birth rate is 12.0 births per 1,000 live births. Female participation in the labour market is 22.8 percent compared to 70.5 for men.

2.5 Political and Security Situation

Lebanon is a parliamentary democratic republic, with three branches of government: the legislative, executive, and judicial. The political system in Lebanon is based on a division of power between Lebanon’s various religious groups, or sects. There are 18 officially-recognised religious sects that can more generally be categorised as Muslim or Christian. The security situation in Lebanon has been deteriorating since the end of the Civil War in 1990. Constant disturbances and armed conflict such as political assassinations (most notably the 2005 assassination of Prime Minister Rafik Hariri), the 2006 Lebanon-Israel War and the 2007 Lebanese Army-Nahr El Bared Militia clash represented serious threats to the aspired stability in Lebanon.

However, the security situation in Lebanon deteriorated in 2014 in ways the country had previously experienced. Two principle factors played a role here: first, the spillover violence from the Syrian conflict, second, the abrogation of democratic institutions in the wake of parliament’s failure to elect a president. Failure to elect a president until the end of 2016.³⁰

Killings, unrest, and kidnappings of foreign citizens across Lebanon have increased. There has also been a resurgence of sectarian violence in Lebanon, with numerous reports of bombings, assassinations, and isolated battles between the army and sub-state militias. The Syrian Civil War and its domestic impact have furthered the polarisation of Lebanese politics.

Terrorist attacks are commonplace and could occur at any time throughout Lebanon. Security services remain on a high state of alert. The primary road between downtown Beirut and the international airport can be blocked without warning. If the security situation deteriorates, access to the airport may be cut off, potentially for extended periods.

The security situation in Lebanon can deteriorate quickly. Demonstrations and other forms of civil unrest can occur at short notice and often turn violent. There is potential for further violence, which could restrict options for departing the country. The ability of the foreign government to provide assistance with departures may be limited. Overall, the future and stability of Lebanon depends largely on the evolution of the Syrian conflict and the provision of adequate humanitarian assistance by the international community.

28 UNDP, Human Development Index Trends 1980-2013

29 Ibid

30 World Report 2015: Lebanon, events of 2014, <https://www.hrw.org/world-report/2015/country-chapters/lebanon>

2.6 International Legal Obligations

Table 2.1 Status of selected relevant international treaties

COUNTRY	Treaty Description	Treaty Name	Signature Date	Ratification Date, Accession(a), Succession(d)	Reporting / Submission Dates
Lebanon	Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	CAT		05 Oct 2000 (a)	05 Nov 2001
Lebanon	Optional Protocol (OP) of the Convention against Torture	CAT-OP		22 Dec 2008 (a)	N/A
Lebanon	International Covenant on Civil and Political Rights	CCPR		03 Nov 1972 (a)	21 Mar 2001
Lebanon	Second OP to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty	CCPR-OP2-DP			
Lebanon	Convention for the Protection of All Persons from Enforced Disappearance	CED	06 Feb 2007		N/A
Lebanon	Convention on the Elimination of All Forms of Discrimination against Women	CEDAW		16 Apr 1997 (a)	16 May 2014/ 24 Apr 2014
Lebanon	International Convention on the Elimination of All Forms of Racial Discrimination	CERD		12 Nov 1971 (a)	12 Dec 2006/ 28 May 2015
Lebanon	International Covenant on Economic, Social and Cultural Rights	CESCR		03 Nov 1972 (a)	30 Jun 1995/ 20 Jul 2015
Lebanon	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW			
Lebanon	UN Convention on the Rights of the Child	UNCRC	26 Jan 1990	14 May 1991	12 Dec 2011 / 2015
Lebanon	OP to the UNCRC on the involvement of children in armed conflict	UNCRC-OP-AC	11 Feb 2002		N/A

Lebanon	OP to the UNCRC on the sale of children child prostitution and child pornography	UNCRC-OP-SC	10 Oct 2001	08 Nov 2004	08 Dec 2006
Lebanon	OP on Communication Procedures				
Lebanon	Convention on the Rights of Persons with Disabilities	CRPD	14 Jun 2007		N/A

Source³¹: UN Office of the High Commissioner for Human Rights (UNOHCHR)

This table shows that Lebanon has not undertaken any accessions or ratifications in the last eight years to relevant human rights-related international treaties. This could be attributed to political instability and the frequent paralysis of the legislative authorities. This reality is reflected by Lebanon's signature or acceptance of treaties without legislative ratification.

2.7 Human Rights

"Pressures generated by the armed conflict in neighbouring Syria continued. There were new reports of torture and other ill-treatment of detainees.

In January 2015, Lebanon introduced new criteria for Syrian nationals applying for and renewing their residency permits. These criteria apply to all Syrians, including those who are recognised as refugees by UNHCR. In May 2015, Lebanon took steps to restrict the entry of refugees from Syria including Palestinians.

Palestinian refugees' long residence in Lebanon continued to face discrimination. Women remained subject to discrimination in law and in practice, and were inadequately protected against sexual and other types of violence. Foreign migrant workers, particularly women domestic workers, faced exploitation and other types of abuse. More than two dozen men faced prosecution for alleged consensual same sex conduct. Some progress was made in clarifying cases of enforced disappearance dating back decades. The death penalty remained in force; there were no executions."³²

On Nov. 10, 2010, Lebanon was reviewed by the Universal Periodic Review (UPR) Working Group of the Human Rights Council under the UPR mechanism. As an outcome of the review session, the Lebanese government accepted 69 recommendations and rejected 40 others. The recommendations that Lebanon accepted served as the basis for Lebanon's next review that took place on the 2nd of November 2015, Lebanon accepted 128 recommendations out of 219, noted 89, and accepted partially two recommendations, for which it clarifies the accepted part, and the noted one.³³

A coalition of local NGOs working on child rights including Developmental Action without Borders/Naba'a, Mouvement Social, and ABAAD-Resource Centre for Gender Equality, presented a relevant submission to the review. Additionally, other human rights coalitions in the country including the Arab NGO Network for Development (ANND) and their partners curated a joint submission on economic and social rights. Notably, civil society has been active in the UPR process and submissions since the first review in 2010.

³¹ UN Office of the High Commissioner for Human Rights, Lebanon Homepage, <http://www.ohchr.org/EN/countries/MENARregion/Pages/LBIndex.aspx>

³² Amnesty International, Report 2014/2015, The State of the World's Human Rights, 2015

³³ United Nations General Assembly, Report of the Working Group on the Universal Periodic Review, Lebanon, Addendum, 25 February 2016, Page 2

The table below outlines some of the human rights-related legislative changes relevant to the situation of children in Lebanon that the state has committed to within the UPR framework. Lebanon's only progress occurred in relation to the adoption of Law No. 293 concerning the protection of all members of the family from domestic violence, and developing domestic legislation to criminalise trafficking through amendment of the Penal Code.

Legislative Changes	Institutional/Structural Changes
Ratification of the Convention on the Rights of Persons with Disabilities (CRPD)	Establishing a national human rights institution according to the Paris Principles
Amend the penal code to criminalise all forms of torture	Establishing a human rights directorate in the Ministry of Justice
Develop domestic legislation to criminalise trafficking	Adopting the national human rights action plan (NHRAP)
Amend labour code with regards to sale and trafficking of children	Strengthening the national institutional framework to combat trafficking
Adopt a draft law on the protection of women from domestic violence	Establishing a national preventive mechanism in line with the OP to the United Nations Convention Against Torture (UNCAT)
Provide legal protection to migrant and migrant domestic workers	Improving quality and access to education

2.8 The Convention on the Rights of the Child and the Optional Protocols

Lebanon submitted its most recent report to the Committee on Nov. 15, 2004, a year after its due date. Two alternative reports were submitted: the first was a report by Amnesty International, and the second was written by the Coordination Forum of NGOs Working among the Palestinian Community. The Committee considered the State report during its 42nd and 44th sessions and published its related Concluding Observations on June 8, 2006. The Committee requested that Lebanon's 4th and 5th periodic reports be combined and submitted as one report in December 2011, however it was not submitted by the deadline. The government instead submitted it in October 2015. It is worth noting that the current process of elaboration of the government's report differs from the previous process. The latter was prepared in partnership with civil society through relevant committees established for the purpose of compiling the report. The current report was exclusively written by the government and subsequently involved civil society and relevant stakeholders as part of a consultation process. The role of civil society was restricted to providing relevant comments. The change in process was attributed to specific guidance from the UN Committee on the Rights of the Child.³⁴ A national coalition composed of NGOs working on child rights issues submitted an alternative report on the 1st of July 2016 and is preparing for the participation in the NGOs pre-session in Geneva during October 2016.

³⁴ Accessed online at http://www.unicef.org/eapro/InterAgency_Panel_Best_Practices.pdf

Lebanon signed the OP to the UNCRC on the Involvement of Children in Armed Conflict on February 11, 2002, but has taken no action towards ratification. The HCC is currently implementing an action plan that aims at facilitating ratification. Lebanon ratified the OP on the Sale of Children, Child Prostitution and Child Pornography on Nov. 8, 2004. The first government report for this Protocol was due on Dec. 8, 2006 but it has not been submitted.

The GoL has neither lodged any reservations to the UNCRC nor to the OP on the Sale of Children, Child Prostitution, and Child Pornography. Amidst major delays in the ratification and implementation of optional protocols to the UNCRC and reporting on existing ratified treaties, it would be unrealistic to expect ratification of the third OP to the UNCRC on communications procedures. This was validated by HCC and MOSA interviews undertaken in the context of the CRSA.

2.9 The Convention for the Elimination of all forms of Discrimination Against Women (CEDAW)

Lebanon has not removed its reservations on the CEDAW, namely article 9 paragraph 2 concerning the nationality law, and the article 16 paragraphs (c), (d), (f) and (g) concerning the personal status code and article 29 on arbitration, which hampers gender equality. Lebanon was urged repeatedly by the UN Committee on the Elimination of all forms of Discrimination Against Women to remove the reservations and introduce all necessary amendments to the applicable laws in Lebanon. Lebanon also did not ratify the OP to CEDAW. Several laws include articles and provisions discriminating against women, including the nationality law, personal status codes, penal code, labour law, and electoral law. The latest law on domestic violence remains unenforced. Discrimination against women is not restricted to the legal frameworks, it is inherent to the patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Lebanon, which are reflected in women's educational choices, their situation in the labour market and their low level of participation in political and public life. Lebanese women's access to national decision-making and their participation in political life remains weak and has not witnessed any improvements.³⁵

2.10 The Local Legal System

Lebanon's judicial system is based on the Napoleonic Code. The legal system consists of a Constitutional Council (enacted at the request of 10 members of parliament) that determines the legality of newly adopted legislation, civilian courts that have an independent judiciary, and a Military Court that has jurisdiction over military personnel and civilians in security-related issues. There are two tribunals, one permanent and the other a cassation tribunal, which hears appeals from the former. The latter court is chaired by a civilian judge. Civilians tried under this court have the right to the same procedures governing other courts. On the other hand, the Judicial Council (with five senior judges) is a permanent council that deals with cases concerning national security and other high profile cases. The Cabinet decides whether to refer a case to this court, on the recommendation of the Minister of Justice. There is no appeal procedure under this court but otherwise all procedural rights apply.

The Personal Status Code is based upon religious laws and is adjudicated by courts specific to each confession. The Law of April 2, 1952 defines the powers held by Jewish and Christian religious authorities, and determines what matters fall under their jurisdiction, namely family and children in what is known as the Family Code. Similarly, the Law of July 6, 1962 is applicable to Sunni, Shiite, and Alawis in Lebanon while the Law of Feb. 24, 1948 applies to the Druze population. Issues related to marriage, children, inheritance, and testamentary disposition fall under the jurisdiction of these religious courts. The religious courts operate almost independently from the rest of the judicial system.

There is no comprehensive children's code in Lebanese law, rather legislation of particular relevance to children is found in a number of codes, laws, and decrees as will be outlined throughout the CRSA.

In the Palestinian camps, there are a number of conflict dispute mechanisms, including the popular committees, UNRWA, community elders, and faction structures.

³⁵ Millennium Development Goals, Lebanon Report 2008, UNDP

Lebanon is not a signatory of the 1951 UN Refugee Convention and its 1967 protocol, and as a result the GoL does not recognise the basic rights and legal obligations to people with refugee status.

Decree No. 319 regulates the legal status of Palestinians in Lebanon as “foreigners who do not carry documents from their countries of origin and who reside in Lebanon by virtue of residency cards issued by the General Security Office or the Department of Refugee Affairs in Lebanon.” This singular status confers Palestinian refugees (only those who fled to Lebanon in 1948 and their descendants) the right of residency in Lebanon, but with a “foreign” status that prevents them from accessing basic social services such as education or health (where UNRWA’s mandate fills the gap). On these matters, Lebanese law is generally based on the “principle of reciprocity” where laws related to the treatment of Lebanese nationals in the expatriate’s country of origin dictate the treatment the foreigner receives in Lebanon. Palestinians, as stateless foreigners, are left outside the governmental protection provided to other “foreigners” by this principle.

In spite of the August 17, 2010 legislation allowing Palestinian refugee workers to benefit from reciprocity provided for in the Labour and Social Security law, this amendment has yet to be implemented. Therefore, there has been no change in the status of Palestinian workers’ rights, but rather complicated legislative conditions have been imposed on them and their employers. Moreover, the amendment has not improved conditions for members of the free professions who are deprived of their right to work.³⁶

Though it seemed promising at first, the labour law amendment in 2010 affecting Palestinian refugees’ right to work in Lebanon does not address the exclusion of Palestinian refugees from 30 syndicated professions. As such, hiring practices are not likely to change as Palestinian refugees remain unable to access the majority of positions in areas like banking, medicine, management, law, and education. They also do not benefit from fair working conditions and basic social protection. Palestinian refugees face discrimination in the labour market. Despite their educational background or general competency, they are restricted from most professions.³⁷

Roughly 56 percent of Palestinian refugee workers are jobless, leaving only 37 percent of the working age population employed. Lebanon has the highest percentage of Palestinian refugees living in extreme poverty. Two out of three Palestinian refugees subsist on less than \$6 a day.³⁸

Palestinians cannot attend Lebanese public schools or own property. They do not have access to national health services and the social security system, in spite of the fact that employers are obliged to register them at the National Social Security Fund (NSSF), they only benefit from retirement schemes and are not covered by related health insurance. Stateless Palestinians who came from outside Lebanon do not enjoy the rights given to foreigners holding citizenship from another country.

This leaves the majority of the camps’ population completely dependent on UNRWA and other non-profits, local and international, for everything from schools to humanitarian assistance. The government does not provide a social safety net for Palestinians living in Lebanon. In the camps and gatherings, refugees confront challenging environmental conditions, infrastructure decay, and health hazards. Six out of 10 registered refugees live in 12 UNRWA camps while 38 percent live in approximately 27 “gatherings” (informal communities) near the camps or are scattered in Lebanese communities. The average family is made up of 4.5 members and 53 percent of the refugees are women.³⁹

UNRWA provides Palestinians in the camps with education, health care, and infrastructure including shelter, electricity, water, and sanitation. Due to legal aspects of land ownership, UNRWA is limited in their ability to provide assistance (housing, water and sanitation) to those refugees living outside the camps.⁴⁰

Some children feel obliged to find work to help support their families. Others quit school out of despair over future professional prospects. Because they are prohibited from working outside of the camps in most professions that would necessitate a higher degree, refugee children often feel that it is not worth the effort to continue their studies, even if finances permitted.⁴¹

36 MANARA Network, Save the Children Sweden, Country Profile of Lebanon, 2011

37 Lebanon Millennium Development Goals Report 2013-2014

38 ANERA, Palestinian Refugees in Lebanon, 2012

39 AUB, Socio-Economic Survey of Palestinian Refugees in Lebanon, 2010

40 Ibid

41 ANERA, Palestinian Refugees in Lebanon, 2012



3 General Measures of Implementation - General Principles - Definition of the Child

3.1 General Measures of Implementation (Articles 4, 42, 44.6)

3.1.1. Law Reform and Enforcement

In its concluding observation on the government’s third periodic report, the International Committee on the Rights of the Child highlighted that “some of the concerns it expressed and recommendations it had made in its previous observations regarding, inter alia, independent monitoring, the minimum age for marriage, the very low age of criminal responsibility, the right to a nationality, the right to be protected against violence and abuse, and the protection of refugee children, including Palestinian children, have not been sufficiently addressed.” Furthermore, “the Committee recommended that the State party expedite and strengthen its efforts to harmonise its legislation fully with the provisions and principles of the Convention, and that it provides the necessary human and financial resources for the full and effective implementation of its domestic laws in order to better protect the rights of the child.”⁴²

With respect to the above mentioned legislative concerns, slight progress was achieved pertaining to Palestinian refugees, namely the issuance on August 17, 2010 of legislation allowing Palestinian refugee workers to benefit from reciprocity provided for in the labour and social security law. The amendment has not improved conditions for members of the free professions who are deprived of their right to work.⁴³ This amendment has yet to be implemented.

In addition, progress was achieved on the level of protection against violence and abuse. Significantly, on April 1, 2014, Lebanon’s parliament passed Law No. 293/2014 on the Protection of Women and Family Members from Domestic Violence. The law can be considered a breakthrough given that it instated a legal protective framework pertaining to the family irrespective of the various sectarian personal status laws. The law included increased penalties on family members that drive children into acts of begging, debauchery, corruption and prostitution, whereby the penalty would be doubled in case of violence and threats. However, implementation decrees have yet to be issued.

The latest legal review to assess compliance with the UNCRC was undertaken in 2007.⁴⁴ It proposed eight project laws amending certain articles of the Penal Code and adding new provisions repealing some aspects of law No. 550 of July 1996 concerning the adoption of a health record for each new born child and replacing them with new

42 United Nations, Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention - Lebanon, Concluding Observations, 2006

43 MANARA Network, Save the Children Sweden, Country Profile of Lebanon, 2011

44 USJ, HCC, Save the Children, UNICEF, Legal Study on UNCRC and compliance with national laws, 2007

provisions. It also added new provisions to article 5 of the Associations' Law, amending some provisions of Law No. 220 of May 2000 on the rights of persons with disabilities. It also amended article 218/1 to the code of obligations and contracts, amended some provisions of Law No. 382 dated March 1994 on television and radio broadcasting, added a new article to Legislative Decree No. 104 of June 1977, as amended by Law No. 330 of May 1994 and containing the amendment of some provisions of the press law promulgated on 14 September 1962, the Bill aimed at amending some provisions of Law No. 422 dated June 2002 on the protection of juveniles in conflict with the law or at risk.

The draft amendment relating to Law No. 422 was the only project law presented to the relevant parliamentary committees. It includes amendments to the provisions allowing juveniles complicit in a crime with an adult to be subject to adult trial procedures, raises the age of criminal responsibility, and strengthens protection measures. Law No. 422 is receiving more attention than other laws given the endorsement of the national strategy for the protection of children from all forms of violence in 2012. A key informant at the HCC indicated that the draft amendment is currently undergoing further revision and commenting by concerned ministries. It is notable that 13 years after its endorsement, the relevant implementation decrees to Law No. 422 have not been issued. Another project law was formulated on a children rights code in Lebanon but was not submitted to the relevant authorities for endorsement.

Among the most important law reforms was the promulgation of Law No. 150 on August 17, 2011, stipulating that elementary education shall be compulsory and free in public sector schools until the age of 15. It is worth noting that Law No. 686 passed in 1998 rendering education free and compulsory until the age of 12 was not implemented successfully. Similarly, Law No. 150 was also never fully implemented.

The text of Article 186 of the penal code which previously permitted discipline culturally approved by "general custom" from parents and teachers against children, was replaced through Law No. 286. The text of that law, issued on April 30, 2014, reads, "The law permits non-violent discipline practiced by fathers and mothers on their children, on the condition that such discipline should not leave any marks on their children's bodies or inflict any damages on their physical health or psychology." Accordingly, corporal punishment in schools is now prohibited by law. However, it is still permitted by parents without defining the criteria to assess the discipline that will or will not cause physical or psychological damages.

The Ministry of Education and Higher Education (MEHE) issued a memorandum in 2013 for teachers and other school personnel to adhere to circulars 95/29-7/2001 and 23/M/2012 prohibiting the use of all forms of violence in schools, including corporal punishment.

3.1.2. National Plan of Action for the Advancement of Children in Lebanon

In Lebanon's third periodic report to the Committee on the Rights of the Child, the HCC announced preparations for a national plan for the advancement of children in Lebanon that will take into account the General Assembly special session document (2002), "A World Fit for Children," and the Arab Action Plan for Children. However, the national plan never materialised. Various action plans were developed addressing specific issues relating to street children, child participation, early childhood development, disabilities, child trafficking, and the national strategy for the prevention and protection of children from violence. The adopted process relies on the formulation of the action plans by the HCC and the sharing of those plans in a participatory review process with relevant stakeholders, and then final presentation to the Council of Ministers for approval.⁴⁵

The action plans are at different stages of finalisation. Only the national strategy for the prevention and protection of children from violence was finalised and approved in 2012 by the Council of Ministers. However, this approval is limited to the content of the strategy, and does not include the allocation of required budget resources to the concerned ministries. Various key informants from HCC and MOSA who were interviewed in the context of the CRSA emphasised that given the prevalent political stalemate, restricted budgets, and limited resources, coupled with the lack of prioritisation of children's rights, it is essentially impossible to develop a cohesive national strategy.

A youth policy was prepared by the Youth Forum through the Ministry of Youth and Sports and endorsed by the Council of Ministers in 2012. Youth were defined in the 15 to 29 age bracket. The youth policy issued recommendations pertaining to demographic characteristics and migration, labour and economic participation, education and culture, health and social integration, and political participation. The policy is used as a guiding document for organisations working with youth, however the policy was not coupled with a strategy and action plan.

3.1.3. National Coordination Role in Relation to the Various Governmental Bodies and Non-governmental organisations Involved in the Implementation of the Rights of the Child at National and Local Levels

The HCC was established in 1994 by a decision of the Council of Ministers. Its purpose is to create a framework of cooperation between NGOs and the public sector on behalf of child care and development and to implement the UNCRC in Lebanon. The HCC is responsible for developing child-related policies and programmes, as well as monitoring children's rights, developing national action plans, and preparing reports to the UN's Committee on the Rights of the Child. The Board of the HCC is comprised of public, private/non-governmental, international and national organisations.

The Secretary General of the HCC presents project proposals to the Board, based on a needs assessment conducted by the Secretariat. The Board meets upon the request of the Minister of Social Affairs. The staff of the HCC is divided into committees, each dealing with a specific issue. The HCC established 14 national committees in 2010, in the context of the elaboration of the National Childhood Action Plan, encompassing members from ministries, government, NGOs, academia, unions, experts, and children. The committees were established based on ministerial decisions and their tasks included the elaboration of action plans, national reports, and studies. They included legislation, children with disabilities, health, culture and media, children participation, prevention and protection from violence and abuse, children in conflict with the law, education, Early Childhood Care and Development (ECCD), family environment and alternative care, street children and at risk refugee children, and the protection of children from internet risks. The fourteenth committee, information and documentation, was subsequently cancelled following the initiation of the information and documentation project at MOSA.

Each committee has a president and a secretary general elected by members of the committee. Since then, these committees have been working on sectoral plans which are meant to eventually feed into a comprehensive national plan for children. Such a national plan would serve as a framework for all relevant children's rights actors, both governmental and NGOs.

The ability of the HCC's recommendations to bring about change is restricted by the degree to which ministries and relevant governmental stakeholders cooperate. In many issues, such as ECCD and children with disabilities, a great deal of inter-ministerial cooperation is needed, but it is not always guaranteed. In fact, the children's and women's rights fields are the only ones to have designated governmental bodies, the HCC and the National Commission for Women's Affairs respectively, tasked with reporting to and interacting with relevant UN treaty organisations. As a result, the provisions of these treaties allow more national room for debate, consultation, and translation into laws and action.

In its concluding observation, the Committee was concerned that the coordination of existing policies and programmes is rather sectoral and fragmented, and that coordination of implementation at regional and local levels is still insufficient. It recommended that "the HCC continue to strengthen its coordination role in relation to the various governmental bodies and non-governmental organisations involved in the implementation of the rights of the child at national, regional and local levels, in order to ensure uniform implementation of the child rights policies and programmes in all parts of the country."⁴⁶

In this regard, the Committee recommended that the government provide the HCC with the specific mandate for this coordination, and additionally strengthen the HCC's capacity to evaluate, based on a proper data collection and analysis, the implementation of the UNCRC. Interviews conducted in the context of the CRSA as well as the external validation workshop have highlighted the need for restructuring of the HCC, rendering it directly linked to the Council of Ministers.

Sectoral coordination working groups were established in response to the influx of Syrian refugees and the concurrent mobilisation of various international and local organisations to effectuate humanitarian assistance.

⁴⁵ UNISDR, Making Lebanon Resilient, Achieving Disaster Risk Reduction in the Arab States, Good Practice Country Brief, 2012

⁴⁶ UN Development Assistance Framework Report, Lebanon, 2010-2014, 2009

The working groups are chaired and co-chaired by relevant government ministries and UN agencies. They consist of: the Basic Assistance Working Group, The Child Protection in Emergencies Working Group (CPIEWG), The Education Working Group, the Food Security Sector (FSS) Working Group, The Health Working Group, The Livelihood Sector, Sexual and Gender-Based Violence (SGBV) National Task Force, The Shelter Working Group, the Social Stability Working Group, the WASH Working Group, and an information management working group.

3.1.4. Independent Monitoring (Children's Ombudsman)

Lebanon previously reported that a specific children's ombudsperson was under consideration and discussion, however no further progress has been made. On Aug. 4, 2014, relevant parliamentary committees endorsed the bill stipulating the establishment of an independent national human rights institution, including an independent permanent National Committee for the Prevention of Torture in accordance with the provisions of the OP to the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The bill was subsequently referred to the parliament for endorsement. To date the bill is not endorsed, and the national human rights institution is not yet established. Although the institution's work would theoretically encompass children rights, it is still unclear whether its mandate would ensure the monitoring of children's rights at national, regional, and local levels and the reception and investigation of complaints on violations of children's rights from the public, including individual children.

Some processes were implemented by HCC and MOSA with respect to establishing a hotline for children and a Facebook-based complaints mechanism. Various key informants highlighted through interviews conducted for the purpose of the CRSA that no progress was actually achieved in that respect.

Notably, the European Union (EU) had proposed the establishment of an ombudsman office through its action plan for EU-Lebanon Partnership and Cooperation 2013-2015, within the thematic component "Improving efficiency, good governance and transparency of public administration." Information was not available on any progress achieved in that respect.⁴⁷

3.1.5. Allocation of National Resources to Children

Public funds are governed by constitutional provisions provided for in Article 81 and in subsequent articles. Article 81 specifies the jurisdiction of the legislative authority to impose and collect taxes and binds the government to submit the draft budget to the legislative authority. The budget shall include estimates of state expenditures and revenues for the following year. The previously mentioned provision prohibits the legislative authority from increasing the government's suggested credits and it prohibits the government from opening additional credits except by virtue of law. Nevertheless, should unforeseen circumstances render urgent expenditures necessary, the constitution allows the cabinet to open credits by virtue of a decree ratified by the cabinet as long as these credits do not exceed a maximum limit specified in the budget law. The previously mentioned article binds the government to submit a closure of accounts concerning the past year's expenditures and revenues. The constitution also prohibits the conclusion of any loan or undertaking, or conferring any engagement or privilege or monopoly except by virtue of a law.

In addition to the constitutional provisions, lawmakers issued many laws that determine taxes and duties. The most important of these laws are the income tax, built-up property tax, inheritance tax, stamp duties, and many others. The Public Accountability Law determined the rules of revenue collection and expenditures in order to protect public funds from misuse. Each year lawmakers draft a budget law in which they determine the government's expenditures and revenues for the following year and by virtue of which tax collection and spending is permitted. The budget indicates the political, social, and economic priorities set by society through translating political tendencies and commitments into expenditures and taxes.⁴⁸

Subsequent to the Lebanese Civil War and repeated phases of political instability and insecurity, governments attempted to reduce the general debts by adopting a policy of restricted budgets aiming at reducing useless expenditures and increasing revenue to the treasury. It is notable that social sectors are negatively affected by reducing allocated resources and by the manner in which they are prioritised. Of particular relevance to the situation of children, the constant increase in general debt and the direct impact of the burden of the debt service which

constituted 40 percent of national budget expenditures between 1993 and 1998, deprived social and economic sectors from required resources for development.⁴⁹ Similarly the net public debt increased by 42 percent between 2005 and 2006, reaching 89,637 trillion Lebanese pounds by the end of December 2014, and constituting 115 percent of Lebanon's GDP.⁵⁰ Economic growth was not able to keep pace with the general debt and its debt services given various factors, including the repeated destruction of Lebanon's infrastructure as a result of Israeli belligerence. In addition, around 5 percent of Lebanon's GDP is lost to illicit outflows every year. Everything from avoiding traffic laws, to getting government jobs, and even securing political office can be bought and sold, according to a report by U4, an anti-corruption resource group based in Norway.⁵¹

"Lebanon has many financial commitments and restrictions, whereas wages and public debt service consume the majority of public revenues leaving very few of these resources to the funding of social programmes. They also hinder the development of a social policy on the long run and hold back the public power from playing a vigorous role in the development process".⁵² Ministries that receive the highest budgets are in general those employing the highest number of staff, consequently the Ministry of National Defence and the Ministry of Interior (MOI) receive the highest budgets (given their roles over the army and the police force respectively), as well MEHE which includes teachers. Remaining ministries, namely those providing services to citizens, receive lower budgets in proportion to their employees and not in relation to their services or programmes like MOSA or Ministry of Public Health (MOPH).⁵³ This trend remained in the last budget of 2005, wherein debt service reached 39 percent of total budget expenditures, but the MEHE's share of the budget was 8.78 percent, the MOPH's was 3.6 percent, and the MOSA's was 0.87 percent.

Lebanon does not have a national budgeting system that allows the measurement of national resources allocated to children. Budgets within ministries are allocated per department or programmes regardless of whether the beneficiaries are adults or children. In this report, focus was placed on existing assessments of social expenditures, however various ministries which are not categorised as specifically providing social services to children but do allocate resources which affect children, cannot be readily assessed given their budget structure. These include the Ministry of Labour (MOL) (Child Labour unit), Ministry of Justice (MOJ) (Juvenile Justice department), Ministry of Culture, Ministry of Media, Ministry of Interior and Municipalities (municipal funds allocated to children projects), and Ministry of Youth and Sports.⁵⁴

In addition there are a plethora of bilateral agreements pertaining to children including government financial contributions that are difficult to accurately assess because they are not documented in one database. They are instead dispersed between the ministries and the Council for Development and Reconstruction (CDR), among other EU, UN, and World Bank agreements with the government.

Another impediment to a comprehensive budget analysis is the existence of other governmental bodies besides the ministries that have relevance to children. These include the CDR, which the Lebanese government established in 1977 through Decree No. 5 dated Jan. 31, 1977, in order to elaborate and execute a reconstruction and development plan for public institutions. "Contrary to other authorities, the CDR was an autonomous institution endowed with extended jurisdiction and is directly accountable to the Council of Ministers through the Prime Minister, thus evading the administrative routine matters which had ceased to be followed in order to accelerate the reconstruction process and to allow adequate time for the reconstruction and building of public institutions that were devastated during the events."⁵⁵

The CDR's mandate had shifted from an emergency reconstruction body into a permanent planning and development entity, a role commonly played by a ministry of planning. CDR is active in four sectors: physical infrastructure (electricity, telecommunications, and transportation), social infrastructure (education, public health, social and economic development, land use and environment), basic services (water supply, wastewater, solid waste management), and production and other sectors (agriculture, irrigation, sovereignty services, tourism and others). The total value of contracts signed by the CDR between 1992 and the end of 2013 was about \$12.059 billion. About \$7.886 billion of the projects were completed, while works valued at about \$4.173 billion remains underway. Education projects constituted 10 percent (53 percent financed through government budgets) and public health three percent (33 percent financed through government budgets).⁵⁶

49 Lebanese Republic, State National Periodic Report on the implementation of the UNCRC-1993-1998

50 Lebanese Republic, Ministry of Finance, Public Debt Directorate, General Debt Overview, 2015

51 U4 Anti-Corruption Resource Centre, Overview of Corruption and Anti-Corruption, 2012

52 Lebanese Republic, Office of the Minister of State for Administrative Reform, Citizens Charter Public Funds, 2011

53 Lebanese Republic, State National Periodic Report on the implementation of the UNCRC-1993-1998

54 Human Rights Watch, Lebanon Report, 2015

55 Accessed online at <http://www.cdr.gov.lb/eng/profile.asp>

56 Lebanese Republic, Council for Development and Reconstruction, Annual Report, 2014

47 EU, Action plan for EU-Lebanon partnership and cooperation 2013-2015, 2013

48 Lebanese Republic, Office of the Minister of State for Administrative Reform, Citizens Charter Public Funds, 2011

The four "Majalis and Sanadeeq" (Councils and Funds) under the Lebanese Prime Minister's office are widely regarded as the epicentre of patronage in the Lebanese government. These include the Council for the South (CFS), the Fund for the Displaced (FFD), the Higher Relief Council (HRC), and the CDR.⁵⁷

Budget analysis studies and assessments are scarce, and whenever available, they focus on social expenditures including health, education and social services. Public expenditure review started to receive attention as a policy instrument in 1999, primarily by the Ministry of Finance and UNDP, in collaboration with UNICEF, which sought to analyse government expenditures on basic social services and their effectiveness. The objective of the public expenditure review was to determine the extent of the need for a restructuring of government expenditure to secure additional resources for basic social services, and the best way to proceed secure those resources.

The study revealed that the principle issues with government expenditure on social services does not reside in the volume of expenditures but rather on the inefficiency of expenditures. This is especially true with respect to services covered by the public sector and their high cost.

The review explained that a major reason for the inefficiencies observed in government expenditure on social services is the absence of comprehensive and integrated social and sectoral policies. This is in addition to institutional weaknesses in the administration of resource allocation, control of spending, and evaluation of results.⁵⁸ Interviews conducted with HCC and MOSA confirmed that there is no system to assess new laws, policies, or programmes for their effect on children's rights (child impact assessments), unless required specifically by donors.

The Lebanese government has long suffered from political paralysis in its budget processes. A national budget has not been approved since 2005, meaning that legal government expenditures are effectively frozen at \$6.8 billion annually. However, spending pressures required the government to approve extra-budgetary spending estimated at around \$15 billion between 2006 and 2011, without parliamentary approval.⁵⁹ Accordingly, yearly budgets are determined in compliance with the 2005 budget while attempting to maintain social expenditures in health, education, and social services at the same levels and to increase them. It is estimated that social expenditures reached 13.25 percent out of the total national budget in 2005.⁶⁰

It is notable that the Union of Municipalities' funds that were generated through returns from the mobile telephone companies were re-allocated to the treasury by the government between 2005 and 2009. During subsequent years and up until September 2014, the municipal funds were not transferred to the Union of Municipalities thereby undermining their financial capacities. In September 2015, the Minister of Finance issued a decision to release the funds in order to facilitate decentralised interventions to address the emerging solid waste management crisis in Lebanon.

Lebanon's score on the Open Budget Index (OBI) was 33 out of 100 in 2012, which is below the average score of 43 for all the 100 countries surveyed. Lebanon's score on the OBI has remained almost the same during the last three rounds of the Open Budget Survey (OBS). Lebanon's score indicates that the government provides the public with minimal information on the national government's budget and financial activities during the course of the budget year. This makes it challenging for citizens to hold the government accountable for its management of the public's money.⁶¹ It is worth mentioning that among the OBS recommendations aimed at increasing transparency was providing information in the budget proposals on the linkages between the budget and the government's stated policy goals, non-financial and performance data, and information intended to benefit directly the country's most impoverished populations.⁶²

There are plans by the HCC to initiate a process for child-friendly budgeting capacity building that might pave the way in the long run for analysing allocated national resources for children. Similarly, UNICEF intends to initiate action in that direction.

3.1.6. Data Collection

As mentioned previously, Lebanon lacks demographic data and has not conducted a census since 1932. The last MICS conducted by the CAS dates from 2009, and includes data on children from a governmental formal source.

HCC had initiated the implementation of the "Child Info" programme on indicators relating to children, and it planned to establish a research, information, and documentation centre for childhood within the framework of the Programme of Cooperation between the Lebanese Government and UNICEF from 2002 to 2006. However, when Child Info was transformed into Dev Info, it was decided that the CAS would take the lead. HCC updated the database until 2006. The information and documentation centre was established in 2011 using Italian government funds, but it was transformed into a resource centre that does not include a childhood database with relevant indicators.

To date, the mechanisms for data collection and analysis are inadequate. There is a lack of updated and disaggregated data concerning many issues covered by the Convention. There is no set of agreed-upon metrics to ensure that data is collected on all areas covered by the Convention. Whenever indicators are available, they are not used to formulate policies and programmes for the effective implementation of the Convention.

3.1.7. Cooperation with National Civil Society

The state collaborates closely with non-governmental organisations. Civil society assumes an active role in the implementation of the rights of the child and in the provision of education, health and social services. Civil society forums hold standing memberships at the board of the HCC. The latter ensured participation of 130 NGOs in the council's specialised committees.

Regarding the process of privatising or contracting out services to non-governmental organisations, the Committee on the Rights of the Child noted its concern regarding accountability and transparency around this process, as well as the lack of critical information provided by external monitoring and assessment mechanisms, in its concluding observations on the government's third periodic report.⁶³ This concern remains valid given that no changes have taken place since the report. Interviews conducted with MOSA officials showed that MOSA holds 186 contractual agreements with NGOs including 156 for social welfare, 100 for disabilities, 15 for specialised protection, and 15 for juvenile protection respectively. This is in addition to 180 contracts with dispensaries and 33 for day-cares run by NGOs. Contractual agreements constitute around 70 percent of MOSA's annual budget.

Even when Lebanon attempts to provide guidelines and standards for service provision in compliance with the UNCRC, it is faced with barriers relating to monitoring and enforcement.

3.1.8. Dissemination of the UNCRC, training Activities among national staff and raising awareness among children and adults on the UNCRC

HCC has adopted a process of training based on the UNCRC as an introduction to all other topics relating to children, however there are no national comprehensive plans that are based on training needs assessments and that would reach new professionals involved with working with children. INGOs and local NGOs implement training activities, however they are restricted to their specific programmes. There are various activities aimed at raising awareness in children and adults about the UNCRC, however they generally relate to individual projects or stand-alone operations. There is no set programme focused on reaching all Lebanese children and non-Lebanese children from all age groups. Child-friendly versions of the UNCRC were produced by HCC but with no set dissemination plan. HCC disseminates publications through its members and committees, events activities, and upon requests by various organisations. The Social Development Centres (SDCs) represent the decentralised channel for dissemination.

The last UNCRC report dates to 2004, and it was adequately disseminated at the national level through HCC events and activities and its specialised committees as well as upon request by various organisations. HCC had published separate executive summaries in Arabic and English which allowed further dissemination. The report due in 2011 was submitted in 2015 and shared with relevant stakeholders including INGOs, NGOs, academia, UN Agencies, the military, and the internal security services for comment prior to a national workshop for further validation.

57 Lebanon - Corruption <http://www.globalsecurity.org/military/world/lebanon/corruption.htm>

58 UNDP, Development Cooperation Report, UNDP, Lebanon, 2002

59 Daily Star, 'Lebanon's Government will not pass draft budget', Beirut, 6 March 2012

60 Lebanese Republic, National Budget, 2005

61 International Budget Partnership, Lebanese Transparency Association, Open Budget Survey, Lebanon, 2012

62 Ibid

63 United Nations, Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention-Lebanon, Concluding Observations, 2006

Analysis

Analysing the general measures of implementation cannot be done in isolation of the country's context, since the latter would ideally set the basis for engendering an enabling environment conducive to the realisation of children's rights.

The prevalent social norms yield both beneficial and dilatory effects to the realisation of children's rights. Family and religious values are important in Lebanese society. In general, the child is still not perceived as a subject of rights or a "right-holder" as such. Families tend to consider their children as their property and strangers cannot interfere with their affairs. In addition, religion is a major determinant of social norms and hence it affects children to a great extent, given its sanctity and the fact that it has to be taken at face value in a multi-sectarian context that affects children in different ways. Even social norms are politicised according to political affiliation of the families of children. Thus social norms are not in line with the universality of children's rights.

Notwithstanding the progress achieved and outlined in the course of CRSA, there are structural causes which have impeded the progress of implementation and which Lebanon has failed to address since the ratification of the UNCRC in 1991, and which were also repeatedly underlined by the UN's Committee on the Rights of the Child. The most important structural cause is the absence of a children's rights-based national childhood policy. This was consequently reflected in all the general measures of implementation, where all child-related efforts were fragmented, and interrelated bottlenecks ensured a complex and ineffective desultory cycle.

Moreover, national legislation was not harmonised in compliance with the UNCRC and its principles. Lebanon is unable to reach a unified code on children's rights due to a multiplicity of personal status laws that apply to children depending on their religious affiliations. In spite of the issuance of child-related legislation, enforcement is weak. This stems from the failure to issue implementation decrees for endorsed laws by the government which would establish mechanisms and structures, and allocate the necessary budgets. There are various examples that are mentioned throughout the CRSA, including Law No. 422 regarding children in conflict with the law or at risk, and Law No. 220 on the rights of people with disabilities. Decades have passed since the adoption of the laws. In the meantime, new relevant laws, project laws, and amendments are passed, but also without implementation decrees. A typical example are the free and compulsory education laws, issued at an interval of thirteen years. Both laws were not coupled with implementation decrees. It is clear that education rights can impact the status of all other rights without exception, and in particular protection rights. The CRSA cannot identify precisely the underlying and immediate causes behind the lack of implementation decrees, however their absence raises many questions that would require further in-depth analysis, including the questions, "What is the policy of the government regarding children, are children really prioritised, why relevant budgets are not allocated, etc."

Besides the structural causes, there are underlying causes which contributed to lack of progress in implementation, including political turmoil, national governance constraints, changes in government, as well as continued paralysis of the legislative authorities, and the Syrian Crisis. In the last decade, there was an attempt to formulate a national childhood strategy and a national plan for children, but it fell apart because of frequent government instability and budgetary constraints. There are many project laws and proposals to amend other laws that have been awaiting endorsement for a decade. As such, the legal reform process recommended by the Committee on the Rights of the Child in its concluding observation in 2006 did not start yet, similar to the enforcement of existing laws.

Repeated governmental changes also contribute directly to the inability to hold stakeholders and responsible parties accountable, especially those in the state's structure. In the same context, an ombudsman was not established which impeded the implementation of the monitoring and accountability measures. Even if an ombudsman is established, it will be difficult to ensure independence from politicisation, given that the position and its power will be attractive to many but not necessarily for the sake of helping children.

The issue of poor availability of information and statistics as policy monitoring tools should not be ignored. One major problem relates to the politicisation of information. Census data is not available to the public and hence most indicators are essentially estimates. The inability to generate data represents a major hurdle in the monitoring of the UNCRC and policy formulation. In practical terms, the shift in emphasis to humanitarian assistance-emergency work

facilitated the generation of information pertaining to refugees as opposed to indigenous Lebanese communities, given the relevance to securing necessary funds.

Various governments have proved unable to address the national debt issue. Accordingly, additional resources that will be earmarked for an action plan for childhood were not available and will likely not be available in the short run. The government is already experiencing difficulty in managing its financial problems, which was reflected by the government's endorsement of the national strategy for the protection of children from all forms of violence without allocation of resources or funding.

Moreover, allocations for children are diffuse and mixed in with the general budgeting system, and within ministries. Given the general difficulty in reforming procedures in Lebanon, and the lack of progress in the realisation of children's rights, it is likely that adopting budgets friendly to children's rights policies would require enormous time and effort.

In parallel, the existing coordinating mechanism possesses an adequate mandate, but is crippled by weak jurisdiction. This fact is directly related to the governing structure of the HCC, whereby the latter is a council within MOSA and does not have a national enforcement authority. Regardless of any national coordination mechanisms led by HCC, internal coordination between departments affecting children's rights are weak or nonexistent.

It is difficult to analyse partnerships and cooperation between the government and civil society from a children's right-based perspective due to their complexity. In general, the government facilitates partnerships with civil society through HCC's structure and its related committees. Conversely, the government subsidises civil society to deliver services to children and should therefore play a strict monitoring role to ensure quality on the one hand and the protection of children's rights on the other. However, the latter effort is frequently undermined by a politicised and competitive civil society. A large portion of government budgets finance NGOs, whereas ideally the money should be invested in governmental structures aimed at the realisation of children's rights through increased access, equity, and quality of services.

Conclusions

It can be concluded that minimal progress was achieved with respect to the general measures of implementation. This can be attributed to the weak enabling environment resulting from both structural and immediate causes.

3.2. General Principles (Articles 2, 3, 6, 12)

3.2.1 Non-discrimination

The UN Committee on the Rights of the Child noted through its concluding observation in 2006: "that the Constitution and domestic laws guarantee equal status only to Lebanese children, but leave, for example, foreign children and refugee and asylum-seeking children without such protection. It is concerned at the persistent de facto discrimination faced by children with disabilities, the aforementioned foreign, refugee and asylum-seeking children, Palestinian children, children living in poverty, children in conflict with the law, and children living in rural areas, especially with regard to their access to adequate social and health services and educational facilities. The Committee also notes with concern the reports of the expressions of racial discrimination and xenophobia in the State party."⁶⁴

The Lebanese Constitution applies to all Lebanese regardless of sex, language, religion, age, or colour as held in Article 7, which states the equality of all Lebanese before the law as well as equality in obligations and civil, political, social, and economic rights without discrimination.

Lebanese laws guarantee partial protection against discrimination as further elaborated in the following chapter, except for personal status laws which are governed by religious concerns. Among relevant laws:

The Code of Medical Practice (No. 288 Feb. 22, 1994) aims at the protection of minors without discrimination.

The Labour Law (Article 26 No. 27 May 26, 2000) prohibits discrimination on the basis of gender.

⁶⁴ United Nations, Committee on the Rights of the Child, Concluding Observation, 2006.

The Law regulating the health register for newborns (No. 550/1996) does not discriminate between Lebanese newborns, but also does not apply to non-Lebanese nationals or children of Lebanese women married to non-Lebanese men.

Law No. 686 and relevant laws regulating education make primary education free and compulsory for all Lebanese but also do not apply to non-Lebanese enrollment. Law No. 220, regarding the right to non-discrimination for persons with disabilities, applies only to Lebanese citizens.

The Penal Law applies to both adults and juveniles while the law for the protection of juveniles in conflict with the law or at risk (No. 422 June 6, 2001) applies to juveniles without discrimination based on nationality or other aspect.

Discrimination in the Penal Law concerning male and female sanctions that are applied in the case of adultery was removed with the 2011 amendment.

Notwithstanding the legal framework, discrimination exists in practice, as mentioned previously. It is inherent to the patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of males and females in the family and in society in Lebanon. In addition, girls' inheritance is governed by the respective religions and sects, whereby certain sects do not confer equal rights to boys and girls. Civil society's effort to advocate for a civil personal status law has repeatedly faced deadlock and obstruction. It is nearly impossible to undertake any reform in that regard given the prevalent sectarian political system.

People with disabilities remain subject to discrimination. This reality can be attributed to societal attitudes and scant awareness of their rights. This is reflected in their lack of inclusion in schools, the labour market, and society in general.

"Migrant domestic workers are excluded from the labour law and subject to restrictive immigration rules based on employer-specific sponsorship — the kafala system — which put workers at risk of exploitation and abuse. Migrant domestic workers suing their employers for abuse continue, however, to face legal obstacles and risk imprisonment and deportation due to the restrictive visa system.

In compliance with the provisions of the residency laws in Lebanon, it is not permitted for certain categories of low wage migrant workers, and domestic workers in particular, to sponsor the residencies of their spouses and children. However, it was possible before January 2014 for female workers to apply for residency for their children on a yearly basis until they reach four years of age, then renew the residency if they are enrolled at school.

In January 2014, new measures were implemented prohibiting the renewal of residencies of children of migrant workers and hence deportation of children would be imposed even for migrant workers having a legal status. General security sources claim that these measures only apply to workers breaching the residency laws and deportation is undertaken on a case-by-case basis."⁶⁵

3.2.2 Best Interest of the Child

The UN Committee on the Rights of the Child stated in its concluding observation of 2006 that "it is of the view that the principle of best interests of the child is not adequately reflected in the State party's legislation, policies and programmes."⁶⁶

There is no legislation that reflects this principle. Some laws indirectly and tangentially safeguard the best interests of the child but this effect rests on interpretation of the law. However, the primacy of ratified conventions, like the UNCRC, over local laws provides an opportunity to apply that principle in the courts by lawyers and judges. Limited cases were documented in that respect and they related mainly to child custody and juvenile court sentences, and they depended principally on the judges' decision.⁶⁷

In the absence of a unified child code, it is difficult to fully apply the principle of the best interest of the child. Given the existing variance in personal status laws governed by each religion and sect, and the various authorities in question, and the interpretation of the principle, the treatment of children varies considerably. It is worth mentioning that civil society was able to effectuate legislative amendments relating to child custody in religious courts using the principle of best interest of the child as an advocacy argument. Consequently, on June 6, 2011, the age of a child's custody by the mother increased to 12 years for the Sunni Muslim sects for both males and females, and the judge has the ability to raise it to 15 years if it is deemed necessary to safeguard the best interest of the child. Similarly, the age of a child's custody by the mother was raised to 14 years of age for Christian sects and for both males and females, with a similar provision enabling the judge to raise it higher.

Shia, Sunni, and Druze religious laws generally maintain that in the event of divorce, the child's age, not their best interests, should determine with whom they reside. In a recent development, Sunni judges can, at their discretion, consider the best interest of the child in determining custody. Similarly, Christian personal status laws also use a child's age as a principle factor in determining custody, but also allow judges, at their discretion, to make custody determinations based on the best interest of the child.

Alongside the concept of custody, religious courts recognise the concept of guardianship, which entails the preservation and upbringing of children and their assets until they reach adulthood. Across religious laws with the exception of the Armenian-Orthodox personal status law, the right of guardianship both during marriage and after is granted to the father who is recognised as the preeminent moral and financial guardian of his children.

Thus, this practice fails to adequately uphold the standard set forth by the Convention on the Rights of the Child, which instructs state parties that, in all matters concerning children, "the best interest of the child shall be a primary consideration."

It is noteworthy that through the children validation workshops conducted in the context of the CRSA, Syrian children highlighted indirectly the infringement of this principle through their exploitation by their parents who withdraw them from schools and push them into begging and child labour against their will.

3.2.3 Right to Life, Survival, and Development

There are several laws, decrees and ministerial decisions pertaining to the right of the child to life, survival, and development which will be outlined in the course of the CRSA, however, the main obstacles relate to the enforcement of these laws:

Law No. 162/2011 (August 17, 2011), annulled article 562 of the Penal Code, which promoted the killing of women by allowing for reduced punishment in so-called "honour crime."

Law No. 293 issued on April 1, 2014 on "the protection of women and all family members from domestic violence."

According to data available from the MOPH, the main causes of mortality among children below 5 years of age in Lebanon are neonatal causes (65 percent), injuries (11 percent), pneumonia (1 percent) and diarrhoea (1 percent). Twenty-two percent of deaths result from unknown causes. UNICEF data for Lebanon indicates slight progress for 2012, namely an Under 5 Mortality Rate (U5MR) of nine per 1,000 live births (10 for males and 9 for females), and an infant mortality rate of eight per 1,000 live births.⁶⁸ Lebanon has registered positive results with regard to reducing child mortality. Under-five mortality and infant mortality rates have fallen to a third of their 1996 level. Overall, Lebanon is doing well in children's health, yet more can be done to ensure fairness in access and to raise quality of services.

⁶⁵ Accessed Online at: www.legal-agenda.com. Statement issued by nine human rights organisations, against the deportation of children and families of migrant workers, 3/9/2014

⁶⁶ United Nations, Committee on the Rights of the child, Concluding Observations, 2006

⁶⁷ Lebanon, State report on the UNCRC, Third Periodic Report 2004 and Draft 4th and 5th report 2015

⁶⁸ UNICEF website, Lebanon Data

Crimes of honour

Law No. 162 represented a breakthrough with respect to combatting crimes of honour, especially regarding reduced sentences that used to be applied for crimes committed by males only.

There is no recent data on the number of crimes of honour. The culture of “honour” as it relates to women’s sexuality has undergone some change. The manifestations of this change include, for example, a decline in the phenomenon of the murder of women motivated by “restoration of the honour of the family.” In the 12-month period from May 2010 to May 2011, 12 women were killed in Lebanon in honour crimes. Only one of the murderers was the father, the remainder were husbands of the victims. In other words, these killings were not motivated by “honour” in the accepted sense but were, rather, cases of the crime known world-wide as uxoricide.⁶⁹

Recent statistics are not available on the prevalence of honour crimes in the Palestinian community. The CRSA in 2008 indicated honour crimes are almost non-existent in the Palestinian community. There was also a lack of data regarding honour crimes in the Iraqi and Sudanese refugee communities.⁷⁰

Abortion

Abortion is illegal in Lebanon, and engaging in it can entail up to five years in prison. According to a “Now Lebanon” article, “in spite [of] the legal prohibitions many women terminate their pregnancies, and many doctors perform abortions in secret for hefty sums of money. The doctors are not always very professional in their relationship with the patient, and the procedures can sometimes end tragically. Usually, abortions in Lebanon are performed by vacuum or dilation. Some doctors also use the chemical abortion, and they administer RU486, which is illegal to sell in Lebanon or Oxitocin to induce early labour.” The article further indicated that in many villages and poor neighbourhoods of Beirut, women who cannot afford to go to a doctor use objects available at home to abort themselves which sometimes leads to death of the mother. Unmarried women from conservative areas who become pregnant also face honour killing. According to social workers from the NGO KAFA, “many women go through the abortion ordeal if they have an unwanted pregnancy. Having a child out of wedlock is practically impossible in Lebanon, not just because unwed mothers are marginalised by Lebanese society but also because the law does not allow single women to register their children.”⁷¹ There are no campaigns to legalise or regulate abortions in Lebanon, and it is not expected that women’s rights organisations would raise such a sensitive issue.

Suicide

Suicide is punishable by law in Lebanon. The 2013 statistics of the juvenile department at the MOJ show that there were four cases relating to suicide, one “accused” child and three witnesses.⁷²

A student health survey published in 2011 by the WHO estimated that 15 percent of students aged 13 to 15 in Lebanon had considered attempting suicide at one point in the previous year. The exact number of children committing suicide in Lebanon is not known. It is estimated that one person dies of suicide in Lebanon every three days, a figure that a top government health official described as “frightening” and which will be the target of a new national suicide prevention campaign.⁷³

3.2.4 Participation - Respect of the Views of the Child

The UN Committee noted with concern in its concluding observation of 2006 that “the religious and Sharia courts decide on issues related to custody and care of the child without hearing the child’s opinion. It also shares the State party’s concern that the traditional attitudes in Lebanese society may limit children’s right to freely express their views within the family, in schools and in the community at large.”⁷⁴

There are no laws that explicitly guarantee the right of children to participation. Articles 12, 13, 14 of the constitution ensure freedom of expression, freedom of thought, and freedom of conscience and religion, and these freedoms are protected within the provisions of the law. These articles, however, apply to Lebanese citizens and there is no explicit guarantee of these liberties for children.

The child-led reports supported by SCI and produced in partnership with Nab’aa, Mouvement Social, and MANARA Network in 2013 involved Lebanese and Palestinian children and highlighted that children feel helpless and are unable to make any decisions or effectuate any changes whenever they are with their parents at home.

The children validation workshops conducted in the context of the CRSA which involved Lebanese, Palestinian, and Syrian children shed light on the principle of participation and related rights. Lebanese children emphasised that they are not given a chance to express their views at home or at schools and that the absence of relevant laws is not conducive to participation. Similarly, Palestinian children indicated that they are not given a chance to participate at home or at schools, and that parents impose things on them. Syrian children outlined many issues that undermine children’s participation, including their parents forbidding them from participating, their parents exploiting them and ignoring their opinions, neglect of them by their parents and the state, a lack of information available to them, fear that the expression of their views will result in violence against them from their neighbours and parents, and a belief that their suggestions to change anything in the camps are ignored. They confirmed that the absence of relevant laws does not facilitate children’s participation and that there is a lack of participation in policies, programmes, and planning pertaining to children. For them, whenever participation exists, it is restricted to a few families and schools.

In an attempt to promote children’s participation and respect for their views, HCC established a specialised participation committee and drafted a relevant strategy. However, the committee has not been active for the past two years and the strategy remains unfinished. In parallel, the HCC initiated various stand-alone relevant activities in partnership with civil society between 2009 and 2012, including consultations with children, a children’s parliament, a youth council, child-friendly cities, and a child-friendly cities laboratory. Through the MOL’s Child Labour unit, a forum for working children was created.

World Vision International (WVI) undertook consultations with children and initiated the formulation of child-led reports. The Permanent Peace Movement in partnership with IDEA NGO implemented an UNDEF (United Nations Democracy Fund) supported project relating to children participation rights. Various INGOs implemented projects relating to children’s participation including SCI’s work with municipalities, and child-led reports in partnership with Nab’aa – Developmental Action without Borders, ALEF – Act for Human Rights and Movement Social NGOs.

3.2.5 Analysis

Since the ratification of the UNCRC, its principles have not permeated all structures and levels in Lebanon, and they are not reflected in the national policies, legislation, nor programmes. This was reinforced by the limited adoption of the children’s rights-based approaches, which rely on the UNCRC principles as well as human rights principles.

Moreover, the minimal progress on implementation negatively impacted compliance with cross-cutting principles. Somehow, the current situation in that regard resembles the early post-ratification phase. Similar to the general measures of implementation, there is a poor enabling environment that represents a barrier to the full adoption of the UNCRC principles.

The prevalent social norms are structural inhibitors, increasing non-compliance with the UNCRC principles. As indicated previously, children are not considered a subject of rights by families, teachers, caregivers, and society as a whole. This reality undermines all the principles, in particular participation. Discrimination is deeply rooted in the social construct. It can be attributed to a lack of rights literacy as a whole, and not only poor awareness of children’s rights in particular. The latter is widespread among concerned stakeholders and responsible officials at the policy-making level. Moreover, the efforts that were intensified post-ratification relating to national dissemination of the UNCRC and capacity-building were gradually weakened over time. Even those previously trained need refresher information and new skills.

69 Republic of Lebanon, State report 4th and 5th to CEDAW, April 2014

70 Coordination Forum of the NGO’s Working Among the Palestinian Community submission to the Committee on Rights of the Child on the occasion of Lebanon’s third period report (01/10/2005), Rights of the Palestinian Child in Lebanon, Third Supplementary Report [Accessed on 25 Feb. 2008 - Summary by CRIN]

71 Accessed Online at: https://now.mmedia.me/lb/en/reports/features/lebanons_abortion_question

72 Ministry of Justice, Juvenile Department Statistics, 2013

73 Accessed Online at: <http://www.dailystar.com.lb/News/Lebanon-News/2014/Sep-11/270261-one-person-commits-suicide-in-lebanon-every-three-days.aspx>

74 United Nations, Committee on the Rights of the Child, Concluding Observations, 2006

With respect to legislation and policies, the main structural obstacle relates to the absence of a children's rights policy that would guide related legislative, strategic, and administrative measures in line with the UNCRC principles. Consequently, there is a weak primacy of the UNCRC over domestic laws whenever decisions are made regarding children and their best interests. Another structural cause pertains to the local legal systems in place, namely the personal status laws that contradict the principles of universality of rights and lead to variable perceptions of non-discrimination and the best interests of the child according to the religion and sect of the child. There are at times contradictions between the personal status laws and the civil laws. In such cases, the personal status laws prevail due to the primacy placed in the power originating in religious authority.

As explained above, targeted national awareness-raising and capacity-building associated with the UNCRC have decreased over time, and consequently, allocation of resources for this purpose have also diminished proportionally. This can be attributed to a lack of prioritisation in that regard and budgets constraints.

There are currently initiatives and projects that do not guarantee sustainability of the participation of children. All implemented activities represent an opportunity for child participation and expression of their views. However, participation in decision-making on the policy level and inclusion of children's concerns in relevant strategies remains still limited. Coordination between various initiatives is weak.

3.2.6 Conclusions

It can be concluded that there are major structural factors hindering compliance with the UNCRC principles. The most important of these are prevalent social norms and the personal status laws. The latter represents a great challenge which is difficult to overcome in the short run. Lebanon has reverted to a phase resembling the situation immediately following its ratification of the UNCRC, a situation attributable to underlying factors including a lack of prioritisation and limited resources.

3.3 Definition of the Child (Article 1)

In conformity with Article 1 of the UNCRC, Article 4 of the Civil Code of 1951 defines a child as every human being below the age of 18. The Penal Code defines a juvenile as every male or female over seven and under 12 years of age, an adolescent is every person between the ages of 12 and 15, and a "young person" is every person between the ages of 15 and 18.

The definition of the child in Lebanon is not compliant with article 1 of the UNCRC, whereby different groups of children can be treated differently based on their age. The personal status laws of the 18 different sects have the most impact in that regard.

There is no common minimum age of marriage that applies to all young Lebanese women and men, as the personal status laws of the different religious denominations define the minimum age. According to Lebanon's third periodic CEDAW report published in 2006, all of the 10 religious groups allow girls under the age of 18 to marry. Among Sunni and Shia Muslims, marriages of girls as young as nine years old can be licenced if approval is granted, although it is no longer customary that such young girls marry. Among the Jewish denomination, girls as young as 12.5 years old may marry, and among the Syrian Orthodox and Armenian Orthodox a girl may be as young as 14 years old when she marries. For boys of most religious groups, the marriageable age is 18, although marriages of younger boys can be approved by most of the groups. Families can obtain an exception from a religious tribunal to allow earlier marriages which shows that the definition of the child per the UNCRC does not apply to their children from their own perspective. Child marriage statistics and trends are scarce, but child marriage existed particularly in the rural areas of Akkar in the North and the Eastern Bekaa but as a marginal phenomenon. The latest data of CAS, MICS 2009, shows that one percent of children are married below the age of 15 and 6 percent between the age of 15 and 18 years. This number is on the rise because of the influx of poor and vulnerable Syrian refugees.⁷⁵

75 CAS, Multiple Indicator Cluster Survey (MICS), 2009

The National Commission for Lebanese Women, a state body on women's rights, is trying to tackle the problem with legislation that would give civil authorities a role in an area that is usually the preserve of clerics. Accordingly, a first draft regulating the marriage of minors was elaborated in 2014. The draft law will eventually be presented to Lebanon's parliament but could face significant opposition from religious leaders, traditionally resistant to any attempt to erode their monopoly over personal status issues. The Commission is also working on a broad campaign to raise awareness and lobby for Lebanon to sign and ratify the Convention on Consent to Marriage, Minimum Age and Registration of Marriages.⁷⁶

Law No. 422 set the age of criminal responsibility at seven years old. A proposed amendment of Law No. 422 was elaborated and presented to the parliament nearly 10 years ago, but it contradicted government and civil society efforts aimed at raising the age of criminal responsibility to 12 years and chose 10 years of age instead. The amendment of Law No. 422 is currently under review by relevant ministries including the MOSA and the MOJ. There are various obstacles to raising the age of criminal responsibility to 12 years, including misconceptions about the age of consciousness of the child and linkages made between it and the age of religious consciousness. In addition, the most recent argument relates to other countries considering lowering the age of criminal responsibility as indicated through interviews with the HCC Secretariat and the President of the Forum on the Rights of the Child.

On June 5, 2002, Lebanon ratified the International Labour Organisation (ILO) Convention No. 138, which sets the minimum age for employment at 15 years. However, in practice, children become involved in child labour below the legal age, which reflects the perception of the communities with respect to the definition of the child. As mentioned previously, in an attempt to filling the gap between the age of completion of schooling and the minimum age for employment, a law was issued that raised the age of free and compulsory education from 12 to 15 years.⁷⁷

3.3.1 Analysis

There is no national consensus on "who is a child." The definition of the child per the UNCRC is not one that is nationally recognised. This is also true with parents and children themselves, and is resulting in children being placed in difficult situations, depending on various interpretations of the meaning of childhood.

This situation is exacerbated in the absence of a child code and child policy. The multiplicity of laws governing childhood matters including the diverse personal status laws further complicate the situation. As indicated previously, the local religious systems are structural factors resulting in different definitions of the child. Other underlying causes include poor awareness of children's rights, and related protection provisions. A civil personal status code is ultimately the optimal solution.

3.3.2 Conclusions

Within the prevalent political and religious systems in Lebanon, there are structural causes leading to diverse definitions of the child, which negatively impacts the situation of children and the realisation of their rights.

76 The National Commission for Lebanese Women, website and Facebook

77 The Republic of Lebanon, State UNCRC 3rd periodic report to the Committee on the Rights of the Child, 2004



4

EDUCATION AND CULTURE

4.1 The Legal Framework and Current Governmental Policies Regarding Education

Lebanon's education system is based on the fundamental principles supported by the Lebanese Constitution and the National Accord Convention, as well as on the laws and regulations governing educational matters. They emphasise the freedom of education, the right to education, and accessibility and equality in education. Those principles have also been emphasised in international conventions that Lebanon abides by such as: the Declaration of Human Rights, the International Convention on Economic, Social, and Cultural Rights, and the International Convention on the Rights of the Child.

At the legislative and regulatory levels, the education sector in Lebanon has experienced four main phases. The first phase occurred during the independence period, but the majority of texts relevant to education policy from this time have been annulled and/or amended. The second phase extended between 1968 and 1971, and witnessed the issuance of a significant number of texts that regulate the various stages of pre-university education. The legislation was generally limited to identifying and clarifying the practical, technical, and regulatory aspects of the sector, without further elaboration on clear educational and pedagogical policy. The third phase was started in the 1990s: a Plan for Educational Reform was drafted in 1994, and in 1997 the first constituent document was published that drafted an education policy and established fundamental principles and rights. In 2004, a National Action Plan for Education was drafted, covering up to 2015. As for the fourth and final phase, it began in 2010 when the MEHE presented a five-year Education Sector Development Plan (ESDP) to support the education sector's development programmes. A complementary document – in line with the ESDP – was developed in 2014 in response to the Syria Crisis, called the RACE strategy.

The RACE strategy aims at reducing the impact of the influx of high numbers of school-aged Syrian children on the education sector. Some 42 percent of the Syrian refugee population in Lebanon are school-aged children between the ages of 3 and 18, more than 280,000 of whom were out-of-school in Lebanon in August 2015, when RACE was drafted.⁷⁸ RACE aims at enabling vulnerable school-aged children (three to 18 years) in Lebanon to access quality formal education and recognizing the need for additional non-formal learning opportunities in safe and protective environments.

⁷⁸ UNHCR Lebanon Daily Registration Statistics. Retrieved on 20 August 2015: <http://data.unhcr.org/syrianrefugees/syria.php>

4.1.1 The Right to Education in the Constitution and International Conventions:

- Article 10 of the Lebanese Constitution guarantees the freedom to education, but without establishing the principles of free education, compulsory education, nor the right to education in general.
- The International Covenant on Civil and Political Rights establishes the principle of compulsory and free education for the elementary stage primarily, then for the complementary and secondary stages.⁷⁹
- The International Covenant on Economic, Social, and Cultural Rights establishes the right for every individual to education and learning, which guarantees the complete development of the human personality and its sense of dignity, as well as reinforcing respect for human rights and basic liberties, aiming at enabling every person to participate in a useful role in a free society.⁸⁰
- The Convention on the Rights of the Child establishes the right of the child to education based on the principle of equal opportunities i.e. until they attain the age of maturity (18 years).⁸¹

4.1.2 The Right to Education in Legislative Texts and Government Policies

The MEHE developed a general framework to reform public pre-university education in 2010 through a five year plan, the ESDP. The plan includes an implementation strategy with five priorities to be completed by 2015, based on 10 relevant programmes and achievement performance indicators.⁸² The five priorities are composed of:

- (1) Making education available on the basis of equal opportunity,
- (2) Promoting quality education that contributes to building a knowledgeable society,
- (3) Education that contributes to social integration,
- (4) Education that contributes to economic development,
- (5) Enhancing education governance.

The first two priorities, which were approached through programmes to improve retention and achievement, develop infrastructure, and develop the teaching workforce, are of direct relevance to Lebanon's second MDG. However, while these two priorities acknowledge the importance of including students with special needs and providing equal opportunities for enrolment, the ESDP does not specify targets and quantifiable indicators to assess progress towards this objective.

According to the MEHE's 2013 ESDP Progress Report (April 2012 to 2013), the programme on improving retention and achievement through the development and implementation of appropriate mechanisms was still in its early phases (the timeline for this programme stretches to 2017).⁸³ Operationalisation decrees for the Law of Enactment of Compulsory Education up to the Age of 15 had been drafted, and remedial kits to improve students' achievement were developed for cycle 1 (grades one to three). However, training teachers in remedial education remained in its initial stages. Likewise, the provision of academic, psychological, and social support programmes for at-risk students had yet to begin.

More progress had been made in the programme on development of infrastructure, with the rehabilitation of all 183 targeted schools. Science laboratories were being equipped and 46 schools had received lab infrastructure (out of the planned 210), while preschool rehabilitation was ongoing. In terms of the professionalisation of the teaching workforce, national standards for teachers and a progress scale were drafted, but have yet to be validated. While the 2010–2015 ESDP is comprehensive and secured funding from key international donors, the influx of Syrian refugees significantly increased the number of school-aged children in Lebanon (330,000 Syrian school-aged children in mid-July 2013), making it challenging to keep progress on track.⁸⁴ Responding to the needs of these children put further strain on the system and the implementation of the ESDP. This reality led to the MEHE's development of the RACE strategy in June 2014 to address the emerging challenges. The RACE strategy is in line with the ESDP, but contains references to non-formal programmes to cater for the specific needs of Syrian children (e.g. language challenges).

⁷⁹ Article 14 of the International Covenant on Civil and Political Rights

⁸⁰ Article 13 of the International Covenant on Economic, Social and Cultural Rights

⁸¹ Article 28 of the Convention on the Rights of the Child

⁸² The programmes are: ECD (1), Improving Retention & Achievement (2), Development of Infrastructure (3), Professionalisation of Teaching Workforce (4), Modernisation of School Management (5), Achievement, Assessment & Curriculum Development (6), Citizenship Education (7), ICT in Education (8), National Qualifications Framework (9), Institutional Development (10).

⁸³ Although the ESDP covers the period of 2010-2015, some donors extended their support to 2017

⁸⁴ UNHCR Monthly Update July 2013

A decision was made by the MEHE, No. 320/M/2011, to implement school inclusion for students with disabilities in a number of public schools. In order to broaden education access to children with disabilities, the Lebanese government in 2012 approved the National Educational Plan for the Integration of People with Special Needs and created, under Resolution No. 27/M/2012, a unit for special education in the MEHE as a step towards integrating children with disabilities in public schools. The plan's goals reflect an inclusive perspective:

- To broaden the reception capacity in public schools in order to ensure the principle of equal opportunities and conditions for full enrolment of different categories of students
- To improve the terms, conditions, and quality of basic education without discrimination as a preventive measure to reduce dropout rates and marginalisation
- To develop caring mechanisms for all kinds of deficiencies to compensate for the poorest sectors of society
- To ensure school support mechanisms for children with disabilities
- To build the capacities of some members of the teaching staff on how to educate and support persons with disabilities
- To secure inclusive schools, including buildings, equipment and tools adapted to all cases of children with disabilities
- To bring attention to the quality and the harmonisation of curricula for various categories of students
- To introduce specialists into the school structure to detect and treat disabilities and difficulties
- To raise awareness on the culture of rights to all segments of the Lebanese society
- To open the school to its surrounding environment, allowing for the involvement of parents in prevention programmes

Law No. 9533 dated Dec. 17, 2012, defines the situation of students with disabilities with regard to official examinations of intermediate classes and the formation of a committee that shall study the portfolio of each student (Article 1). According to this decree, examination centres shall be equipped to host students with different types of disabilities, including students with medical cases (e.g. cancer, thalassemia).

Law No. 150 was issued on Aug. 17, 2011, aiming at establishing the principle of compulsory free education in the primary education cycle. This law modified Article 49 of Legislative Decree No. 134 from Dec. 6, 1959.⁸⁵ The modification stated: "Education is compulsory in the primary education stage, and is available for free at public schools, and is a right to every Lebanese of school age that will be determined through a decree issued by the Council of Ministers detailing the conditions and the organisation of this free education." In parallel, the MEHE prepared a draft decree to determine and regulate the conditions of free and compulsory education to an extent beyond that defined in the Decree No. 10227 of May 8, 1997, and its subsequent, supplementary, and amended regulations.⁸⁶ Through the draft decree, free and compulsory education covered the entire period of basic education (grades one to one, with the condition that the child's age in the last class of primary school does not exceed 18 years, or 21 in the cases provided for in Law No. 220/2000 targeting persons with disabilities).⁸⁷

In order to ensure adherence to the conditions for compulsory education, the draft decree specified that the MOI and the Centre for Educational Research and Development (CERD) shall submit to the MEHE, during the month of July each year, a list of children who have reached the age of six and are therefore subject to compulsory education, in addition to their parents' addresses, in order to verify their school enrolment. To date, this decree has not yet been issued. It is worth noting that one of the compelling reasons for the enactment of Law No. 150 of Aug. 17, 2011, was to align the minimum age for employment or work (no less than 15), with the age for free, compulsory education. Law No. 211 was promulgated on March 30, 2012, permitting the MEHE to distribute textbooks free of charge to pupils in official kindergartens and elementary schools.

Decree No. 8917 issued on Sep. 21, 2012, set the kindergarten phase at three school years, and made it open to children who would be over the age of three by Dec. 31 of the school year in which enrolment takes place. Kindergarten, however, is not compulsory.

85 MoL-ILO, National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016. Accessed at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_229103.pdf

86 Ibid

87 Ibid

4.2 The Education System in Lebanon

The Lebanese educational system is built upon five strategic priorities in line with the ESDP: (1) Education available on the basis of equal opportunity; (2) Quality education that contributes to building a knowledge society; (3) Education that contributes to social integration; (4) Education that contributes to economic development, and (5) Governance of education.

The system relies on complementarities between the public and the private sectors for the provision of educational services.

The MEHE is directly responsible for public education, from the preschool level to the secondary level, in a total of 1,273 schools according to CERD's statistics for the 2013–2014 scholastic year.

The MEHE has two directorates: one for public schools and one for private schools. Semi-private are subsidised by the MEHE but also charge fees from their students, and are overseen by the directorate for private schools.

Although public and private schools are almost equal in number, the public sector accounts for only 30.9 percent of students enrolled in the Lebanese education system. The public sector also accounts for only 22.8 percent of preschool service provision, compared to 63.29 percent in the private sector and 13.74 percent in the semi-private sector.⁸⁸

Table 4.1 Number and Percentage Distribution of Schools by Type.

Type of School	Number	Percentage
Public	1,273	45.64
Semi Private	351	12.58
Private	1,097	39.34
UNRWA	68	2.44
Total	2,789	100

Source: CERD, Statistics Bulletin 2013–2014

Despite the fact that Lebanese laws provide for free and compulsory education for Lebanese children, non-Lebanese children (Palestinian, Iraqi etc.) are allowed to attend public schools. However, enrolment in public schools by non-Lebanese cohorts was low (up until the influx of large numbers of Syrian children). Most Palestinian children attend UNRWA schools. The majority of Iraqi children attend private schools.⁸⁹ Currently, UNRWA operates a total of 68 schools, including eight that operate double shifts to accommodate PRS. These schools cover elementary, preparatory, and secondary education across Lebanon, and also include one technical and vocational training centre located in two different campuses, providing free basic education to Palestinian refugee children. In addition, UNRWA trains its teachers and organises cultural and recreational activities for students throughout the school year and during the summer break.⁹⁰ UNRWA also provides psychosocial and counselling services to students with six school counsellors as of December 2014, who are in charge of six to 13 schools each throughout the country. UNRWA has plans to expand these counselling services.

88 CERD, Statistics Bulletin 2013 – 2014, retrieved on 20 August 2015 from <http://www.crdp.org/ar/desc-statistics/25707-2013%20-%202014>

89 Danish Refugee Council (November 2007), Iraqi Population Survey in Lebanon: A Report: www.drc.dk & www.lebanon-support

90 ANERA, Palestinian Refugees in Lebanon, 2012

In terms of education plans and policies, UNRWA launched the Education Reform Plan 2011-2015 seeking to transform classroom practices through teacher training and leadership courses for head teachers and education specialists.⁹¹ The reform aims to achieve:

- The provision of well-trained and motivated teachers within empowered schools
- Equal access for all children regardless of gender, ability, health conditions, and socioeconomic status
- A relevant and accessible curriculum
- A suitable school and classroom environment
- Well-developed learning resources, including the use of new technology⁹²

In 2013, UNRWA launched an inclusive education policy. It aims at addressing the needs of all UNRWA students, with a particular focus on students with disabilities and those at greater risk of dropping out. A toolkit was developed for teachers to improve early identification, and support children through a healthy and stimulating class environment. This also includes collaboration with NGOs supporting children with disabilities and learning difficulties, as well as engaging families to raise awareness and ensure they can receive proper support for their children to benefit from equal and relevant education opportunities.⁹³

Unfortunately, UNRWA faces chronic underfunding. The Agency has had to deal with a \$100 million budget deficit for some time. Despite this shortfall, UNRWA announced on Aug. 19, 2015 that funding had been secured to declare 68 schools open for the 2015-2016 academic year, catering to 38,500 children (grades 1-12).⁹⁴

The broader Palestinian refugee community had not felt the effect of these fiscal challenges until 2015, as country operations were likely to be scaled back, affecting eminent core programmes such as education.⁹⁵ An interview conducted with UNRWA, in the context of the CRSA, confirmed major financial constraints that the Agency is facing, which might jeopardise Palestinian refugee children's access to UNRWA schools altogether in the future, potentially leaving a service gap in this already underserved community.

4.3 The Quality of Education in Lebanon

In Lebanon, the right to quality education is highlighted in both the ESDP and the RACE strategy. Although the ESDP lacks a definition for "quality education", it does reflect a holistic understanding of the term including diversity and children's safety and wellbeing. The ESDP refers to "equal opportunities for enrolment, for educational continuation and for success," including children with special needs and the most marginalised. It highlights the need for an "education characterised by the high quality of its curricula, institutions, and outcomes; an education that is aligned with national and international standards."⁹⁶ Quality education not only ensures the achievement of learning outcomes, it provides education that develops citizenship and promotes social cohesion in "a healthy and active school climate," guaranteed by well-trained staff and properly equipped schools.⁹⁷

Quality education has also been defined in the INEE's (Inter-Agency Network for Education in Emergencies) Minimum Standards for Education in Emergencies which were contextualised in Lebanon in 2014. Although the document has not yet been officially endorsed by the MEHE, it was produced in consultation with a large community of stakeholders in Lebanon. As per the contextualised INEE Minimum Standards, quality education is understood as providing: (1) An inclusive and learner-friendly environment, free from discrimination, where learners develop competence in academic and social skills through developmentally appropriate, learner-centred, and active learning opportunities in a language that they understand, (2) A safe environment, including the absence of physical violence, verbal abuse, and corporal punishment at school and in other educational spaces, (3) Consideration of individual differences in the learning and teaching process including people with special needs, (4) Qualified and competent teachers, in terms of academic content, developmentally appropriate pedagogy, and language proficiency, (5) Qualified and competent support personnel, in terms of psychosocial supports, health and safety, and emergency preparedness, (6) No more

than 30 students per class, and one individual per 1.25 square metres for elementary and intermediate classes, and one individual per 1.5 square metres for secondary classes, (7) Seating, workspace, books, and supplies for all learners, (8) Adequate lighting, ventilation, and heating and (9) Involvement from the school community.⁹⁸

Despite the increase in the number of public schools over the last few years and MEHE's attempt to improve the quality of teaching and learning, the majority of parents in Lebanon continue to choose to send their children to private schools (if they can). The percentage of students enrolled in public schools continues to drop due to the perception of poor education quality in the public sector.⁹⁹ Due to the high influx of Syrian children into the public system and increasing tensions in the public school environment and surrounding communities, this has further increased the number of Lebanese parents withdrawing their children from the public system and/or caused dropouts due to increased socio-economic vulnerability.¹⁰⁰

Although no comparative study on quality education between the private versus the public sector has been carried out, lower academic achievements in public schools, as reflected below, can be considered an indicator on lower educational quality in the public sector.

One benchmark used to assess quality of education in comparison to the rest of the world is the Trends in International Mathematics and Science Study (TIMSS) that is carried out every four years under the auspices of the International Association for the Evaluation of Educational Achievement.¹⁰¹ In 2011, the TIMSS score placed Lebanon 25th out of 42 countries for the grade eight mathematics test and 39th for grade eight science test, down by three and one ranks respectively when compared to 2007. The public sector students' levels of achievement were 10 percent lower than those of their counterparts in the private sector. Overall, whether in private or public schools, Lebanon's national level rank in TIMSS is relatively lower than expected for a country in the same developmental level.¹⁰² The youth literacy rate is almost 100 percent, indicating that despite the weaknesses of public primary education in Lebanon, the system delivers results in reading and writing.¹⁰³

It must be highlighted that disparities between the public and private system in Lebanon might be interlinked with the geographic distribution of schools: the majority of private schools are located in the more affluent Beirut and Mount Lebanon areas, whereas public schools also cater for the needs of more disadvantaged, remote areas. In parallel, the generally lower socioeconomic and/or educational background of families in more marginalised areas might also impact learning outcomes. Examples include parents deprioritising the education of their children or their inability to support their learning adequately due to lack of skills and resources, or pressures to dropout not directly associated with educational quality (e.g. child labour, early marriage etc.).

According to the RACE strategy, poor quality education (including the qualifications of teachers, curricula, and school infrastructure) in the public sector can be considered a significant contributor to dropout rates, or transfers to private and semi-private schools.¹⁰⁴

Although considerable efforts have been placed in rehabilitating public schools nationwide, a significant number of infrastructure deficiencies remain.¹⁰⁵ Functional water and sanitation facilities suffer. A 2011 survey shows that 78 percent of public schools had access to piped water systems, and there were on average 25.3 students per toilet with very little gender disparity but with clear disparities between districts. In terms of equipment, for example, less than half of public schools have a computer laboratory. Public schools, particularly in rural areas, are often situated in buildings that are in poor condition with regard to classroom space, ventilation, and play areas, due to the absence of sound buildings in these regions. Measures are being taken by the MEHE to rectify this situation. All schools should be built according to the standards set out by the decree 90/91-2000.¹⁰⁶

91 UNRWA Education Reform Strategy 2011-2015, 2011: <http://www.unrwa.org/userfiles/2012042913344.pdf>

92 Ibid

93 Ibid

94 Inter-agency Coordination Lebanon, Monthly Dashboard August 2015, Education Sector, 2015

95 Kullab, Samya, Underfunded UNRWA to run out of cash by October, Daily Star, June 10, 2015, retrieved on 22 August 2015 from <https://www.dailystar.com.lb/News/Lebanon-News/2015/Jun-10/301351-underfunded-unrwa-to-run-out-of-cash-by-october.ashx>

96 MEHE, Quality Education for Growth, National Education Strategy Framework, Education Sector Development Plan (General Education): 2010-2015

97 Ibid

98 INEE, Lebanon Minimum Standards for Education in Emergencies, 2014: http://toolkit.ineesite.org/toolkit/INEEcms/uploads/1154/Lebanon_MS_for_Education_v1.0_LowRes.pdf

99 MEHE, Reaching All Children With Education in Lebanon (RACE), 2014: <http://www.mehe.gov.lb/uploads/file/2015/Feb2015/Projects/RACEfinalEnglish2.pdf>

100 World Vision, 2013. Under Pressure: the impact of the Syrian refugee crisis on host communities in Lebanon.

101 TIMSS and PIRLS, Retrieved on 22 August 2015 from: http://timssandpirls.bc.edu/timss2011/downloads/T11_IR_M_Chapter1.pdf

102 TIMSS and PIRLS, Retrieved on 22 August 2015 from: <http://timss.bc.edu/>

103 MDG for 2015, Retrieved on 22 August 2015 from: <http://www.un.org.lb/english/millennium-development-goals>

104 MEHE, Reaching All Children With Education in Lebanon (RACE), 2014: <http://www.mehe.gov.lb/uploads/file/2015/Feb2015/Projects/RACEfinalEnglish2.pdf>

105 UNICEF, Education for children and adolescents in Lebanon: A human rights-based, equity focused

Analysis of the situation (draft version)

106 INEE, Lebanon Minimum Standards for Education in Emergencies, 2014: http://toolkit.ineesite.org/toolkit/INEEcms/uploads/1154/Lebanon_MS_for_Education_v1.0_LowRes.pdf

The lack of quality education is also related to teacher training and qualification. More than half of public school teachers do not possess a university degree. At the same time there is a shortage of teachers in specific subjects. Furthermore, 30 percent of teachers are hired on a contractual basis. Contractual teachers have lower salaries and are deprived of various benefits granted to the status of a full time teacher, and thus this system fails to attract qualified teachers.¹⁰⁷

Despite legal progress and government commitment to prohibiting all forms of violence in schools, the practice of corporal punishment and verbal humiliation persists and has been linked to students feeling unsafe and dropping out of school.¹⁰⁸

At the community level, parents are not actively involved in school-related matters. The bylaws of all schools (public and private) stipulate the election of a parent council or committee, which undertakes, in coordination with the administration of the school, the provision of a relevant and safe educational environment (including health-related, educational, and extracurricular activities). These councils exist to increase parental involvement in the continuity and recovery of the educational process. Parent councils are elected by the parents and guardians of students, without exception. However, these councils are largely inactive in most of the public schools.¹⁰⁹

4.4 The Education Structure in Lebanon

4.4.1 Pre-Primary Education (Formal & Non-Formal)

Pre-primary education is not compulsory in Lebanon. Ministerial Memorandum No. 47 from 2003 exempts children in public kindergartens and those in grades one and two from school fees.¹¹⁰ As outlined above, the public sector only accounts for 22.8 percent of preschool service provision compared to 63.29 percent in the private sector and 13.74 percent in the semi-private sector.¹¹¹

The latest available data from Fact Fish showed that the gross enrolment rate in preschool education (ages three to five years) increased from 67 percent in 1999 to 74 percent in 2004 to 89.4 percent in 2013.¹¹² This proportion varies according to geographical region (it is highest in Mount Lebanon and lowest in the northern and peripheral districts). According to the CERD Statistics Bulletin for 2013 to 2014, the numbers of children enrolled in pre-primary education were as follows:

Table 4.2 Children Enrolled in Pre-Primary Education Per Type of School¹¹³

Type of Pre School	Total	Percentage of Females
Public	47,755	48.7
Semi Private	28,691	48.5
Private	132,135	48
UNRWA	169	47
Total	2,789	100

Source: CERD, Statistics Bulletin 2013–2014

107 Lebanese Centre for Policy Studies, Youth unemployment in Lebanon: Skilled and Jobless, 2013: http://www.lcps-lebanon.org/publications/1368538726-youth_unemployment.pdf

108 Save the Children Focus Group Discussion results throughout academic year 2014-15

109 INEE, Lebanon Minimum Standards for Education in Emergencies, 2014

110 Faour, Hajar, Bibi, Maysoun, Comparative regional analysis of ECCE in four Arab Countries (Lebanon, Jordan, Syria, and Sudan), (Arab Resource Collective 2006). Background paper prepared for Education for All Global Monitoring Report 2007

111 CERD, Statistics Bulletin 2013 – 2014, retrieved on 20 August 2015 from <http://www.crdp.org/ar/desc-statistics/25707-2013%20-%202014>

112 Fact Fish retrieved on 22 August 2015 from: <http://www.factfish.com/statistic-country/lebanon/gross+enrolment+rate,+preprimary,+female>

113 CERD, Statistics Bulletin 2013 – 2014

However, it must be noted that since 2013, there has been a continuous influx of Syrian children. By August 2015, at least an additional 130,000 children aged three to five were eligible to enrol in pre-primary education.¹¹⁴ Based on field assessments carried out across the country by the International Rescue Committee (IRC), Norwegian Refugee Council (NRC), and SCL in March 2015, the majority of Syrian refugee children are not attending preschool. Due to limited capacity, only 20,000 Syrian children could be enrolled in public kindergartens in the 2014-2015 academic year, and less than 10 percent of children attended community-based early childhood education (ECE), mainly delivered by NGOs.

According to CERD's figures from December 2014, 39,827 public schools had a kindergarten section. In 2014, 25 Master Trainers were trained on the kindergarten curriculum. Funding through the World Bank was secured to equip and rehabilitate 107 public schools hosting kindergartens (as part of the ESDP), but there remain other needs in terms of support including equipment and rehabilitation in the additional 720 schools with kindergartens.

In 2006 it was reported that only 10 percent of Lebanon's 9,498 pre-primary education teachers are trained.¹¹⁵ There are no recent studies on the quality of education in public and private kindergartens, including not-for-profit. However there is a general perception that private kindergartens provide better quality pre-primary education due to better physical infrastructure and their greater ability to engage qualified teachers.

In terms of preschooling for Palestinian children, non-profit organisations play a key role. UNRWA does not provide any preschool services and only some 9,100 children attend preschools, leaving more than half the preschool-age population without access.¹¹⁶

It must be noted that both the ESDP and RACE include objectives and targets related to early childhood education. However, while the ESDP aims to increase the percentage of children enrolled in public kindergartens between the ages of three and five, RACE aims to extend services through community-based activities for 40,000 children.¹¹⁷

4.4.2 Basic Education – Formal and Non-Formal

As highlighted earlier, primary education is compulsory in Lebanon and leads to the Grade 9 Brevet or Professional Brevet (PB) Diploma. Primary education is divided into three cycles (of three years each) for children aged six to 15¹¹⁸:

Age Level for Cycle 1: 6 to 9 years old

Age Level for Cycle 2: 9 to 12 years old

Age Level for Cycle 3: 12 to 15 years old (also known as intermediate level)

Public education is free of charge, though households still pay education fees for registration, textbooks, school uniforms, transportation and food. Private education includes options with fees and without, with the latter provided by non-profits, generally confessional organisations offering only kindergarten and elementary education, subsidised in large part by the government.¹¹⁹

For the 2014-15 academic year, registration costs in public schools and that of books and stationary were waived. This measure was the result of the international community's efforts in response to the Syrian Crisis and does not represent a shift in the government's budget allocation regarding free education.

114 As per UNHCR Registration Data of August 2015, 130,641 displaced Syrian children were at the age of three to five. This number does not include unregistered children.

115 UNESCO, Lebanon: Early Childhood Care and Education (ECCE) programmes, Country Profile on Lebanon, 2006, Available online at: <http://unesdoc.unesco.org/images/0014/001480/148027e.pdf>

116 ANERA, Palestinian Refugees in Lebanon, 2012

117 MEHE, Reaching All Children With Education in Lebanon (RACE), 2014

118 Children up to 18 years old are admitted.

119 MEHE, 2004. The National Action Plan for Education for All 2004-2015

Historically, public education spending in Lebanon is far below global and regional averages.¹²⁰ The last budget for Lebanon in 2005 held an 8.78 percent allocation for education. However, public spending on education was last measured at 8.42 percent in 2013 according to the World Bank (85 percent of this budget is spent on wages and salaries).¹²¹

According to its 2013-14 MDG Report, Lebanon has fulfilled its second MDG objective: nearly full enrolment in primary education and a high literacy rate among youth, for both males and females. However, it is important to note that these numbers do not reflect the effects resulting from the Syrian refugee influx, resulting in large cohorts of school-aged children in Lebanon remaining out-of-school (see chapter on Syria Crisis).

The gross enrolment rate in preschool education (ages three to five years) increased from 67 percent in 1999 to 74 percent in 2004.¹²² At the primary level, net enrolment rates recorded an increase from 92.7 percent in 2002 to almost universal access for girls and boys at the national level (98.3 percent) in 2009. This last rate corresponds to 98.4 percent and 98.3 percent respectively for boys and girls in the same year.¹²³

However, repetition rates and dropouts remain an issue, particularly during the last grade before students' transition into the intermediate and secondary cycles, when net enrolment rates at intermediate and secondary levels reached 81.1 percent (2009). Furthermore, the net primary school completion rate was 72.4 percent in 2009, with the disparity in levels, (the highest 78.9 percent in Mount Lebanon versus the lowest 65 percent in the North), reflecting significant dropouts as well as geographic disparities between the generally more affluent and poorer areas.

Furthermore, as per World Bank data, the percentage of students starting first grade and reaching the last grade of primary school was estimated at 94.5 percent in 2006, dropping to 89.3 percent in 2007, and slightly improving again to 91.8 percent in 2008, 88 percent in 2010 and 90 percent in 2011.¹²⁴ Research shows that there is a higher rate of school dropouts in public schools than private schools due to the higher percentage of low-income families who can only afford public schools.¹²⁵

Disparities between public and private schools and among regions become more pronounced in terms of learning. Public schools exhibit lower academic outcomes in international and national assessments. The achievement level of public school students was 10 percent lower than that of private schools in 2011. Repetition rates, an indicator for learning outcomes, show clear variation by region/district and level. Children aged between 12 and 17 years that were still enrolled in the primary cycle represented 5.2 percent of the age group in 2009. At the national level the repetition rate stood at 18.2 percent from 2010 to 2011 while repetition rates for the primary cycle ranged from 3.5 percent in Nabatieh in the South to 15.2 percent in North Lebanon.¹²⁶

The following table shows the breakdown of schools by type and number of enrolled students:

Table 4.3 Children Enrolled in Primary Education 2013-2014 by School Type¹²⁷

Type of School	Schools		Students	
	Number	Percentage	Number	Percentage
Public	1,273	45.64	310,140	30.9
Semi Private	351	12.58	131,785	13.1
Private	1,097	39.34	53,0861	52.8
UNRWA	68	2.44	32,258	3.2
Total	2,789	100	1,005,044	100

Source: CERD, Statistics Bulletin 2013 – 2014, retrieved on 20 August 2015

120 Republic of Lebanon and UNDP. 2010. Millennium Development Goals Lebanon: Interim Progress Report 2010

121 Trading Economics, Public Spending on Education, Retrieved on 22 August 2015 from: <http://www.tradingeconomics.com/lebanon/public-spending-on-education-total-percent-of-government-expenditure-wb-data.html>

122 MDG for 2015, Retrieved on 22 August 2015 from: <http://www.un.org.lb/english/millennium-development-goals>

123 Lebanon Millennium Development Goals Report 2013-14

124 The World Bank, Persistence to last grade of primary, male (% of cohort) , available online at: <http://data.worldbank.org/indicator/SE.PRM.PRSL.MA.ZS/countries?display=default>, accessed on 17 July 2015

125 Save the Children Sweden, 2006. Lebanon Global Challenge, Country Plan: Quality Education for Children affected by Conflict 2007-2010

126 Republic of Lebanon and UNDP. 2010. Millennium Development Goals Lebanon: Interim Progress Report

127 CERD, Statistics Bulletin 2013 – 2014, retrieved on 20 August 2015 from <http://www.crdp.org/ar/desc-statistics/25707-2013%20-%202014>

There are more students enrolled in private schools than in public schools, despite the fact that there are a larger number of public schools throughout the country. This can partly be explained by the fact that parents often believe that private and semi-private schools offer a higher standard of education (see also quality education section).

Access to education is not universal for Palestinian refugees, with 8 percent of those aged 7 to 15 years old not in school, and two-thirds of Palestinians above the age of 15 not having a Brevet diploma (following four years of secondary school). According to CERD's 2013-2014 Statistics Bulletin, 32,258 children were enrolled in primary (grades one to six), preparatory (grades seven to 9/10) and secondary schools administered by UNRWA. Around 52.5 percent are girls, and 17 percent are PRS. These numbers represent 3.2 percent of all students in Lebanon. During the 2013-2014 academic year, 14,234 children regularly participated in learning support programmes during school and over the summer. These included extra teaching hours and recreational and cultural activities designed to provide a secure and stimulating environment in which children can learn and play together.¹²⁸

Dropping out of school has become a major concern in the Palestinian refugee camps in Lebanon. According to UNRWA estimates, half of Palestinian teenagers leave school before their education is complete. A high percentage of male dropouts resort to temporary work in construction and agriculture.¹²⁹

According to UNRWA's School Dropout study, dropout rates in 2011 in elementary grades stood at 1.08 percent, and at 2.57 percent in preparatory schools. The study noted that the principle causes of school dropout in Lebanon are related to underachievement (particularly for boys), being over age, family and economic issues, and early marriage (especially for girls).¹³⁰

Notably, PRS fall under the mandate of UNRWA in Lebanon. Despite the fact that the MEHE permits enrolment of PRS in public schools, PRS largely enroll in UNRWA schools for various reasons, including the proximity of UNRWA schools to Palestinian camps, where PRS reside.¹³¹ According to the 2015 LCRP, 11,100 PRS were between the ages of three and 18 in September 2014. Due to UNRWA's lack of capacity, most of these children are not in school and rely heavily on the provision of non-formal programmes by NGOs.

For the 2015-16 academic year, an additional 200,000 school seats were made available for non-Lebanese students from kindergarten to Cycle 3 with the support of the international donor community. However, this represents less than 50 percent of Syrian refugee children aged three to 18.¹³²

Non-Formal Basic Education

Education assessments have highlighted a number of general barriers that heightened the ratio of dropout children, such as educational constraints, the economic situation of the family, bullying, and repetitive failure. On the other hand, there are barriers more specifically related to Syrian children such as the lack of space in public schools and overstretched resources, cost of transportation, differences between Lebanese and Syrian curriculum, language barriers, safety concerns of Syrian parents and limited psychosocial support to help traumatized children.

In response to these barriers the MEHE, the MOL and the MOSA in partnership with international and local NGOs are implementing a range of non-formal basic education programmes that aim at increasing educational opportunities for dropout and out of school children with the aim of preparing them to enrol in formal education whenever possible.

Some 88,000 children were reached in 2015 through non-formal programmes as per UNHCR statistics. Non-formal programmes include the MEHE led ALP. In July 2015, MEHE launched the ALP pilot targeting 10,000 Syrian children. The aim of ALP is to prepare children who have been out-of-school for several years for re-enrolment in public education at their age-appropriate grade level. Non-Formal programmes that were delivered also include Basic Literacy & Numeracy, youth life skills, etcetera. Each programme targets different age groups and addresses specific needs of out-of-school children. In addition, there are remedial programmes for children that are in school but at the risk of dropout. Provisions include academic and language support to assist with the transition to the Lebanese

128 UNRWA, information provided to HCC in the context of the UNCRRC reporting, 2015

129 ANERA, Palestinian Refugees in Lebanon, 2012

130 UNRWA, School Drop Out - An agency wide study, 2013

131 Interview conducted with UNRWA official in the context of the CRSA, 2015

132 UNHCR, 200,000 Syrian refugee children to get free schooling in Lebanon, 2 October 2015: <http://www.unhcr.org/560e96b56.html>

curriculum; safe spaces for study and homework to mitigate the impact of overcrowded and substandard shelter conditions; and recreational, psychosocial, nutrition, and health related support.

Whereas the ALP is implemented directly by MEHE in public schools, with NGOs being in charge of outreach, other programmes are delivered both by local and international NGOs. It must be noted that MEHE is currently developing a Non-Formal Education Framework to define basic (quality) standards for the different non-formal programmes in an attempt to better standardise and regulate non-formal education.

Children with Disabilities and the Right to Education

Statistical data related to children with disabilities in general and their right to education in particular is scarce in Lebanon. There are no recent data on the number of people with disabilities in Lebanon. The MICS 3 showed that in 2009, 8 percent of children were reported to have one or more of the disabilities mentioned (please refer to Chapter Five).

Similarly, data on children with disabilities accessing education is very limited. It is believed that only 0.6 percent of children with disabilities attend school.¹³³ On the other hand, the Minister of Social Affairs' (MOSA) 2014 statistics report that 7,579 Lebanese children benefit from social care services, 92.92 percent of whom follow academic education; the remaining children use vocational education and training.¹³⁴ Neither figure includes Syrian or Palestinian children.

Under Lebanese law, children with disabilities are to be fully accepted into state schools. According to the Law No. 220 Part VII, "The Right to Education and Sports" (Articles 59 to Article 67), it is the responsibility of the state to provide integrative educational services for Persons With Disabilities (PWD). In other words, public educational institutions need to be made accessible for use by PWDs. Exams need to be organised to be suitable for different forms of disability. Despite Article 63's stipulation that an educational committee is to be formed to follow up on implementation of the law, nearly all clauses pertaining to education have yet to be implemented, some 13 years after the law's promulgation.

Under the initiative of the MEHE, there are only five schools that have been made accessible for children with physical disabilities in Lebanon (one in each governorate). Other schools have been made accessible through the intervention of Civil Society Organisations. However, the infrastructure of the majority of public and private schools in Lebanon remain inaccessible to physically disabled children. In addition, in most public schools, neither resources nor training have been provided to school directors and teachers to properly engage children with disabilities and to facilitate and monitor the integration of those students. There are few educational programmes aimed at promoting positive images of PWD amongst teachers and students within schools. This is why, in spite of Law No. 220 that provides for the acceptance of PWDs in public schools, a great number of schools still refuse to accept students with disabilities in their classrooms.¹³⁵ As a result, the majority of children with disabilities in Lebanon have no access to formal education. Those that do receive an education do so through special institutions.

According to CERD's statistics, between 70 and 75 public and private schools have officially adopted the "integration programme." However, only a small proportion of children holding a disability card are effectively included in mainstream education.¹³⁶

According to a study conducted by the AUB, 24.2 percent of Palestinian people with disabilities have never attended school. The highest percentage being those with speech disorders (38.5 percent) and the lowest being those with amputated limbs (14.3 percent). However, mental disability was not included in the study, and it is likely that there are a significant number of people with mental disabilities who have never attended school.

133 Nadjarian, Pauline, Inclusive Education: the Lebanese Context, Afkar 2 Project Panel Discussion 26 May 2009. Available online at: www.autismlebanon.org/docs/

134 MOSA, The National Programme to Ensure Disability Rights, Statistics, 2014

135 Sarwate, Chamsine, The integration of physically handicapped students in normal schools, Master Thesis, Jinan University, 2013

136 The disability card which is provided by MOSA represents a kind of registration of persons with disabilities. It confers various benefits to card holders. The card is not a requirement to access education

It is worth noting that most Palestinian children with disabilities who are attending schools are attending UNRWA schools (4.8 percent)¹³⁷. This could be the result of UNRWA's programme for mainstreaming children with physical disabilities and visual impairments into UNRWA schools. Children with hearing disabilities are catered to by specialised NGOs who in turn attempt to mainstream children into UNRWA schools. Children with intellectual disabilities are not mainstreamed and are placed in institutions for special education.¹³⁸

With regard to Syrian children, there is a severe lack of data on children and youth with disabilities. Although some Syrian children with disabilities are enrolled in public schools and/or specialised institutions, and others in non-formal education programmes (by NGOs), disaggregated national data is not available and those efforts are undertaken on an ad hoc basis without proper identification or a referral system.

In general, the lack of comprehensive data on children with disabilities, of all nationalities, makes it difficult to identify and analyse the precise barriers they face in accessing education, as well as the potential pathways they might take to get them in school. Further studies are needed that encompass services provided by public and private institutions as well as civil society organisations.

4.4.3 Secondary Education

In Lebanon, secondary education is not compulsory and lasts for three years (Grades 10 to 12). It is divided into general education (humanities, economics, life sciences, and sciences) leading to the Baccalaureat Libanais (General Secondary Certificate) and vocational and technical education (about 55 specialties), leading to the Baccalaureat Technique (Technical Secondary Certificate). The age level is in principle from 15 to 18, but older cohorts are admitted. It is worth mentioning that vocational and technical education provides educational levels and degrees that are equivalent to primary, complementary, and secondary education.

Secondary level students represent 1.7 percent of all students in the private and public sector, while complementary level students represented 13.2 percent. According to CERD's 2013-14 Academic Year Statistics, the number of enrolled students in secondary schools were as follows:

Table 4.4 Children Enrolled in Secondary Education by School Type 2013-2014

School Type	No. of males	No. of females	Total No.
Public	21,006	33,805	54,811
Semi Private	0	0	0
Private	27,955	29,029	56,984
UNRWA	1,397	2,367	3,764
Total	50,358	65,201	115,559

Source: CERD, Statistical Bulletin, 2013-2014

137 Chaaban, Jad, et al (2010) Socio-Economic Survey of Palestinian Refugees in Lebanon, published by AUB and UNRWA

138 UNRWA, Disability sub-programme, Can the Child be Mainstreamed, draft report, 2012

This same report showed that there were 133 technical and vocational schools in the public sector, and 314 in the private sector. The following table shows the distribution of students in vocational and technical education in public and private schools including all levels.

Table 4.5: Number of Vocational and Technical Schools and Enrolled Students 2013-2014

School Type	No. of schools	No. of students	Percentage males	Percentage females
Public	133	39,452	49	51
Private	314	48,811	54.20	45.8

Source: CERD, Statistical Bulletin, 2013-2014

UNRWA provides secondary education in eight schools in Lebanon as well as technical and vocational education, and training for children and youth under 18. The UNWRA Vocational Training Centre has two campuses, the Sibliin Training Centre (STC) in the South and one in the North (Nahr El Bared). The second campus was opened in 2008. The centre offers 28 semi-professional and trade courses. In 2014, 727 children under 18 years of age were enrolled in UNRWA technical and vocational training centres, 40 percent of whom were girls.

It is important to highlight that the STC is not accredited by MEHE, meaning that students are not eligible to participate in the official Technical and Vocational Education and Training (TVET) examination. However, in 2014, the STC received for the first time an official ministerial accreditation, recognising it as an approved vocational training centre; however the certificates issued to students are currently only authenticated by the Ministry of Foreign Affairs. UNRWA is currently working with the government to obtain authentication by the Ministry of Education.

Many Palestinian refugees turn to vocational training to learn marketable skills, mostly in service industries. A 2007 study by the research foundation Fafo found that 12 percent of the Palestinian workforce acquired vocational training skills through the formal education system, while 33 percent received vocational training outside the formal education system or through on-the-job training.

For Syrian youth, secondary and vocational school enrolment is estimated at 2 percent and 1 percent respectively. United Nations Educational, Scientific and Cultural Organisation (UNESCO) and UNHCR supported the enrolment of roughly 3,500 youth (both refugees and vulnerable Lebanese) in secondary education during the academic year 2014-2015 through the payment of stipends.

4.4.4 Tertiary Education

Tertiary education in Lebanon includes vocational (post-secondary) and higher education. Lebanon's higher education institutions are the oldest in the region and date back to 1866. There are two types of higher education institutions: (1) Universities with at least three faculties, one of which is dedicated to human sciences, and another for science, all of which can grant degrees, from Bachelor to doctoral, and (2) A university institute of technology or a university college with at least one faculty. Most of these grant Bachelor of Science degrees. Few, in special cases, can deliver higher degrees.

There are 40 higher education institutes operating in Lebanon, most of them legalised in the late 1990s. Of these 28 are full universities (including the state Lebanese University (LU)), eight are university institutes or colleges, and four are religious university institutes. LU enjoys an autonomous status. Despite the fact that its faculties have many branches spread all over the country, the responsibility for managing the faculties falls under the Dean, while the University Council handles management. However, the 39 institutions in the private sector are governed by the 1960 law which states that higher education institutions operate under the supervision of the General Directorate for Higher Education (DGHE).

As for financing in higher education, there is a lack of reliable financial information, but it can be broadly divided into government spending, household spending and external or private grants. Direct government spending on higher education does not exceed 0.5 percent of the GDP, which is below the average levels of OECD (Economic Co-operation and Development Convention) countries and lower middle income countries (around 1 percent of GDP). Government spending goes mainly to the Lebanese University, CERD and some bilateral programmes. However, a considerable amount also goes to civil servants' allowances; around 75 percent of whom receive governmental support to enroll their children in private universities that are considered of better quality.

The Lebanese University is almost free and fees cover only 6.5 percent of its total budget. The curriculum content is defined at the institutional level of each university or college. In general, household spending on education in Lebanon far exceeds that of the government (this is not limited to higher education, but covers all educational levels).

In terms of quality assurance, it must be noted that there is no national quality assurance and accreditation mechanism, although some institutions have started to implement internal quality controls.

According to CERD's Preliminary Statistics for the 2011-2012 Academic Year, 192,522 students were enrolled in higher education. Of these students, the largest portion, 38.3 percent (73,698 students) were enrolled in LU, followed by 8.7 percent enrolled in Lebanese International University (LIU).

When it comes to the distribution of students by gender, it can be observed that the proportion of females exceeds the proportion of males by eight percent, with females accounting for 54 percent of students and males constituting the remaining 46 percent. As for the nationality of students in higher education, the majority are Lebanese (86 percent), while non-Lebanese account for 14 percent of students¹³⁹.

Tertiary vocational post-secondary education is managed entirely by the Directorate General for Vocational and Technical Education (DGVTE). It is not considered to be part of higher education but students that have successfully finished their general secondary education are able through this channel to obtain one of the following diplomas: the TS (Technique Supérieur) after three years and 31 fields of study, LT (License Technique). IT or LET (License d'enseignement Technique) after two further years with nine fields of study. Eleven percent of university students are enrolled for the TS. Currently, transition from vocational education to universities is not clearly regulated. However, there is an 'open door' policy for TVET (Technical and Vocational Education and Training) students to join higher education, facilitating the transition.

The overall enrollment rate for tertiary education (ISCED - International Standard Classification of Education - levels 5 and 6) is 51.6 percent, according to the World Bank Database. The ratio of enrolment for ages 20-24 is 30 percent. Limited data is available on the enrolment of Syrians in higher education. A limited number of scholarships for public higher education have been provided to Syrian youth (120 for academic year 2015-16) by UNHCR and DAFI (Deutsch Akademische Flüchtlings Initiative), also known as the Albert Einstein German Academic Refugee Initiative). However, it must be noted that the enrolment has decreased since the onset of the crisis.

With regards to Palestinians, access to higher education is limited for many Palestine refugees because of their difficult socio-economic situation. There are roughly 60 to 100 university scholarships for the best performing socially deprived Palestinian youth every year by UNWRA with support from international donors.

4.5 The Impact of the Syrian Crisis on Education

With the continuing Syrian refugee influx, increased demands are placed on the Lebanese public education system to accommodate the refugee population. By the end of 2011 the MEHE issued a new policy to Syrian refugees, offering free and open access to public schools regardless of their legal status. Before the announcement some 1,000 Syrian students had enrolled in public schools in 2011, but since then the number has jumped substantially in the following academic years.¹⁴⁰ In the 2012 to 2013 time frame, refugee enrolment in public education was estimated at 40,000 children, or approximately 13.5 percent of the total public school population. A year later, it was estimated at 87,000,

¹³⁹ Bank Med, Analysis of Lebanon's Education Sector, 2014, p.23

¹⁴⁰ Lebanon Millennium Development Goals Report 2013-14

or approximately 30 percent. In the 2014 to 2015 timeframe, it was estimated at 107,000, or approximately 36 percent. This change represents a 20 percent increase in refugee enrolment in public primary schools. This can in part be attributed to a 61 percent increase in schools that launched a second shift of classes between the two school years. Further increases in refugee enrolment are anticipated in the 2015-2016 school year, brought about by the launch of additional second shifts.¹⁴¹

Notably, the MEHE, the leader in providing basic education for Syrian refugee children in Lebanon, created a second shift which started in October 2013. In June 2014, the MEHE released the RACE strategy, which aims to ensure that 470,000 vulnerable school-aged children — those affected by the Syria Crisis including underprivileged Lebanese children — are able to access quality formal and non-formal educational opportunities. RACE further seeks to improve the quality of learning for all children in Lebanon. RACE is in the process of being reviewed to develop a RACE II Plan.

Table 4.6: Syrian Refugee Children Enrolled in Lebanese Public Schools 2013-2014 and 2014/2015

Age Group	2013/2014 School Year			2014/2015 School Year		
	Total Number	Number Enrolled	Percentage Enrolled	Total Number	Number Enrolled	Percentage Enrolled
3-5 years	133,000	N/A	N/A	134,000	10,000	0
6-14 years	280,000	87,000	31	291,000	107,000	37
15-18 years	81,000	3,000	4	87,000	2,000	2
6-18 years	361,000	90,000	25	378,000	109,000	21
3-18 years	494,000	92,000	19	512,000	109,000	29

Source: Their World, A World at School, RACE in Lebanon, Opportunities for Action, September 10, 2015 Update, 2015.

Note: Information for 2013/14 from GoL (2015) and CERD 2014/15 from UN statistics.

The numbers above show that increase in formal enrolment has been limited to the primary level, leading to an increase in primary school enrolment rates from 31 to 37 percent. However, with 1,000 fewer Syrian adolescents aged 15 to 18 enrolling in school in 2014-15 compared to the year before, the already low secondary school enrolment rate of 4 percent dropped to a staggeringly low 2 percent. A very small number of children aged three to five were enrolled in early childhood education (ECE) in 2014-15, the main reason being the limited capacity of public schools.¹⁴²

In addition, according to CERD, 78,000 Syrian children were enrolled in private schools in 2013-14, but this number is likely to decline due to increasing socio-economic pressures on refugees.

However, despite enrolling an increasing number of children in Lebanese public schools, it is estimated that at least 50 percent of Syrian children (three to 18 years old) still remain out of school.

It must be noted that public schools where the majority of Syrian refugees are enrolled are located in Lebanon's most underprivileged and remote areas (the North and Bekaa). These regions were underserved and suffered from poor quality education before the influx of refugees. Hence, the refugee populations are arriving in regions that are the least prepared to manage the crisis, increasing and worsening existing inequities.¹⁴³ The increase in the number of students in the primary cycle is putting a major strain on teachers to provide adequate support, in part because of the social and educational difficulties and psychosocial needs of the Syrian students.

These growing pressures affect the quality and outcomes of learning. In school, Syrian children face great barriers to learning, including the bilingual nature of Lebanese students and teachers, the fast-paced curriculum, the unfamiliar teaching methods, the lack of academic support at home and in the community, repeated exam failures, family poverty, and the prevalence of discrimination in schools and communities, which is negatively affecting their performance and also makes them more prone to dropout. Transport cost and other school related fees are also serious obstacles.¹⁴⁴

141 Interagency coordination Lebanon, Monthly Dashboard August 2015 - Education Sector, 2015

142 Their World, A World at School, Reaching all Children with Education in Lebanon, Opportunities for Action, September 10, 2015 Update, 2015

143 MEHE, Reaching all Children with Education, June 2014

144 UNDP, Lebanon Millennium Development Goals, 2013-2014

In parallel, the dropout rate among Lebanese children in primary education has increased from 9.5 percent in 2011 to 15 percent in 2012, a trend that continues to exist. Teachers and NGO workers interviewed in the context of a WVI study carried out in 2013 predicted that dropout rates for poor Lebanese students would increase in the next academic year. The principle cause for such a rise is increased financial constraints on poor Lebanese families, largely as a result of higher unemployment and rising cost of living. In addition, "some parents have stopped their children from going to schools with large numbers of refugees due to concerns that medical conditions, including scabies, may be spread between students, and that the quality of education cannot be guaranteed. This may be further deepening the divide between the communities, preventing children from receiving an education, increasing school dropout, and ultimately contributing to child protection concerns."¹⁴⁵

In a survey conducted early in 2013, almost 60 percent of Syrian refugee households said they did not send their children to school because they could not afford it, 18 percent because there was no space in the schools, and 12 percent because there was no school nearby.¹⁴⁶

In the 2014-15 academic year, a total 101,362 Syrian and other non-Lebanese children were enrolled in Lebanese public schools (first and second shift), which represents about 25 percent of the total number of refugee school-aged children. For the new school year, the MEHE has indicated that 200,000 non-Lebanese, including Syrian children, can enter first and second shifts (45,000 first shift and 155,000 second shift) in an effort to integrate more school-aged refugees into the formal system. In total there are 1,278 Lebanese public schools and of these 259 will be open for a second shift. This is a considerable increase from last year where only 144 were open for a second shift. In order to ensure education closest to areas where the most vulnerable families live, the MEHE and the UN conducted a vulnerability mapping supplemented by quantitative assessments conducted at the field level. Based on that exercise, the number of schools opening for a second shift has increased significantly.

Health and psychosocial counsellors will be present during this academic year 2015-16 inside the schools to enhance and support the well-being of children who have faced difficult circumstances.¹⁴⁷

4.6 Child Development

4.6.1 Early Childhood Care and Development

In Lebanon, ECCD is still a contested domain and is not widely understood or successfully managed by duty-bearers. ECCD requires a multi-sectoral effort comprising education, health, protection, and other components. In principle, no government authority can fully embrace this field on its own. In Lebanon, there is no unified policy for ECCD, but rather components of it are divided in the mandates of the MOPH, the MOSA, the HCC, and the MEHE. The current ECCD system is fragmented and does not address the multiple interdependent needs of children in this age group (zero to eight years). This translated into fragmented programmes per sector that are not linked due to lack of clarity on overall leadership and definition of responsibilities between the different concerned ministries.

It must be noted that the HCC has been working through a specialised committee on elaborating a strategy for ECCD. In fact, a first draft was discussed and commented on by various national stakeholders in 2015, and follow-up is being undertaken. The intended strategy includes 10 strategic objectives including the following:¹⁴⁸

- To revise and amend the laws, policies, and measures relating to ECCD
- To make available an updated database relating to the early childhood phase (from zero to eight years of age)
- To make available adequate and varied health care services for ECCD
- To make available educational services that are adequate and equitable and of good quality for ECCD
- To make available adequate services and programmes to build a national identity and culture for ECCD
- To ensure the availability of ECCD services for children in difficult circumstances and emergency situations
- To build the capacity of caregivers on ECCD
- To ensure necessary budgets and resources to execute the activities and programmes
- To raise national awareness on ECCD

145 World Vision. Under Pressure: The impact of the Syrian refugee crisis on host communities in Lebanon, 2013

146 World Food Programme. Vulnerability assessment of Syrians: a general picture of living conditions of Syrian refugees in Lebanon, 2013

147 Inter-Agency Coordination Lebanon, Monthly Dashboard, Education Sector August 2015, 2015

148 Lebanese Republic, MOSA, HCC, AGFUND, Draft Framework for the National Early Childhood Care and Development in Lebanon, 2015

The process of endorsement, leadership, and coordination related to the strategy, as well as the mechanisms of securing funding, have not been defined and still not clear.

Nurseries & Day Care Services

Whilst the MEHE is taking care of ECE for children above three years of age, a clear institutional framework for ECE is still lacking for children below three years old. Decree No. 4876 regulates nurseries, and the MOPH is the main authority responsible for children under three years of age. Nonetheless, public nurseries are operated by the MOSA and are mainly found in the SDCs. The MOSA's nurseries target mostly poor, vulnerable, and marginalised communities. Most nurseries are provided by the private sector. Nurseries are registered with the Department of Mother and Child Health in the MOPH, which is also responsible for quality control and monitoring. The MOPH initiated a process for monitoring day care services/nurseries and requested the initiation of a process to license of non-licensed nurseries. In addition, regulations and standards for nurseries began to be enforced after a survey was made, after which those nurseries found to not be in compliance with regulations were closed. In 2015, an accidental death of a child in a nursery prompted the MOPH to implement stricter certifications and monitoring measures.

Children at Home

A number of children spend time with a person other than their parents. In 2009, the MICS 3 survey results showed that 56 percent of children under five years of age had been engaged in four or more activities that promote early learning and school readiness with their parents or another household member over 15 years of age. Girls were more likely (58 percent) than boys (54 percent) to have had this level of exposure. The MICS 3 survey results show that 16 percent of children played with three or more types of play-things.

4.6.2 Child Culture and Leisure

Child culture and leisure represents one aspect of children's rights which is not given sufficient attention by government ministries or parents. This area is neglected by most educational institutions and, as a consequence, little documented at the national level. Limited activities are organised by the relevant ministries, like the Ministry of Culture, the Ministry of Youth and Sports, and the MOSA (through its SDCs and youth voluntary camps). The MEHE gradually reduced sports and extracurricular activities out of the educational curriculum due to limited resources. These activities also have been removed from the second shift curriculum.

There are scattered initiatives by municipalities to secure green spaces and spaces for children to play. Local and international organisations are active in implementing cultural and recreation activities, sometimes in cooperation with relevant ministries.

The private sector is more active than the government in providing cultural activities to children in the form of book exhibits, drama, puppet shows, music, and dance but the quality is variable and often costs are associated with it, which means that equal access to such opportunities are not guaranteed.

4.7 Analysis and Conclusions - Education and Development

4.7.1 Basic Education

Analysis

The right to education is not ensured by the Lebanese government, although the freedom of and right to education, as well as equality of opportunities are expressed in several national and international principles to which Lebanon has subscribed.

Laws on free and compulsory basic education were issued without implementation decrees or the allocation of necessary budgets.

Free and equitable access public education is not guaranteed, as parents still have to pay for school related costs such as fees, books, clothes, food and transportation, which are not covered or are only covered unsustainably, i.e. due to the influx of money from international donors in light of the Syria crisis.

Free pre-school education is limited in Lebanon while the vast majority of three to five years olds living in peripheral areas or from vulnerable communities (e.g. Syrians), do not have access to such facilities. This deprives the children of crucial opportunities for their social and cognitive development as well as their readiness to learn, which are crucial for a successful transition to Grade 1. Pre-school is also essential to ensuring equal opportunities for children.

In terms of children effectively accessing and remaining in education, the Syrian crisis led to over-stretching of the educational services, which were initially inadequate to meet the needs of Lebanese students, especially those from lower-income families.

An estimated 50 percent of Syrian school-aged children were not in formal education as of September 2015. The increased demand for education services due to the high influx of Syrian children of school age has an adverse effect on the quality of public education which was already low prior to the crisis, and has created a need for non-formal education to support children's enrolment in the formal system and address the specific needs of refugee children (e.g. children who have been out of school for over two years and need to catch up the lost school year or children who lack the skills in French and/or English to follow the Lebanese curriculum).

However, it must be highlighted that there have been substantial efforts by the government to ensure the right to education for all boys and girls (aged three to 18) in Lebanon with the support of the international donor community. As from the onset of the crisis, Syrian children were allowed to enrol in public schools and required documentation was waived. Since 2013, an increasing number of second afternoon shifts were offered. This number had risen to 259 public schools running second shifts in September 2015, allowing the enrolment of 200,000 Syrian children during the academic year 2015-16. This is in addition to 10,000 Syrian children attending the MEHE-led ALP as well as MEHE's efforts to ensure quality standards from non-formal programmes as well as clear pathways from formal to non-formal education via the establishment of a Non-Formal Education Framework. However, the speed at which this framework will be developed, the availability of funding to ensure its implementation, partnerships with the civil society and the timely development of clear operationalisation plans will determine to which extent the Framework will effectively contribute to ensuring the right to quality education of Syrian children.

The present education system does not allow for the equitable access of quality education by all children. There are regional disparities in the number of teachers, the availability and condition of school buildings and infrastructure, and of learning materials and equipment, with major shortcomings particularly in rural areas. Rural and/or deprived areas have also been the most affected by the Syrian influx, resulting in additional pressures on the system and further affecting educational quality.

In terms of retention, the quality of education in the public sector is a major factor contributing to the dropout rate, caused by a lack of clear criteria and insufficient teachers' qualification, curricula, and a poor school environment. In addition, physical and humiliating punishment – though forbidden in public schools as per the Official MEHE Decree No. 95 dated June 9, 2012, and reminder No. 104/196023/4/2013 – is a widespread practice which contributes to students' aversion to school and their eventual dropout. Dropout rates of Lebanese have slightly increased since the Syrian influx. Similarly, the dropout rates for Syrian children are estimated to be high, although dropouts are not systematically tracked.

With regards to Palestinian children in Lebanon, the UNRWA system suffers from chronic funding gaps, which affects both the availability of spaces and the quality of education (i.e. overcrowded classrooms). Similar to the MEHE public system, the UNRWA school system became overstretched with the additional Palestinian and Syrian children coming from Syria.

The inclusion of children with disabilities in mainstream public education is limited. Despite efforts to broaden access to education for disabled children (as reflected in the 2012 National Educational Plan for the Integration of People with Special Needs and the creation of a unit for special education in the MEHE per Resolution No. 27/M/2012), there continue to be major barriers for children with special needs in accessing public education. The principle shortcomings include inadequate infrastructure that does not cater to children with physical disabilities, as well as a lack of awareness and training amongst teachers and school management on how to successfully integrate these children in regular classrooms. It must also be noted that statistical data on the education of children with special needs is extremely scarce, making it impossible to detect clear educational trends pointing to the need for more structural research on the right to education of this cohort.

Conclusions

Despite on-going efforts to reform Lebanon's educational system, the situation has yet to progress to a level where it can be considered accessible to all children and of a quality conducive to learning.

While Lebanese law dictates free education for children and youth aged six to 15, including children and youth with physical disabilities and other special needs, nominal registration fees and other educational expenses, including transportation costs, continue to pose barriers for the most vulnerable populations. In practice, resources have not been sufficiently allocated to render free and compulsory education a reality.

Furthermore, very few public schools have the infrastructure or qualified personnel to accommodate children and youth with special needs. Quality determinants are not ensured and there is a generalised perception that the costly private sector is of better quality.

Mechanisms that allow for consistent, sustainable funding as well as a continuous investment in system strengthening and in education quality are a crucial next step to ensure that the right of quality education of all children in Lebanon can be fulfilled. This is particularly important as failure to ensure the right to free and compulsory education contributes to the infringements of other children's rights, especially those relating to protection (i.e. institutionalisation of children, child labour, and the involvement of children in armed conflicts as outlined in the protection chapter). MEHE strategies such as the ESDP and RACE reflect the GoL's will to tackle existing challenges that affect children's full right to education in the country. However, additional efforts and awareness raising are needed to correct the image of public education as 'second class' education and to ensure that available resources are used in the most efficient, sustainable and effective manner i.e. ensuring that budgets are invested in the most marginalised communities.

4.7.2 Child Development

4.7.2.1 Early Childhood Care and Development

Analysis

Lebanon lacks a comprehensive umbrella strategy involving all concerned and relevant ministries to address early childhood education (ECE), despite the existence of a draft outline. ECCD is still approached from a fragmented and sector-based perspective, undermining the necessary holistic, inter-related approach that would encompass health, nutrition, education, and protection in a concerted manner conducive to child development. Generally, services for this age group are limited and there is a lack of awareness of the importance of this age group.

4.7.2.2 Child Culture and Leisure

Analysis

Child culture and leisure are aspects of child development that are not given adequate attention by concerned duty bearers. The cultural and recreational space on offer in public schools remains limited and most others on offer are not free, hence only being accessible by children whose families can afford it. This could be attributed to the general perception that children's rights to culture and leisure do not constitute a priority in the midst of unmet basic needs.

Conclusions

The Child Development areas that link with education require substantial investment, particularly efforts to establish the necessary inter-ministerial linkages to tackle them holistically. Children's rights to culture and play are not realised due to the lack of awareness of the importance of such aspects in children's development. For ECCD, in spite of the progress achieved in formulating a national strategy on early childhood care and development, Lebanon will require extensive efforts to reach an integrated strategy. A thorough situation analysis is a priority at this stage to develop a comprehensive strategy and identify who would lead it. The already existing draft of the ECCD strategic outline provides a window of opportunity to promote more holistic policy approaches in this area and build from there.





5

WELFARE AND HEALTH

5.1 Welfare and Standard of Living (Articles 26-27)

5.1.1 Local Framework

In 2011, MOSA led the preparation and publication of a NSDS for the period 2011–2015. One of the five priority objectives of the NSDS is to strengthen social protection including: developing a pension scheme; addressing issues related to institutionalised children; and strengthening the governance and institutional capacity of the NSSF. The strategy however was not implemented through a relevant action plan.

In the absence of a social action plan and comprehensive social safety nets, MOSA opted for the implementation of a national programme for the support of the poorest families in Lebanon. During the first cycle (2011-2013), 36,576 families were classified as living below the poverty line based on 62 set criteria, and accordingly could benefit from the programme. Families with children were included as a positive criterion for classification, which is in compliance with the best interest of the child. However, social services are mandated to enrol the children of the poorest families in social care institutions, which contradicts children's rights and represents a loophole in policy making.

Benefits of the programme include health, social and educational services (including exemption of school fees in the public sector and provision of books), as well as the provision of food baskets. As of June 2015, 128,701 children have benefited from the programme including 65,301 males and 63,400 females in the six Lebanese governorates.¹⁴⁹

While the programme aims at indirectly reducing school dropout and improving the health conditions of children, the latter needs to be assessed given that the programme has reached its fifth year. Policy and programme evaluations and impact assessments are only effectuated when requested by donors, as indicated by key informant interviews conducted for the CRSA. Moreover, the sustainability of the programme is not guaranteed in the absence of safety nets, including income generating activities for the families.

¹⁴⁹ Ministry of Social Affairs- National Support Programme for the Poorest Families, 2015. HCC draft 4th-5th periodic report to UN Committee on the Rights of the Child, 2015

5.1.2 Poverty, Food Security and Livelihoods (Impact of the Syrian Crisis)

The World Bank has estimated that as a result of the Syrian conflict some 170,000 additional Lebanese citizens would have been pushed into poverty by the end of 2014, while the existing poor would fall deeper into poverty. Prior to the Syrian conflict, poverty in Lebanon was significant and regional disparities in living conditions were acute. Nearly 1 million Lebanese were estimated to be poor (living on less than USD4 per day). Social Safety Nets (SSN) were weak, fragmented and poorly targeted. For this reason MOSA was in the process of implementing reforms to its SSN system. To date, the MOSA has noted a 40 percent increase in the utilisation of its health and social programmes. To stabilise the situation, \$176 million was required as of the end of 2014, of which over \$50 million was needed to scale up the National Poverty Targeting Programme for poor and vulnerable Lebanese.¹⁵⁰

A recent assessment on food security and livelihoods conducted in 2015, shed light on the situation of affected communities by the Syrian crisis. It indicated that the significant population of displaced Syrians, approximately amounting to one quarter of the Lebanese population, has taken refuge in up to 1,700 neighbourhoods, towns, and villages across the country; indeed, the latest data suggests that many localities have more displaced Syrians than Lebanese host community members. "The prolonged displacement of such significant numbers of displaced Syrians has placed an ever-increasing strain on Lebanese host communities. Basic services have become stretched to a breaking point in many communities, and competition over access to affordable housing and livelihood opportunities, sufficient to meet household needs, has intensified."¹⁵¹

"Although labour market conditions in Lebanon's humanitarian and development interventions were already unfavourable prior to the Syria Crisis, due to high unemployment rates, mismatches between labour supply and demand, and a prevalence of both low quality and low-productivity jobs, these problems have been exacerbated by the Syria crisis."¹⁵²

A majority of surveyed Lebanese households reported a decrease in income in the past 24 months. The top reasons cited for the decrease in income are the decline in purchasing power and the lack of job opportunities. One of the main consequences of the Syria crisis on the labour market is the increase in labour supply, which is leading to a rise in unemployment among Lebanese. As a result, according to qualitative data, many are choosing to relocate to urban areas or in some cases foreign countries in search of job opportunities. Indicative of the degree to which Lebanese host communities are struggling to cope with the situation is the prevalence of debt among households. More than half of interviewed Lebanese households reported having incurred debt in the last 24 months, with food and healthcare expenses the two main reasons.

While assessed Lebanese households have many needs such as health care, additional food, and agricultural inputs, additional food was cited as the most important need by 25 percent of households and health by 18 percent of households. Agricultural inputs were chosen as the third most important need by 13 percent of households. The majority of surveyed Lebanese households reported not having received any assistance in the past twelve months.¹⁵³

Agriculture is a major source of livelihood in Lebanon. According to the household survey, 39 percent of the total surveyed can be considered to be dependent on agriculture. The data revealed that vegetables are the most common type of produce throughout the country and that one percent of the surveyed Lebanese population raises livestock with a preference for a small number of cattle.¹⁵⁴

While food security is not an immediate problem for Lebanese host communities at the country level, several operational areas already have a portion of their population affected by food insecurity. If the situation is not addressed and its evolution not monitored, this may lead poor households to becoming increasingly vulnerable to future price shocks.

Commonly reported non-food related coping strategies are the use of savings or taking credit/borrowing money, both of which have financial implications that could increase the risk of food insecurity in the future.¹⁵⁵

¹⁵⁰ World Bank, Lebanon economic and social impact assessment of the Syrian conflict, 2013

¹⁵¹ FAO, REACH, Food Security and Livelihoods Assessment of Lebanese Host Communities, 2015

¹⁵² Ibid

¹⁵³ Ibid

¹⁵⁴ FAO, REACH, Food Security and Livelihoods Assessment of Lebanese Host Communities, 2015

¹⁵⁵ FAO, REACH, Food Security and Livelihoods Assessment of Lebanese Host Communities, 2015

5.1.3 Food Security and Livelihoods for Syrian refugees

“The vulnerability of refugees continues to deepen. Restrictions on the right to work, coupled with the depletion of savings and other assets, are among the root causes of poverty among the refugee population.”¹⁵⁶

A joint vulnerability assessment conducted by the UN and partner agencies in May 2014, revealed that 75 percent of refugee households require assistance to meet their basic food needs, while 29 percent need help to meet their minimum survival needs.

The World Food Programme (WFP) has been providing 72 percent of all refugees with monthly food assistance. In 2015, the WFP reduced the value of the food voucher by 40 percent due to shortfalls in funding. Further targeting of food assistance is anticipated to reduce the coverage from 72 percent to 55 percent of the refugee population by mid-2015. Agencies are working together to identify the most vulnerable individuals.¹⁵⁷

A recent vulnerability assessment in 2015 by the WFP showed that families are increasingly relying on debt to cover their livelihood needs. In 2015, 15 percent used debt as a minimum source of livelihood compared to none in 2014. Similarly 49 percent used debt as a second livelihood source in 2015 compared to 20 percent in 2014. Furthermore 85 percent reduced expenditures on food as an asset depletion strategy. The latter included 81 percent buying food on credit. Of direct relevance to the present CRSA, 20 percent withdrew children from school, five percent resort to child labour, three percent begging and one percent early marriage as asset depletion strategies in 2015.¹⁵⁸

Refugees face great difficulties in meeting their basic non-food needs such as blankets, mattresses, kitchen sets and sanitary supplies. The most severely vulnerable receive such assistance, largely through the provision of unconditional cash and in-kind support for new arrivals or those affected by bad weather conditions. For refugees, shelter conditions remain extremely poor. 33 percent of refugees claim that their accommodation conditions are still not acceptable, particularly in relation to roofing.¹⁵⁹

Some 59 percent of refugees rent apartments. Among those, 45 percent have no choice but to share small, basic lodgings with other refugee families in overcrowded conditions. This is the only means for them to afford rent. The remaining 39 percent live in fragile and insecure accommodation, including tents in informal settlements and other types of sub-standard shelters such as garages, work-site sheds, and unfinished buildings. Agencies are often constrained in what they can do to improve shelters. Landlords and municipalities often resist structural changes needed from an environmental and health perspective, for fear that improvements will encourage refugees to remain in Lebanon. Given the extreme vulnerability of the shelters in which many tens of thousands of refugees live, shelter partners prioritise those living in the most insecure dwellings by providing weather proofing material as well as sanitation facilities and drinking water. Additional efforts are directed towards upgrading buildings and supporting collective shelters.¹⁶⁰

UNRWA remains the lead coordinating agency and primary provider of aid to PRS in Lebanon. Since February 2014, the Agency has been providing PRS with cash assistance for food and housing. However, due to shortfalls in funding for PRS assistance, as of April 2015, UNRWA will be forced to reduce its cash assistance for all eligible PRS in the coming months unless further funding is received.¹⁶¹

This comes at a time when PRS in Lebanon are becoming increasingly vulnerable, with UNRWA cash assistance representing the main source of income for 95 percent of PRS in Lebanon according to UNRWA post-distribution monitoring surveys.

156 UNHCR, Refugees from Syria-Lebanon, 2015

157 Ibid

158 World Food Programme, Vulnerability Assessment of Syrian Refugees, Preliminary Results, 2015

159 UNHCR, Refugees from Syria-Lebanon, 2015

160 Ibid

161 UNRWA, UNRWA Response and Services to PRS in Lebanon, Bimonthly Briefing, Issue 43, March-April, 2015

In March 2015, 43,617 PRS were credited through UNRWA ATM (Automated Teller Machine) cards, totalling \$1.29 million in cash-for-food assistance, while 12,002 PRS families received cash-for-housing assistance, totalling \$1.19 million. In April 2015, UNRWA aligned its cash-for-food programme with regional standards for food assistance in Lebanon. Accordingly, PRS eligible for cash-for-food assistance received \$27 per person instead of the previous \$30 per person. A total of 43,545 PRS individuals were credited, totalling \$1.15 million in cash-for-food assistance, while 11,944 families received a total of \$1.18 million in cash-for-housing assistance. Unaccompanied and separated minors receive assistance in hard cash, rather than via ATM cards, following an assessment by the UNRWA protection team. In March 2015, 51 unaccompanied and separated minors received cash assistance from the Agency.¹⁶²

5.1.4 Children with Disabilities (Articles 6-18)

5.1.4.1 Legal Framework

Lebanon signed the Convention on the Rights of Persons with Disabilities (CRPD) and its OP in June 2007, but as of 2016, no ratification action has been taken. Ratification of this Convention may provide a platform for awareness-raising regarding children with disabilities, and more focus on their rights and freedoms. It is worth mentioning that Law No. 220 (29 May 2000) defines persons with disabilities, drawing on the WHO 1980 classifications and the subsequent amendments. It enhances protection through the introduction of a “card” which allows persons with disabilities to access provisions included in this law, such as medical care, living in specially designed houses, education in all public and private schools, sports activities, work, social services, and fiscal “privileges.” However, it has been reported that the qualifications to hold the card are far too narrow and include only four of the seven types of disabilities identified by the WHO.

Law No. 220 established the National Committee for Disabled Affairs to endorse general policies relating to the affairs of those with special needs, namely the formulation of plans and programmes, the proposal of laws and regulations, participation in external networking and communication.

At a general level, this law does not seem to be fully practiced or enforced as additional ministerial decrees are needed for its execution. Furthermore, a considerable amount of inter-ministerial cooperation is needed to implement its provisions. On the other hand, there is no national disability prevention policy, and what is available in that respect is restricted to private initiatives undertaken by local and international NGOs.

Law No. 220 does not contain provisions specific to children in accordance with Article 23 of the UNCRC, and thus recommendations were made for its amendment. Accordingly, the HCC and its partners have drafted a proposed amendment to Law No. 220 which would add provisions specific to children with disabilities in order to guarantee access to their rights. No progress was achieved in that respect.

A ministerial decision was issued by MOSA in 2006 which established a specialised sub-committee to HCC on children with disabilities, encompassing representatives from relevant ministries and civil society. The committee drafted a strategy on the rights of children with disabilities, however it was not finalised or presented to the government for endorsement.

5.1.4.2 Services

There is no recent data on the number of disabled people in Lebanon. The MICS 3 showed that in 2009, 8 percent of children were reported to have one or more of the disabilities mentioned (such as difficulty walking, moving arms, weakness or stiffness, fits, difficulty learning or ability to speak, and cognitive issues).¹⁶³

In the MICS 3 survey, mothers/caretakers were asked to assess their children’s situation in relation to a number of specific conditions and in terms of their perceived mental progress compared with other children. Disability was measured for children aged two to nine years old, while comparisons included a number of situations, such as walking or seeing.

162 Ibid

163 CAS, Statistics in Focus, -Children in Lebanon, based on MICS3, 2009, September 2013

The incidence of individual conditions was low (less than 2 percent for most) and the most common type of disability was difficulty in seeing, either in the daytime or at night. The incidence of disability varies by region and results showed that the South had the highest percentage of children suffering from at least one type of disability (11 percentage), while the percentage age of children suffering from disability in the “remaining districts of the Bekaa” along with the districts of Akkar-Minieh-Dinniye, was the lowest with 6 percent.¹⁶⁴ It can be surmised from the above data that it is not accurate given that it relies on mothers’ perceptions and it is not comprehensive given that it covers children from 2-9 years of age.

Recent estimates indicate the number of Lebanese with disabilities at around 400,000 for a population of 4 million, equivalent to around 10 percent. Around 90,000 (23 percent) have registered with MOSA so far.¹⁶⁵ It is evident that comprehensive studies on children with disabilities, whether quantitative or qualitative, are scarce, which calls for further research in that regard.

MOSA provides services to people with disabilities through the programme for ensuring the rights of the disabled. The programme registers disabled people and provides a disability card. Some 42,128 cards were provided between 2004 and 2014, including 10,399 cards to children below the age of 18 (6,323 males and 4,067 females). Moreover, MOSA sub-contracts social care institutions in order to provide care, education and rehabilitation services to all people with disabilities in all governorates. It is worth noting that an article pertaining to the compliance with the UNCRC was introduced to the contractual agreement with disability institutions. Children who benefitted from social care services reached 7,579 (37.35 percent females, 62.65 percent males).

Progress was achieved with respect to reducing the number of institutionalised children, from 34.7 percent in 2004 to 19.37 percent in 2014 (37 percent females, 62 percent males). Such progress was attributed by HCC to awareness raising campaigns undertaken with parents and care-givers. Such de-institutionalising is highly commendable and could pave the way for a similar progress in social care institutions.

A hotline (1714) was launched in 2013 by MOSA that operationally linked the monitoring of people with disabilities and civil society organisations.

Several NGOs have employed creative methods for raising awareness about the rights of persons living with disabilities in Lebanon, and for building the capacities of young people with disabilities to become productive and active citizens. Other NGOs have developed an advocacy forum that addresses policymakers.¹⁶⁶

Handicap International reported that Palestinian children with disabilities are believed to be particularly vulnerable. In addition to social discrimination, the physical construction of the camps is hostile to persons with disabilities. There are few NGOs working with disabled children in Palestinian camps and there is no vertical referral system. It also reported that Palestinian children with disabilities are often subjected to violence in the camps.¹⁶⁷

Accurate data reflecting numbers, conditions, needs, and challenges of refugees with disabilities is still limited. UNHCR’s Inter-Agency Multi-Sector Needs Assessment (MSNA) – Phase One Report of May 2014 noted: “few available quantitative and qualitative assessments focus on specific needs, particularly of those with disabilities, including children.” A 2014 Handicap International report noted that 20 percent of surveyed Syrian refugees in Lebanon have at least one impairment (44.2 percent physical, 42.5 percent sensory, and 13.3 percent intellectual). Some 6 percent have severe impairments/disabilities. The provision of assistance to refugees with disabilities has so far been through the limited small-scale interventions of a few INGOs and native Community-Based Organisations (CBOs), Disabled Persons’ Organisation (DPOs), NGOs (FPSC - Fundación Promoción Social de la Cultura/Arcenciel, Handicap International, ICRC (International Committee of the Red Cross), Movement for Peace/Lebanese Physical Handicapped Union (LPHU), World Rehabilitation Fund (WRF), GoL entities, SDCs, and so on. Assistance remains greatly needed and there are extensive unmet needs for specialised services.¹⁶⁸

5.1.5 Welfare as Validated by Children

Lebanese, Syrian and Palestinian children highlighted issues relating to welfare and the right to a decent standard of health. In general, there was a greater emphasis on livelihood and food security by Syrian and Palestinian children. Syrian children highlighted the high cost of living, and having to leave school and go to work in order to secure their family’s basic needs, including having to work in the worst forms of child labour in order to generate income. They particularly raised the issue of the lack of sufficient food to cover all children. Palestinian children addressed the low socio-economic conditions in the Palestinian camps, including the high cost of living, monopolistic practices by traders leading to increases in the prices of goods, and initial overcrowding which was exacerbated by the Syrian crisis through the influx of Palestinian/Syrian refugees. They highlighted the government’s prohibition on Palestinians owning property as well as the prohibition on working in various professions. They also mentioned that UNRWA is not assisting Palestinians as it should due to the lack of funding from donors. They further stated that children are forced to work and be on the streets in order to financially help their families. Lebanese children highlighted the inadequate implementation of the law in regard to children with disabilities, stating it limited access to numerous services.

5.2 Health

Communicable diseases remain prevalent in Lebanon, and non-communicable diseases are on the rise. The spread of non-communicable diseases are accelerated by a variety of significant behaviours and risk factors including smoking, obesity, and insufficient physical activity. An increase in the prevalence of mental health conditions has also been observed.

The remarkable achievements obtained during the last decade regarding communicable diseases, especially in vaccination coverage, could be jeopardised by the influx of large numbers of Syrian refugees. Conditions have increased the outbreak risk of vaccine-preventable diseases and water-borne diseases, and the risk of introducing new diseases such as leishmaniasis. The risk of HIV (Human Immunodeficiency Virus) and STIs (Sexually Transmitted Infections) are also a risk given the presence of the refugees, as well as other infectious diseases that could potentially be introduced through interaction with the rest of the world, including through commerce and tourism. Certain zoonotic diseases such as brucellosis and rabies remain a major public health concern.¹⁶⁹

5.2.1 Health Indicators and Progress on MDGs Achievement

Lebanon declared three objectives related to health progress under the MDG: By 2015, to reduce the under-five mortality rate by two-thirds, to reduce the maternal mortality ratio by three-quarters, and to halt and begin to reverse the spread of HIV/AIDS (Acquired Immunodeficiency Syndrome). As part of this commitment, Lebanon estimated that by 2015 the under-five mortality rate would be reduced to 12 per 1,000 live births, the under-one mortality rate will be reduced to 10 per 1,000 live births, the Maternal Mortality Rate (MMR) will be reduced by 26 per 10,000 pregnancies, and the HIV/AIDS prevalence among pregnant women will be reduced to 0 per 10,000 pregnancies.¹⁷⁰

Child Mortality

According to data available from MOPH, the main causes of mortality among children below five years of age in Lebanon are neonatal causes (65 percent), injuries (11 percent), pneumonia (1 percent) and diarrhoea (1 percent). Unknown causes account for 22 percent of deaths.

Lebanon has registered good results with regard to reducing child mortality. The child mortality-related MDG has been achieved, and the country has reached comparable rates to developed countries. Overall, Lebanon is doing well in children’s health, yet more can be done to ensure fairness in access and to raise quality of services.

Under-five mortality and infant mortality rates have fallen to a third of their 1996 level (Table 5.1).

164 CAS, Statistics in Focus, -Children in Lebanon, based on MICS3, 2009, September 2013

165 Inter-Agency Coordination Lebanon, Meeting, November 2015

166 These include the LPHU, Sesobel, The Lebanese Autism Society (LAS), IDRAAC, Younbou and others.

167 Save the Children, CRSA 2008, Handicap International Representative, Personal Interview, 21 April 2008

168 Inter-Agency Coordination Lebanon, Meeting, November 2015

169 WHO, Lebanon Country Cooperation Strategy at a glance, May 2014

170 Lebanon Millennium Development Goals Report 2013-2014, 2014

Table 5.1: Progress of Selected Child Mortality indicators¹⁷¹

	1996	2000	2009	2010
Under-5 mortality rate (per 1,000 live births)	32	35	10	10
Infant mortality rate (per 1,000 live births)	28	27	9	9

UNICEF data for Lebanon indicates slight progress for 2012, namely an under-five mortality rate of 9 per 1,000 live births (10 for males and 9 for females), and an infant mortality rate of 8 per 1,000 live births.¹⁷² The median for under-five mortality in the Middle East and North Africa (MENA) is 17 per 1,000 live births.¹⁷³

Vaccination coverage has increased to cover nearly the entire country, as a result of the MOPH's significant efforts, along with those of the private sector and civil society, to build the capacity of the primary health-care system and reach out to the whole population. The MOPH, in collaboration with the private sector, has revised the national vaccination calendar in order to progressively introduce new vaccines that will reinforce routine vaccination. Substantial steps have also been taken to ensure the quality of vaccine storage, and improve their transportation at both the central and peripheral levels. However, it has been noted that some barriers to access children's vaccinations remain, such as a consultation fee often charged by doctors, despite the MOPH's free vaccinations policy.

	1996	2000	2009	2010	2011	2012	2013
Proportion of infants immunised against DPT (%)	94	93	96	94	98	99	100
Proportion of infants fully immunised against measles (%)	88	79	93	95	98	98	99

Source: MOPH and WHO vaccine-preventable diseases: monitoring system, 2014 global summary (http://apps.who.int/immunization_monitoring/globalsummary/countries)
DTP = diphtheria, pertussis, and tetanus.

Despite the nearly complete coverage, a measles outbreak appeared in 2013. The MOPH recorded 1,761 measles cases in Lebanon, compared to only nine cases in 2011. This occurred some seven years after the last outbreak in 2007. Four deaths were reported among children under 10 years old. Two were Lebanese and two were Syrian. More than 77 percent of the cases were under 15 years old. The largest number of measles cases were reported from the Bekaa, the North, and Mount Lebanon (the three areas with the heaviest concentrations of Syrians). However, Syrian refugees notified of contracting measles were no more than 20 percent of the total cases. In 2014, measles was still present in Lebanon. Possible explanations for the outbreak, despite full first dosage immunisation, include the massive flows of people entering the country, the fast-spreading nature of the disease, and a second dosage immunisation rate below 80 percent in 2013.

Upon closer analysis, the almost total national vaccination coverage conceals some geographical disparities. For example, the polio vaccination coverage, which reached 96 percent nationally in 2011, stood at only 88 percent in the area of Minieh-Dinnieh. People who were not vaccinated also tend to cluster together, raising the risk of contagion. The geographical disparity could be a product of accessibility issues, as well as social determinants of health. In such cases, addressing health problems with poverty reduction intervention, advancing education levels, and other developmental interventions are necessary to bridge gaps and ensure progress.

Lebanon is facing the risk of new diseases spreading due to the Syrian refugee influx, primarily affecting children. Many Syrians were not immunised prior to their arrival, and are now subject to unhygienic and unsanitary living conditions. The coverage of national immunisation programmes in Syria has been deteriorating with the continuation of the crisis. In addition, shipments of vaccines have been interrupted and other vaccines wasted due to the increasing difficulties in maintaining the cold chain. The WHO also sees a high risk for most waterborne diseases and new diseases to Lebanon. Children are particularly at risk.¹⁷⁴

171 Lebanon Millennium Development Goals Report 2013-2014

172 UNICEF website, Lebanon Data

173 Save the Children, State of the World Mothers, 2014

174 CDR, UNDP, Lebanon Millennium Development Goals Report 2013-2014, 2014

The MOPH, with support from UN agencies and local and international organisations, is providing measles and polio vaccinations through an outreach campaign and routine school-based vaccinations. In addition, vaccination teams have been established at refugee registration sites in coordination with UNHCR, starting in May 2013. The last polio vaccination coverage survey estimated coverage at 89 percent.¹⁷⁵ Preparations for the expansion of the ministry's disease early warning system are on-going.¹⁷⁶ Notwithstanding the significant efforts to provide vaccination services for children, immunisation coverage is not adequate.¹⁷⁷

Maternal Health

The maternal mortality ratio has decreased in Lebanon by more than two-thirds compared with the 1990s, reaching a ratio of 25 per 100,000 live births in 2010. That progress places Lebanon in a higher tier than its regional peers, which record ratios around 10 times higher.¹⁷⁸

The proportion of births attended by skilled personnel was 98 percent in 2004, and was estimated in 2009 at slightly below that rate. Likewise, the proportion of pregnant women receiving antenatal care is above the 95 percent threshold, though there are not many details on whether they make multiple visits or a single visit.¹⁷⁹

HIV/AIDS

The prevalence of HIV/AIDS in Lebanon remains relatively low. However, the disease's growth trend is not being reversed in the context of a high-mobility population, migration, tourism, and growing permissiveness in sexual relations. According to the MOPH's National AIDS Control Programme, 109 new cases of HIV/AIDS were reported in 2011 (up to November), reaching 1,455 cumulative cases. The majority of the new cases (72 percent) were linked to local spreading, and the rest were associated with travel and migration to areas where the disease is endemic.¹⁸⁰

The most recent data indicates that there were 119 new reported cases and 1,671 cumulative cases at the end of November 2013 (88 percent males, 12 percent females). Children in the age group 0-14 constitute 1.7 percent of the cases, and youth in the age group 15-29 constitute 34 percent of the cases. Sexually transmitted cases constituted 90 percent of the cases, while 1.6 percent were perinatal.¹⁸¹

Despite the availability of free treatment through the MOPH, HIV disclosures could be underreported in Lebanon. Passive reporting is the only reporting mechanism used for acquiring the latest epidemiological trends in Lebanon.

Transmission modes of the diseases are, in contrast, well documented.¹⁸² The vertical transmission (mother to child) of the disease is reported to be nil. The major channel of HIV transmission in Lebanon is through sexual relations (51 percent), with 47 percent classed as "non-specified." Lebanon is considered to be doing well in terms of increasing awareness and knowledge of AIDS. The main challenges facing effective intervention are the passive reporting system, human and financial resource shortages, and discrimination against and stigmatisation of those infected with HIV, reinforced by a legal system that penalises drug addiction and homosexuality.¹⁸³

Tuberculosis

The prevalence rate of tuberculosis in Lebanon is estimated at around 15 per 100,000, based on 632 cases reported by the MOPH's National Programme for Combating Tuberculosis in 2012. This compares to a lower prevalence rate of 12 per 100,000 inhabitants in 2009, based on 501 diagnosed cases. The 2012 cases include 45 children (7 percent of all cases, compared to a ratio of 5.6 percent worldwide). The higher incidence is attributed to increased flows of non-Lebanese patients, who accounted for 11 percent of total cases in 2002, and now account for almost half the cases. The non-nationals are mainly domestic migrant workers that come to work in Lebanese homes, a common phenomenon in the country. They are predominantly from East Asia and Africa, where tuberculosis prevalence rates are five to 10 times higher than in Lebanon. In addition, with the Syrian refugee influx, Lebanon received 35 Syrian cases in 2012, and another 24 cases in the first quarter of 2013.¹⁸⁴

175 UNHCR, 2014. Syria Regional Response Plan 2014, Mid-year update

176 WHO, 2013b. Syrian Arab Republic, Jordan, Lebanon, Iraq: Situation Report, Issue No. 15, 5-20 June 2013, WHO Regional Office for the Eastern Mediterranean

177 UNHCR, 2014. Syria Regional Response Plan 2014

178 WHO, Lebanon Health Profile, 2010

179 CDR, UNDP, Lebanon Millennium Development Goals Report 2013-2014, 2014

180 Ministry of Public Health, 2012b, National AIDS Control Programme

181 Republic of Lebanon, Ministry of Public Health, Statistical Bulletin 2013, 2015

182 WHO, 2010. Country Cooperation Strategy for WHO and Lebanon 2010-2015

183 Ibid

184 Yaacoub, Hiam. 2013. Tuberculosis in Lebanon. Paper presented at the Annual Meeting of Lebanese Pulmonary Society, Mövenpick Hotel, Beirut, April 2013. <http://slpsleb.org/2013/06/tuberculosisin-lebanon-hiam-yaacoub>

Child Nutrition

Micronutrient deficiencies and chronic malnutrition in young children (stunting) persists in Lebanon, especially in rural areas, and a high prevalence of obesity in all age groups has emerged, both in rural and urban areas. According to the Food and Agriculture Organisation of the United Nations (FAO), national statistics showing statistical trends in nutrition are incomplete, making it difficult to shape a national nutrition strategy. According to the FAO, “the Baby Friendly Hospital Initiative has not been very successful in Lebanon.” It reports that hospital personnel need more training in information provision and encouraging mothers to breastfeed soon after birth and exclusively for six months.¹⁸⁵

In Lebanon, approximately 15 percent of children under six months are exclusively breastfed, a level considerably lower than recommended. Between six and nine months, 42 percent of children are receiving breast milk as well as solid or semi-solid foods. Even at the earliest ages, the majority of children are receiving liquids or foods other than breast milk. By the end of the sixth month, the percentage of children exclusively breastfed is only 1.5 percent. Despite the fact that breastfeeding in Lebanon is below required levels, statistics show that there was a general improvement in breastfeeding between the years 2000 and 2009.¹⁸⁶

In Lebanon, approximately 11.5 percent of infants weigh less than 2.5 kilograms at birth, especially in the south (Nabatieh and South governorates). This incidence was the lowest in the “remaining districts in the Bekaa” at 6 percent, which is half of the national average. Weight at birth is an important indicator of a mother’s health and the newborn’s chances for survival, growth, long-term health, and psychosocial development. Low birth weight (less than 2.5 kg) carries a range of grave health risks for children. The latest figures show that in Lebanon a very small percentage of households (1.9 percent) had no salt available, while 70.7 percent of households consume sufficient levels of iodine.¹⁸⁷

According to the 2008 UNRWA annual report of the Department of Health, the Palestinian refugee community suffers widely from protein-calorie malnutrition and other vitamin A and iron deficiencies. However, the most persistent issue appears to be anaemia, which is highly prevalent among women of reproductive age, and children.¹⁸⁸

Adolescent Health

National data pertaining to adolescent health is not available. A study conducted by the MOPH in 2011 showed that 42 percent of males in the age group 11-13 in public schools have tried smoking, in comparison to 31 percent for females. At the time of the study, 18 percent of the males were smokers in comparison to six percent for the females. Two-thirds of the students considered themselves passive smokers at home and public places. Students receiving relevant information to raise awareness about smoking stood at 60 percent.

Reproductive health and sexual rights represent a sensitive and taboo topic. However, the reproductive health programme initiated at the MOSA with the support of the United Nations Population Fund (UNFPA) in 2009 implemented nationwide awareness raising campaigns targeting the youth, including those below the age of 18. The programme was subsequently transformed into a standing department at MOSA. UNFPA pursued its relevant effort in relation to reproductive health in partnership with UNICEF through the Adolescent and Youth Friendly Services programme piloted between 2012 and 2014. The programme included advocacy, capacity building, awareness raising, and the establishment of Evidence and Monitoring and Evaluation. In Lebanon, according to UNHCR¹⁸⁹, adolescents and youth aged 10 to 24 years constitute around 30 percent of the refugee population. The humanitarian situation is affecting them in different ways and impacting their basic needs, which makes them vulnerable and more likely to adopt risky behaviours. A recent youth situation assessment in Lebanon, led by UNFPA in partnership with UNICEF, UNESCO, UNHCR and Save the Children International, conducted from September 2013 to March 2014, confirmed such vulnerabilities.¹⁹⁰ Accordingly, UNFPA-UNICEF are currently considering a scaling up of the programme for the provision of services and information to youth affected by the crisis (i.e. Syrians and those from host communities).

¹⁸⁵ CAS, Statistics in Focus - Children in Lebanon, based on MICS3, 2009, September 2013

¹⁸⁶ Ibid

¹⁸⁷ Ibid

¹⁸⁸ MANARA Network, Save the Children Sweden, Lebanon Country Profile, 2011

¹⁸⁹ Accessed Online at: <http://data.unhcr.org/syrianrefugees/country.php?id=122>

¹⁹⁰ Situation analysis of youth in Lebanon affected by the Syrian crisis, Summary Report, UNFPA, UNICEF, UNESCO, Save the Children and UNHCR, April 2014

Water and Sanitation

Lebanon has adequate amounts of precipitation in the form of both rainfall and snow. Water resources are abundant, but water supply is not. In principle, the supply should easily satisfy demand, but widespread pollution and substandard water infrastructure are restricting the proper sustainable exploitation of the resources to meet water demand. The World Bank expects Lebanon to face chronic water shortages as soon as 2020. Irrigation accounts for the largest water consumption in the country (61 percent), but efficiency is low and open channels constitute the majority of the irrigation networks. Water supply to households is not adequate, although the national public network coverage is relatively high, estimated at 78 percent of households, according to the latest available information. Geographical differences do exist, ranging from 93 percent household connection rates in Beirut and Mount Lebanon to 65 percent in North Lebanon, where around half the population lives. However, water supply continuity is intermittent and low. Water is supplied three to 22 hours per day during the summer season, depending on the areas.¹⁹¹

In addition to the intermittent supply, residents do not trust water safety. The monitoring of water quality is not conducted systematically. Regulatory instruments are inadequate to meet the sector challenges and enforcement capacity is low. As a result, over 70 percent of household water expenditure goes to private suppliers of water. The latest data available (2009) indicate that 98 percent of households are using safe drinking water, yet only 35 percent obtain it through the public network. Half the population resorts to other sources, such as purifying their own water or buying bottled water. Thus, whereas the MDG indicator on access to drinking water may appear to have been achieved, the quality of water and the inequitable burden on poorer households are serious difficulties in achieving affordable and safe access. The unit price of public water supply ranges from \$0.3 to \$0.8 per cubic metre (depending on the location), compared to \$3 to \$6 per cubic metre for water tankers and \$400 to \$500 per cubic metre for small bottles. Poorer households end up paying almost half their annual expenditure on water to private suppliers.¹⁹²

The indicators of access to the wastewater network show a relatively wide coverage.

Two-thirds of households are connected to the public sewage system and more than 28 percent use sanitary pits. The problem is again not in access, but in the quality of this basic service.¹⁹³

Lebanon continues to not have enough treatment plants in operation. Most are small and are insufficient to handle the volumes dispensed, even though efforts have been made to increase capacities. Lebanon’s Council for Development and Reconstruction has developed a number of treatment plants, though they are not yet fully operational because of limited capacity and unfinished supply networks.

Environmental degradation caused by untreated wastewater is estimated to cost Lebanon around one percent of its GDP. Wastewater generation is impacting groundwater resources almost everywhere in Lebanon. This is due to raw sewage overflow and leaking septic tanks and sewer lines. Most industrial wastewater is discharged into the environment with little or no prior treatment, either directly into rivers and streams or through municipal wastewater networks. Many river systems receive raw sewage, resulting in dangerously high biological loads.¹⁹⁴

As for solid waste, the situation is even worse, since no coherent plan for solid waste management has been implemented. Since the Civil War a number of plans have been developed, such as the Emergency Plan for Solid Waste Management in 1997, a master plan dated 2006, and a waste-to-energy plan in 2010. Implementation remains fragmented due to drained government resources and insufficient political momentum to make progress. Successive governments continue to pursue suboptimal, politically convenient emergency measures. More than half of all municipal solid waste goes into landfills. Around 32 percent is dumped, and 17 percent is recovered through sorting and composting. Lebanon is currently suffering a severe solid waste management crisis. Waste is piling up on the streets, especially in Beirut and its suburbs, causing public health hazards. People have resorted to burning raw waste, leading to toxic emissions and inducing respiratory diseases.¹⁹⁵

¹⁹¹ World Bank, 2010. Republic of Lebanon Water Sector: Public Expenditure Review

¹⁹² Ibid

¹⁹³ CAS, 2009. Multiple Indicator Cluster Survey, Round 3 (MICS3)

¹⁹⁴ World Bank, 2010. Republic of Lebanon Water Sector: Public Expenditure Review

¹⁹⁵ CDR, UNDP, Lebanon Millennium Development Goals Report 2013, 2014

Lebanese communities, particularly those hosting refugees, are witnessing increased demands for water and sanitation provision. These burdens on an already deficient system requires financial and technical resources to boost supply and improve quality. Lebanese families squeezed by the demand pressures are managing by resorting to alternatives sold in the private sector. It is estimated that the demand for water has increased by 7 percent, equating to a cumulative cost of approximately \$18 million.¹⁹⁶

In addition, the pressure on water and sanitation services is expected to have high health and environmental impacts. Solid waste generation has doubled in several areas, which is contributing to groundwater contamination, pollution of water resources, and the spread of waterborne diseases.

Municipalities lack the resources to manage such an overload of waste. Their financial resources have not increased in the short term.

The shelter conditions of refugees in Lebanon represent a significant challenge to any environmental or habitat-focused goal. Although the majority of registered Syrian refugees continue to reside in rented apartments and houses, an increasing number are forced to live in unfinished houses, shops, and tents. A total of 40 percent of Syrian refugees live in sub-standard buildings and informal settlements, severely impacting the provision of water and sanitation services.

At least 28 percent of Syrian refugees do not have enough access to safe water, and more than 70 percent of households rely on the public water network, and supplement it to meet their drinking and other water needs. Water supply is a greater concern in rural areas where water trucks do not fill household tanks as frequently. Water shortages have become more problematic since the summer of 2014 due to lower-than-average precipitation the preceding winter. The situation of sanitation services is not any better, with almost 30 percent of Syrian refugees in need of access to improved sanitation, 7 percent of whom are particularly vulnerable. In informal settlements, wastewater is not properly evacuated. These conditions are even worse for the estimated 14 percent of Syrian refugees living in some 1,069 informal settlements, as well as for the Syrian refugees in the Bekaa Valley and North Lebanon who live in difficult-to-access locations. The Palestinian refugees from Syria who are residing in Palestinian gatherings are considered to be among those most in need of water and sanitation services. They have added to the already underserved Palestinian populations who were living on minimal service provision before the current crisis¹⁹⁷

Environment

Lebanon suffers from multiple environmental issues that threaten its inhabitants (humans, animals, plants, and vegetation). First is the constant, unchecked deforestation that brought about the depletion of Lebanon's forests.¹⁹⁸ Over the last 40 years, Lebanon has lost more than 35 percent of its existing forest cover.¹⁹⁹ Forest fires, among other human and natural threats, resulted in the burning of 28 million trees from 1998 until 2000.²⁰⁰

Another environmental issue Lebanon faces is soil erosion. Soil erosion is the removal of surface material by wind or water. Erosion occurs due to the depletion of wooded areas, sharp slopes, and rainfall patterns. It has increased in Lebanon due to the deforestation and improper road construction.²⁰¹ This process is accompanied by severe desertification, which is a land degradation that leads to aridness, loss of bodies of water, as well as a decline in vegetation and wildlife. According to the World Bank, Lebanon's arable land fell from 13.8 percent in 2000 to 11.14 percent in 2010.²⁰²

On the other hand, Lebanon is rich in natural resources like limestone, iron ore, salt, water (in a water-deficit region), and arable lands.²⁰³ Lebanon suffers from two types of pollution: air and coastal. The first is generally caused by extensive traffic and the improper disposal of industrial waste. The second is caused by the inadequate handling of sewage and oil spills.²⁰⁴

196 World Bank, Lebanon: Economic and Social Impact Assessment of the Syrian Conflict, 2013

197 UNHCR, 2014. Syria Regional Response Plan 2014

198 CIA Factbook, Lebanon

199 Reforest Lebanon Report, Lebanon Deforestation

200 Ministry of Agriculture, 2005 report

201 Masri, Rania, The Impact on the Environment in Lebanon, November 1995

202 World Bank, Climate Portal, Lebanon

203 CIA Factbook, Lebanon

204 CIA Factbook, Lebanon

5.2.2 Health Services and Financing

The past decade has witnessed significant efforts by the Lebanese government to address the Civil War's detrimental effects on the health system's infrastructure. This period was characterised by rapid, unregulated growth in the private, for-profit high-technology health sector, and a significantly weakened public sector. The increased population, largely due to the influx of refugees, has had a variety of major impacts on the health system, including: a 50 percent increase in the utilisation of services at the primary health care level (especially maternal and child-health related issues), a 35 percent increase in secondary and tertiary health service utilisation, and the stretching of MOPH's overburdened capacities related to health information systems for the monitoring of health trends and risks.²⁰⁵

Lebanon's public health services are coming under enormous pressure from the added numbers of vulnerable beneficiaries. Given budget constraints and the added burden of refugees accessing the system, the pressure is also affecting the Lebanese that rely most on the government public health care system (the population generally living below the poverty line).

Refugees are severely affected, having fled their country under harsh circumstances only to reside within Lebanon, suffering difficult conditions. Most of them are staying in inadequate shelter, making them prone to sickness. More than 75 percent of refugees are women and children, both highly vulnerable groups. The Syrian refugee children face a range of health problems, including both communicable and non-communicable diseases, and mental and psychosocial distress.

Refugees are facing difficulties in physical access to health care centres, especially for some refugees who live in remote locations.²⁰⁶

In Lebanon, health services are characterised by a dominant private sector, which largely excludes many poor Lebanese and others who lack financial means. Many groups of Lebanese and non-Lebanese have no social security coverage. Health services are distributed unevenly across the regions of the country. There is a wide disparity in the distribution of services, which are largely concentrated in Beirut and Mount Lebanon.

"Furthermore, the health system in Lebanon is characterised by over-investment in technology, with an emphasis on treatment rather prevention. In total, there are 165 health centres, distributed across the governorates as follows: 23 in the Nabatieh governorate, 26 in the South, 30 in the Bekaa, 37 in the North, 35 in Mount Lebanon and 14 in Beirut. Alongside these centres, Lebanon has 950 dispensaries across the country. However, human and material capacities in these dispensaries are generally poor, resulting in the delivery of a limited service. Primary health care centres are constantly developing and offer a diverse range of services, covering reproductive health, family planning, post-natal care, dispensing medication, and education and awareness programmes. There are 34 public hospitals, of which three are classified as teaching hospitals, with 2,550 beds. There are 135 private hospitals, of which 12 percent are teaching hospitals, with a total of 12,648 beds, representing 82 percent of absorptive capacity compared to 6.16 percent for public hospitals."²⁰⁷

Despite the efforts of the MOPH, MOSA, and the non-governmental sector to extend a comprehensive network of primary care centres across the country, the health system in Lebanon is still primarily focused on the private sector, which is driven by liberalism.

The primary health care system is greatly supported by non-governmental agencies and dependent on patient fees, and with the lack of regulation, services can vary in quality.

Significant efforts were exerted by the MOPH to develop the primary health care system. In 2008, the ministry began a project to upgrade primary health care centres to reach out to all parts of Lebanon. The project included expanding primary health care centres across the country (reaching 186 in 2013), each aiming to serve a 5 km radius. The MOPH has provided training, medication, and technical support while other entities – including NGOs, municipalities and the MOSA – have operated the centres. NGOs operate 67 percent of primary healthcare centres,

205 WHO, Lebanon Country Cooperation Strategy at a glance, May 2014

206 CDR, UNDP, Lebanon Millennium Development Goals Report 2013, 2014

207 CEDAW, Consideration of Reports Submitted by State Parties, Fourth and Fifth periodic reports of States Parties due in 2014, 2014

and municipalities operate another 20 percent. The others remain either solely under the MOPH or the MOSA. It is important to note that the MOSA also contracts NGOs for the provision of health services through their centres.²⁰⁸

The MOPH is keeping track on the quality of services by accrediting primary health care centres through a Canadian accreditation organisation. Twenty-five centres have already received accreditation and 60 are in the process of upgrading their services for accreditation in 2013. The centres provide consultations and vaccinations for children, in addition to consultations related to reproductive health, maternal health, general medical care, dental care and the provision of essential drugs. Around 234,000 children have benefited from the services of primary health care centres in 2013. The number of child beneficiaries has increased at an average annual rate of 15 percent since 2008.²⁰⁹

The strong growth in child beneficiaries can be attributed to the awareness campaigns that the MOPH has launched, particularly in peripheral areas with low vaccination rates. The implementation of the Reach Every District (RED) strategy, which targeted every child, was another success factor. The primary health care centres followed up with every case and raised awareness by reaching out to people at their own homes.²¹⁰

Within this context, underserved locations were targeted in 2012 and the programme reached out to children in nine districts (cazas, or small administrative divisions) in the North, South and Bekaa. The principle challenge now is to contain the outbreaks and return to ensuring progress through active surveillance and timely interventions that would ensure overall population coverage levels.²¹¹

The MOPH's capacities are stretched as a result of the Syrian refugee influx, and it remains the last resort for poor patients and patients with no formal health insurance. General government expenditures on health as a total percentage of government expenditures reached 10.7 percent in 2012 as compared to 7.6 percent in 2002.

Around half of the Lebanese population has health insurance coverage, of which 93 percent is public coverage and 7 percent private coverage. Health expenditures constitute 7.7 percent of the GDP. Only 31.14 percent of health expenditures are covered by the public sector, whereas 68.39 percent are covered by private funds (households out-of-pocket fees for services and premiums constitute 53.02 percent and employer contributions 15.37 percent). Donor contributions constitute 0.47 percent.²¹²

It is estimated that around 2 percent of health expenditures are provided by donors. This percentage probably increased in the context of the current Syrian Crisis due to humanitarian health interventions. In addition to the UN agencies involved directly in health (WHO, UNICEF, UNFPA, and UNHCR), other agencies and donors conduct health operations such as the World Bank and the Italian Development Cooperation. Bilateral agreements with Belgium, France, Greece, Spain, Sweden, and Turkey also yield benefits for the health sector. The UN system in Lebanon elaborates the UNDAF (United Nations Development Assistance Framework) every four to five years.²¹³

Access to health care for Palestinian refugees is provided by the private sector, which has high fees, or by international organisations, including UNRWA. UNRWA operates 28 primary health care facilities, providing nearly 931,000 general consultations and over 23,000 dental screening consultations each year.

In Lebanon alone, UNRWA has formed an arrangement with Palestine Red Crescent Society hospitals to guarantee equity for Palestine refugees in access to secondary health care. In all other fields, a reimbursement scheme is in place for secondary and tertiary care.²¹⁴

5.2.3 Reforms

Notwithstanding the progress achieved on the level of primary health care, the health sector strategic guidance document outlined major constraints facing the health sector that require national reform efforts. These problems include: the burden felt by households in financing health care, the regressive tax structure which unfairly burdens lower income groups, a substantial amount of each household's medical expenditures are absorbed by medication costs instead of services, the public sector's poor capacity to minimise redundancies and not waste resources, the low return on public investments produced by a focus on tertiary care instead of preventative care, and the inequality in services reflected in maternal and child mortality indicators (requiring a broad approach encompassing social determinants like poverty, illiteracy, unemployment, and housing).

The intended health sector strategy by the MOPH aims to realise public health objectives in the provision of services, relevant financing, ensuring equity in access, sustainable coverage, and better quality. Reducing the cost of health in relation to GDP and reducing health-related out-of-pocket costs are major pillars of the intended health reform, in addition to promoting primary health care systems, and increasing public expenditures on health.²¹⁵

It is worth noting that the proposed health card, "Care Sanitaire," proposed in 2010 as a reform measure aimed at strengthening the MOPH's planning, monitoring, and financial management capacity, has yet to be endorsed.

The MOPH was able to push reforms to improve the primary health care system, including the accreditation of public hospitals and health centres. Food safety and inspections have improved, as have policies around prescription medications. Regarding children, the MOPH initiated a process for the monitoring of day care services and nurseries, and instituted a process to license those providers not currently licenced. Additionally, close inspection of nurseries and the enforcement of requirements resulted in the closing of non-compliant facilities. The MOPH is the governmental authority mandated to licence day cares.

In 2012 the MOPH formulated an Emergency Health Contingency Plan which is a tool that describes the level of preparedness and the arrangements made in terms of health response in anticipation of a crisis to ensure appropriate health and humanitarian assistance and protection. Major challenges hinder further reform of the health sector, including lack of political will, scarcity of resources, and fragmented leadership.

Regarding legal reform, Law No. 174 was issued in 2011 instating a prohibition on smoking in confined public spaces. The law included provisions that prevent tobacco companies from sponsoring youth activities, and also prevent marketing directed at the youth.

The Parliament passed Law No. 266 in 2014 that raised the maternity leave to 10 weeks instead of eight.

5.2.4 Impact of the Syrian Crisis on the Health Care System

The increase in demand for health services caused by the Syrian conflict is straining Lebanon's health system. According to a World Bank report, the conflict in Syria is impacting Lebanon's health system through:²¹⁶ "(1) increased demand for health care services; (2) increased unpaid commitments of the MOPH to contracted hospitals; (3) shortages in health workers including specialists and nurses; (4) a sharp rise in communicable diseases (the number of measles cases, for example, increased from nine in 2012 to 1,456 in 2013) and the emergence of previously absent diseases, such as leishmaniasis (420 cases); and (5) increased risks of epidemics such as waterborne diseases, measles, and tuberculosis. Overcrowding, lack of water and sanitation infrastructure and other poor environmental conditions also pose significant risks to increased infections, as outbreaks of lice and scabies among refugees have shown. Thus, demand for health services has markedly increased over the past six to 12 months — in December 2012 alone 40 percent of primary health care visits were for Syrian refugees. In addition, strong demand for hospital care is crowding hospitals and compromising access to health care, thus exerting financial pressure on hospitals, increasing costs, and generating medication shortages. In the medium to long-term, the impact of delayed health care could result in increased overall levels of morbidity, particularly for the vulnerable. The fiscal impact has been estimated to

208 CDR, UNDP, Lebanon Millennium Development Goals Report 2013-2014

209 Ministry of Public Health, Annual report 2013. Ministry of Public Health, Primary Health-Care Department, Epidemiology Surveillance Unit: Communicable Diseases Surveillance, 2013

210 CDR, UNDP, Lebanon Millennium Development Goals Report 2013-2014

211 Ibid

212 Ministry of Public Health, National Health Accounts Summary, 2012

213 WHO, Lebanon Country Cooperation Strategy at a glance, May 2014

214 UNRWA website <http://www.unrwa.org/tags/lebanon>

215 Ministry of Public Health, Ammar, Walid. Strategic guidance for the health sector in Lebanon, 2012

216 World Bank, Lebanon: Economic and Social Impact Assessment of the Syrian Conflict, 2013

be \$38 million in 2013 and \$48 to \$69 million in 2014, depending on refugee projections. Health care costs needed to restore the system to its pre-refugee access and quality levels is estimated at \$177 million in 2013 and \$216 to \$306 million in 2014, depending on the refugee projections.²¹⁷

5.2.5 Syrian Refugees Access to Health Services

Syrian refugees and Lebanese alike are expected to cover the costs of consultations and diagnostics, which can be well beyond their means. A range of free services provided through MOPH and UN agencies initially for Syrians are increasingly being accessed by Lebanese host populations. For instance, UNHCR and Medvisa are covering the majority of costs for refugees for emergency conditions and child delivery, but do not address chronic conditions. There is significant concern that the system is challenging to navigate. Secondary and tertiary care facilities offer around 13,000 hospital beds, though 85 percent are private sector. The surplus of medical doctors and shortage of nurses and paramedical staff leads to a very high cost for health services, both for persons displaced from Syria and for the Lebanese population.²¹⁸

The influx of Syrian refugees has put additional pressure on Lebanon's resources, due to the swelling demand for basic services and increased exposure to diseases. The destitute conditions that the Syrian refugees are living in – particularly the unacceptable water, sanitation and hygiene conditions – and the movements of refugees to and from Syria are conducive to the outbreak of diseases. Hepatitis, measles, and leishmaniasis are diseases that have been resurging in Lebanon, in addition to tuberculosis. As of June 2014, 1,292 cases of leishmaniasis were detected in Lebanon, 98 percent of which are among displaced Syrians, with almost a third under five years of age.²¹⁹ Mental health conditions are also on the increase. Lebanon's health care system is therefore facing a different mix of health cases that were not present in the past.

The MOPH, in collaboration with public hospitals, is following up on the outbreaks from detection services to offering full courses of treatment, free of charge. UNHCR, international organisations, and local NGOs are providing the Syrian refugees with primary and secondary health services through the centres and through mobile clinics.²²⁰ Lebanese host communities are feeling pressure on their access to health care services and the quality of those services.

In the most vulnerable areas, health care professionals reported that they were struggling to cope with the additional demand. Many Lebanese also have the impression that Syrian refugees get preferential access to, and treatment in, Lebanese health care centres and hospitals. Some reports claim that resources targeting the health needs of poor Lebanese are being re-channeled to refugees.²²¹ The situation is expected to worsen if funding tightens. UNHCR and collaborating organisations are reducing their aid.

In contrast, despite the effort being made, many refugees have had difficulties in accessing health care services. Some refugees, mainly those in informal tented settlements, do not have sufficient information on the services available. Distance and transport costs are also considered obstacles for most refugees who are entitled to such services from NGO centres, in areas where they registered when they first came, and that might now be some distance from their current accommodations. Their shelter usually changes as time passes and they identify a suitable location in which to settle. Affordability is the main problem, as many refugees cannot cover the costs of services, even though these are subsidised by international agencies.

Many essential medical treatments have proven impossible to afford for large numbers of Syrian refugees in Lebanon (the greater disparities for Hermel and west Bekaa are due to the limited number of health care providers in those locations). The most vulnerable remain the unregistered refugees.²²² A recent survey conducted by International Medical Corps (IMC) and Medecins du Monde (MDM) showed that in cases where a child household member needed medical attention, care was sought and received by 74 percent of refugee households and 85 percent of host community households. Cost was the primary reason for not seeking care among both refugee (96 percent) and Lebanese (78 percent) households and for not obtaining prescribed medications. Some 34 percent of refugees and 24

percent of Lebanese host community members reported no out-of-pocket payments at their last visit. The median out-of-pocket payment was significantly higher among Lebanese (40,000 LBP or \$27) than Syrian refugees (the median is 10,000 LBP or \$6.66). Those prescribed medications stood at 95 percent, and of these, 93 percent of refugees and 97 percent of host community children obtained medications. The median cost of medication was 25,000 LBP (\$17) for refugees and 38,000 LBP (\$25) for the host community members.²²³ The Lebanon Crisis Response Plan 2015 to 2016 noted during the inter-agency meeting in November, 2015 that: "Based on core public health vulnerability criteria, boys and girls under five years of age, pregnant and lactating women, survivors of SGBV, elderly over 60 years of age, persons with disabilities and mental health conditions... are in the greatest need of support and will be prioritised within the sector strategy."²²⁴

With the constantly decreasing available funds for the Syrian refugees in Lebanon, UN agencies like UNHCR are forced to cut down subsidised services to refugees including health related services. An interviewed UNHCR officer explained that a decision was made to stop covering child deliveries and tertiary care and restrict assistance to life threatening cases, while primary health care services will be maintained through contracted centres.²²⁵

UNRWA provides free primary health care to all PRS in Lebanon through the generous contributions of several donors. Services include medical consultations and free medication, and are available at all 27 UNRWA health centres in Lebanon.

UNRWA provides financial support for Emergency Room Services at Palestine Red Crescent Society hospitals, and partially covers these services at UNRWA-contracted hospitals. UNRWA further supports those suffering from critical health conditions through the Catastrophic Ailment Relief Programme (CARE), which provides financial support to patients requiring costly medical procedures. PRS made a total of 23,894 visits to UNRWA health centres in March (including repeat visits) and 290 patients were admitted for secondary care. Another 11 patients were admitted for tertiary care for emergency and life-threatening conditions. In April, there were 22,811 PRS visits to UNRWA health centres, 290 sought secondary care, and 12 sought tertiary care.

In partnership with UNICEF and in coordination with the MOPH, UNRWA launched a polio vaccination campaign in March and April reaching a total of 11,609 PRS.²²⁶

5.3 Analysis

5.3.1 Welfare

Lebanon has not implemented a pro-poor national policy based on human rights. Social safety nets are either weak or non-existent. This could be attributed to various factors over the past decade as well as the constantly shifting focus of policymakers to more urgent matters such as security, political turmoil, legislative paralysis and others. Similarly, MOSA's attempts at implementing a social development strategy have failed, including the intended social safety nets. Lebanon has focused on the National Poverty Targeting Programme, yet the inter-generational transfer of poverty cannot be addressed by targeting only specific segments of society and improving the income of the poorest families. Poverty can best be addressed by ensuring unhindered access to economic and social rights, including clean water, energy, public transportation and housing in addition to health and education, including free schooling, and the accessibility and availability of these rights without any discrimination.

The Syrian crisis led to the escalation of ongoing problems and increased poverty levels in the country. Host communities were mostly affected due to their existing vulnerabilities, such as risks to their livelihoods and food security.

Addressing the current situation would be difficult in the short term since the causes are structural and would require, among others, major changes in the NSSF system as well as providing substantially more resources, which are not available in an indebted country.

217 Ibid

218 UNHCR, Refugees from Syria: Lebanon, 2015

219 Ministry of Public Health. Epidemiology Surveillance Unit: Communicable Diseases Surveillance Annual Report 2014

220 UNHCR data, 2012

221 World Vision. Under pressure: the impact of the Syrian refugee crisis on host communities in Lebanon. World Vision Lebanon and WVUK Advocacy Report RR-HA-02, 2013

222 Médecins Sans Frontières, Misery beyond the war zone: life for Syrian refugees and displaced populations in Lebanon, 2013

223 AUB, Johns Hopkins, IMC, MDM, UNHCR, EU, Syrian Refugees and Affected Host populations, Health Access Survey in Lebanon, 2015

224 Inter-Agency Coordination Lebanon, Meeting, November 2015

225 Interview with UNHCR in the context of the CRSA, 2015

226 UNRWA, Response to Palestinian Refugees from Syria in Lebanon, Bimonthly Briefing, ISSUE 43, March-April, 2015

Syrian refugees are progressively facing difficulties relating to their livelihood and food security due to the decrease in assistance.

Palestinian refugees are constantly faced with poverty due to limited employment opportunities and the ever-decreasing funds received by UNRWA. The situation is further exacerbated by the influx of Palestinian/Syrian refugees to the camps, which fall under the mandate of UNRWA.

Conclusions

In Lebanon poverty represents a major barrier to the realisation of all human rights including children's rights. The government has not been able to ensure social safety nets. Addressing the situation will require structural changes. The Syrian crisis exacerbated the problem. Currently Syrian refugees are facing difficulties relating to livelihoods and food security, which should be urgently addressed. Palestinian refugees are at risk of increased poverty due to employment laws and the decrease in UNRWA funds.

5.3.2 Children with Disabilities

It is difficult to analyse the situation of children with disabilities due to the lack of quantitative data on their numbers as well as relevant qualitative studies. But in general the rights of people with disabilities are not ensured, including children. The main reason is that Law No. 220 was not fully implemented and related resources were not allocated. Children with disabilities face discrimination which hinders the realisation of all their rights. Awareness of the rights of children with disability is weak. Inclusion of children in education and society is weak. Institutionalisation of children is still the predominant form of care.

Conclusions

The rights of children with disabilities are not ensured. They still face discrimination and exclusion, and are predominantly institutionalised.

5.3.3. Health

In spite of the efforts exerted by the MOPH to instate reforms, to date the Lebanese government has been unable to formulate a health care policy that would ensure the realisation of the right to health for all Lebanese in an equitable manner. This is also reflected in the piecemeal approach to health legislation. Major challenges hinder the reform of the health sector, including a lack of political will for reform, the unavailability of resources, and fragmented leadership.

On the legislative side, issued laws are not adequately implemented or enforced.

Budget allocations to the MOPH are limited. There are multiple health service providers in Lebanon, but the majority are not under the jurisdiction of the MOPH. Coordination between the various providers is weak.

In Lebanon, health services are characterised by a dominant private sector, which is costly and largely excludes many poor Lebanese and non-Lebanese who lack the financial means. The most affected by the prevalent system are the poor and the unemployed who have no insurance coverage, public or private. Those who fall in this category are essentially at the mercy of the governmental health system, and what it provides or withholds. The problem is made worse when specialised tertiary care is needed which might not be available in public hospitals. Noting the failure to implement the health card project, people in need of care are forced into private hospitals to seek clearance from the MOPH each time services are needed. This also applies to securing chronic medication from the MOPH. Consequently, there is no inherent right to health. This right is sought by the poor and uninsured, but is frequently un-realised.

Notwithstanding the MOPH's efforts to reform the primary health care system, the issue of quality remains a major concern for people who still do not trust the governmental health system, including the secondary and tertiary care systems (whenever available).

Exacerbating its pre-existing weaknesses, the Syrian Crisis has served to only magnify and multiply the issues within the already overstretched Lebanese health care system.

Conclusions

It can be surmised that the current health care system is not conducive to the realisation of the health rights of the Lebanese and non-Lebanese alike. The system is predominantly private and costly, such that those most affected are the poor and those with no health insurance coverage. In addition people do not trust the quality of the governmental health services. The Syrian Crisis has put great stress on health services.





6

CIVIL RIGHTS AND FREEDOMS (Articles 7, 8, 13-17, 37)

6.1 Birth Registration, Name and Nationality (Article 7)

Nationality in Lebanon derives from the father, and a child born in wedlock by a Lebanese father is considered Lebanese whether or not the birth occurs within Lebanon's borders. The nationality of the mother is not taken into account (Article 1 and 10 of the Legislative Decision No. 15/1925).

There are multiple campaigns pertaining to nationality laws that have been advocating for equal nationality rights between men and women since 2006, as mentioned here below:

The "My Nationality is a Right for me and my Family" campaign, since its launch in 2006 by CRTDA (Collective for Research and Training on Development-Action), has fought for full and equal citizenship rights for Arab women. The right to nationality was identified as a key area of legal, administrative and attitudinal discrimination against women and as a major obstacle towards achieving full and equal citizenship. The key strategy endorsed by the campaign since 2006 was lobbying to amend the nationality laws that discriminate among women in most Arab countries, especially those which present the most politically charged and challenging context (namely Lebanon). The majority of supportive political positions were in favour of limiting the nationality right to children, thus excluding husbands. Yet according to the campaign, excluding the husbands from receiving the nationality would threaten the socio-economic foundations of the family. The partners of CRTDA in the campaign are the National Committee for Follow-up of Women's Issues, Lebanese Women Democratic Gathering, Working Women's League in Lebanon, Lebanese Council to Resist Violence Against Women, Lebanese Women Council, Lebanese Women's Network, and KAFA.

The other campaign, "My Nationality is the Right of my Children", was launched in 2008 by the National Committee for the Follow-up of Women's Issues. It is supported by the UNDP. As the campaign's name implies, it focuses on the right of women to confer their nationality to their children and not their husbands. Most politicians publicly support women's right to nationality, but in practice they obstruct its implementation. One root of the problem lies in the insistence of some parties to link this issue with naturalisation of Palestinians.

Failure by the parents to register a legitimate or acknowledged child while they are a minor is considered neglect, according to Article 12 of the Law Pertaining to Registration at the Personal Status Registers of Dec. 7, 1951, which stipulates that every child must be registered immediately after birth. If a delay of more than a year passes without the child's registration, a lengthy court process ensues that can take up to two years and require DNA (Deoxyribonucleic acid) testing.

As for children born out of wedlock, they are considered Lebanese citizens if it is proven before they reach the legal age of maturity that the father is Lebanese, whether by consent or by judicial proceedings. They are also considered Lebanese if it can be proven that the mother is Lebanese before proving that the father is a foreigner, or if the national laws of the foreign father do not provide nationality to the new-born.

Article 1 of the Legislative Decision No.15 dated Jan. 19, 1925, stipulates that "every person born on the territory of the Grand Lebanon territory is considered a Lebanese from unknown parents or from parents from unknown origins [sic]."

According to Article 15 of the Law dated Dec. 7, 1951, the birth certificate of a child born out of wedlock in Lebanon must be completed by the person in charge of the child, or the midwife or the doctor who supervised the birth. If a Lebanese mother gives birth to a child born out of wedlock as a result of an illegitimate relationship with a foreign man, the child is considered a foreigner if the father admits paternity. If the father does not admit paternity, the child bears his mother's name and nationality (Article 2 of Decision No. 15 dated Jan. 19, 1925). The religious courts are regarded as the competent authorities to address cases of legitimacy, or the family origins of children.

Children Born on Lebanese Territory Having a Foreign Father

Foreigners in Lebanon are classified into four categories: "Citizenship under study," Palestinians, Syrians, and holders of foreign passports.

- Persons having their citizenship under study: The birth certificate is established by the personal status department after referral to the Directorate of General Security's arm handling special cases, whereby a copy of the issued certificate is handed over to the person in question.
- Palestinians living in Lebanon: They are registered either at the Department of Palestinian Refugee Affairs or at the Directorate of General Security. Palestinians who are registered abroad and have not been registered at the Department of Palestinian Refugee Affairs in Beirut are also treated as foreigners. If the parents fail to register a Palestinian newborn within the legal limit of one year, the Administration for Palestinian Affairs creates a file noting the issue and reasons for the delay. It then submits the file to the Director General, who has the authority to approve of the request for registration. This applies to the above-mentioned first category of Palestinians. Within the second category of Palestinians, if the parents fail to register their newborn within one year, the registration of the newborn would be categorised as "citizenship under study."
- Syrians: The birth certificate of a newborn from a Syrian father is transferred first to the Syrian authorities, before returning to Lebanese officials for certification at the Lebanese Department for the Registration of Foreigners.
- Holders of foreign passports: For children born in Lebanon from a foreign father, the latter has to prove that he is legally married by forwarding his marriage papers in order for his child to be registered. Then, a copy of the birth certificate is sent to the relevant embassy.
- The Lebanese mother married to a foreigner who has lost her husband cannot give her nationality to her child, despite the detrimental effect this would have against the best interest of the child.²²⁷

In the last 10 years, no major changes have occurred with respect to the above-mentioned laws. Decree No. 4178 was issued on May 31, 2010, granting temporary courtesy residency to the spouses of Lebanese women after a year of marriage, as well as to children of Lebanese women married to foreigners. This law applies whether they are over or below 18 years of age, and whether or not they are employed.

There is no recent data on the number of non-ID children. The last study, conducted in 2008 by Frontiers, reported 80,000 non-ID people in Lebanon including children.²²⁸ It is notable that UNICEF's 2015 State of the World's Children report indicated 100 percent birth registration for Lebanon from 2005 to 2012.²²⁹ That figure includes "the percentage of children less than five years old who were registered at the time of the survey," and also comprises children whose birth certificate was seen by the interviewer or whose mother or caretaker said the birth was registered.

As indicated previously, a specialised committee was established in 2014 by the Forum of NGOs on the Rights of the Child to address the lack of child birth registration, encompassing members from the relevant ministries and civil society. The committee focuses on raising public awareness, encouraging parents to register their children, and instituting administrative and legal solutions for non-ID children. The committee proposed amendments through project laws: the first pertaining to Article 12 of Civil Status Registration granting the right to file a registration case to mothers and juvenile judges, the second an amendment to Article 25 of Law No. 422 to consider non-ID children as "at risk" and thereby requiring protection measures as stipulated in the same article, and adding a paragraph to Article 501 of the Penal Code to render the failure to register children as a criminal act. The committee is actively advocating for birth registration reform with support from WVI, and recently requested from MOPH a financial exemption for families obligated to pay for DNA testing fees. Similarly, a process for free legal assistance is being coordinated with the Bar Association.

However, the problem of structural obstacles has concentrated the flow of displaced Syrians to Lebanon. According to statistics from the Office of the High Commissioner for Refugees, from March 2011 to December 2014, there have been 44,927 Syrian children born, 70 percent of them with no birth certificate. Additionally, there are 31,448 Syrian children without IDs, and 39 percent of the Syrians were not registered due to the unavailability of documents required by civil registries.

Raising awareness about the problem of children without IDs constitutes part of the mandate of MOSA as indicated by one of its officials. A relevant working group had been formed, supported by Ruad-Frontiers, UNHCR, and UNICEF. Activities have focused on raising awareness through MOSA-SDCs on topics including marriage of people without IDs, birth registration of Lebanese newborns, and birth registration of refugee children.

6.2 Preservation of Identity (Article 8)

The identity of a child that has not been sold, kidnapped, or adopted is untouchable.

Adoption

Adoption is a contract between two persons aiming at the establishment of a parental tie by mutual consent. It is only acknowledged by the Christian community. The Islamic community recognises the system of "Kafala," which represents financial and educational sponsorship of an orphan or an illegitimate child. This system includes the possibility of future reimbursement of the assumed expense, if the child becomes financially successful.

The adopted child bears the name of the family that adopted them and is included on the family register. They also carry the same religion of the adopted family, can inherit like an ordinary child, and are prohibited from marrying a member of the family like an ordinary child with blood ties (*jus sanguinis*). No special mention is made of the child's identity as an adoptee, but the adoption trial summary is noted on the official personal status register or on the birth certificate's relevant registration document.

6.3 Freedom of Thought, Conscience, and Religion (Article 14)

This right is safeguarded in the Lebanese Constitution in Article 9, as long as there is no breach of public order. The article guarantees for all sects the respect of the personal status code and religious interests.

Despite its commitment in 2010 to better guarantee the freedom of expression, the freedoms of opinion and belief have been undermined by high ranked public officials through the misuse of obsolete legal texts which are inconsistent with the concept of public liberties, constitutional provisions, and international treaties and covenants, or through

abuse of power and discrimination among Lebanese people based on beliefs. Journalists, civil society activists, and defenders of individual political and civil rights in particular have been subjected to harassment by the authorities. After having made a step forward under the previous government, when the freedom of holding civil marriage in Lebanon was recognised for those not affiliated with any religious community, the public departments under the current government refrained from registering civil marriages held in Lebanon. This action is in violation of the Constitution Preamble provisions which states that all citizens are equal in rights and duties without discrimination. The legal and regulatory framework should be amended in order to fully guarantee the freedom of expression and remove all ambiguous and vaguely worded articles that deny the enjoyment of this right. The right of individuals affiliated with the common law sect to register their civil marriages held in Lebanon as a consolidation of the principle of freedom of belief and nondiscrimination among citizens should be recognised.²³⁰

6.4 The Right of Association and Peaceful Assembly (Article 15)

An amendment of Article 5 of the Law of Associations dated Aug. 3, 1909, implemented in 2012, guaranteed the right of Lebanese individuals above the age of 18 to establish associations and exercise their right to vote or to stand as candidates for membership of governing bodies. That right was only guaranteed to Lebanese above the age of 20 prior to the amendment. The amendment also introduced the right of children who reached 15 years of age to become non-working members in associations, without any rights to voting, nor the ability to hold a seat in the governing body, nor the ability to represent the association in any way, nor to make decisions on its behalf. Notably, this amendment can be considered a contributing factor to children who act as volunteers within associations.

Citizens are only allowed to vote in parliamentary elections once they reach 21 years of age.

6.5 Right to Privacy (Article 16)

The Lebanese penal code, as well the code of criminal procedures, governs the individual's right to privacy and protects them from infringements violating their privacy, personal effects, and reputation. Moreover, Law No. 422 of 2002, regarding the protection of juveniles, prohibited the publishing of pictures, investigation details, or trial proceedings of cases dealing with children, and imposed sanctions on violators.

6.6 Expression of Views and Right to Ask and Receive and Transfer Information. The Right to Receive Information from a Variety of Sources and Protection from Harmful Materials to their Well-being

The Ministry of Information presented an amended project law on information and media to the relevant parliamentary committee. The amendment aimed to increased compliance with the CRC, especially in relation to Articles 12, 16, and 17, as well as with disability rights. However, paralysis in the legislature prevented endorsement of the project law.

The HCC published "The Code of Ethics for Media when Dealing with Children Issues [sic]" in 2013, aiming at raising awareness in media circles about the rights of the child.

In spite of these efforts, an array of television programmes flagrantly infringe on the rights of the child including those rights addressed in Articles 13, 16, and 17, with no response from relevant authorities.

The media's ability to publish information is regulated by specific guidelines addressing hours of broadcast and the age of media audiences. However, the destructive security situation in Lebanon and in neighbouring countries has led to television stations competing to broadcast explicit violence and scenes of terrorism, including the death of children or images of children perpetuating acts of violence. The latter are broadcast during the day through the news and are seen by children.

228 Frontiers, Non-ID in Lebanon, 2008

229 UNICEF, The State of the World's children 2014, Every Child Counts, 2014

230 The Universal Periodic Review, Lebanon 2015, Civil Society Reports, coordinated by the Arab NGO Network for Development, page 26)

Media programmes for children remain limited in number, especially those that enable children to play an active role.

The Ministry of Culture established a network of 120 public libraries, and equipped them with multi-media and books. Some 70 percent of library attendees are children.

With the increased use of information technology, internet, and social media, the Ministry of Information made available a parental control service whereby people subscribed to public internet services can enable it for a fee of LBP 5,000 and a recurring fee of LBP 2,000. Moreover, the Ministry of Interior and Municipalities established an office within the Internal Security Forces (ISF) to combat, investigate, and prosecute cyber-crimes, including those affecting children. The HCC had established a relevant specialised committee for the protection of children from cyber-crimes, and elaborated a code of conduct for internet service providers. It also proposed a draft law for amending the penal code to include articles in relation to the exploitation of children in internet pornography. In addition, an e-helpline was developed in order to receive children's complaints. Furthermore, the national information committee launched "e-aman," or e-safety, which is dedicated to raising the awareness of parents, teachers, and students about internet safety. Civil society organisations are also active in raising awareness of parents and children.³³¹

In spite of these efforts to protect children from harmful materials, much remains to be done due to the uncontrolled access of children to the internet at home, through mobile phones, and internet cafes.



7 CHILD PROTECTION

7.1 Child Protection Framework

Lebanon has ratified the Convention on the Rights of the Child as well as many other regional and international instruments concerning child protection.

It is important to note that Lebanon has neither signed nor ratified the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption, nor the 1951 Convention Relating to the Status of Refugees (as mentioned previously - refer to Chapter 2).

A unified child protection policy for NGOs working with children in Lebanon was developed by the MOSA, in partnership with AFEL and ABAAD NGOs. It was formulated in the context of the MOSAIC programme supported by the Italian Development Cooperation and the Italian Embassy in Beirut. This policy was launched in August 2015 and serves as a safeguard policy for organisations that provide activities and services for children. "The child protection policy is a declaration of intentions that shows commitment to safeguard children from harm and clarifies what is required for child protection. The declaration contributes to ensuring a safe and positive environment for children and indicates that the institution or organisation assumes the responsibility of care and protection of children. The policy ensures a framework of principles, standards and guidelines that are relied on for practices on the individual and institutional level."²³²

Lebanon has its own Code of Obligations and Contracts promulgated in 1932 during the French Mandate, though personal status matters like marriage, divorce, and child custody are governed by the particular laws of the 18 official religious sects.

The Constitution of Lebanon adopted in 1926 (amended in 1990) professes principles including respect for public liberties, respect for social justice, equality of rights, and duties among all citizens without discrimination. However, in many issues regarding the child and the family, religious communities are given significant autonomy in matters such as child custody and adoption, and make decisions based on local cultural norms and practices. As a consequence, there are a number of different approaches and procedures that affect children with legal frameworks.



231 Republic of Lebanon, Draft State Periodic Report 4th-5th on the UNCRC. 2015

232 Ministry of Social Affairs, Italian Development Cooperation, Embassy of Italy, Aaad, Afel, Mosaic Project - The Unified Child Protection policy document for institutions and civil society working with children in Lebanon, 2015 (Translated)

Law No. 422

Law No. 422 of June 6, 2002, dealing with the protection of juveniles in conflict with the law or those at risk, was elaborated by a Ministerial Committee for the Reform of Juvenile Justice Legislation.²³³ The adopted law was considered a major step forward upon its issuance. It introduced new protections, rehabilitation, and reintegration provisions to bring Lebanese legislation in line with the CRC. Some provisions within this law, however, appear to require further amendment, in particular provisions regarding consequences and penalties for children who come into conflict with the law.

Under Law No. 422, a child is entitled to legal protection if threatened or at risk. A “threatened” child includes: i) a child in a situation that exposes him to exploitation or threatens his health, safety, morals or upbringing, ii) a child exposed to sexual abuse or physical violence that exceeds non-harmful, culturally acceptable disciplinary beating, or iii) a child found begging or vagabonding. The law establishes a competent authority (the judge) for hearing child protection cases. If a child is found to be threatened, a complaint or report can be submitted to the court by the child, a parent, guardian, social worker or the prosecutor’s office. Juvenile Judges and General Prosecutors, before making a decision on how or whether to intervene, bear responsibility to appoint a mandated social worker to conduct a “social inquiry” or hear testimony from the child and their parents or legal guardian. The judge is required to act quickly to intervene in cases that require immediate action, and if the judge deems the case to be a matter of great urgency, they have the authority to take protective measures before the social inquiry is made.

The judge has three primary options after assessing that a child is at risk. A judge can order: i) protection, ii) supervised freedom, or iii) rehabilitation.²³⁴ These options are defined in Law No. 422, in the context of judicial responses to children in conflict with the law, and the terms are not tailored to the needs of children at risk.²³⁵

Law No. 422 in practice is a framework for dealing with children in conflict with the law, and not a comprehensive framework for responding to children at significant risk of becoming victims of abuse, violence, neglect, and exploitation. In fact, in the text of the law there are sections that merge the two categories of children interchangeably. In the opening articles, notably Article 2, the principles ostensibly apply to children in conflict with the law to the exclusion of children in need of protection. Examples include the lack of a distinction between provisions for the institutionalisation of a child in conflict with the law or at risk versus one who may need to be placed in a protective space. Throughout the text of the law it is unclear when children engaged in street begging, prostitution, and vending are considered children at risk or children who commit status offences. These inconsistencies hinder the judge’s ability to make coherent decisions, and increases the possibility that child victims of exploitation receive detention orders rather than protective orders.²³⁶

The promulgation and implementation of Law No. 422 within the context of multiple family laws has led to legal conflicts between civil and religious courts, especially when the Juvenile Judges perceive that the child’s best interest would be better served through the measures suggested by religious judges and religious laws. Efforts to comply with international protection commitments and create a universal national standard have been perceived as infringements on the authority of the religious communities. “A problematic example is where the religious judge grants custody of the child to the father – based on the age of the child – only for the children’s judge to decide that this measure would put the child at risk, and then issue protection order for the child to stay with the mother.” By interpreting the vague notions within Law No. 422 of a “child at risk” and “the child’s interest,” children’s judges can in practice intervene and indirectly suspend a ruling of the religious court.²³⁷ These rare decisions have provoked controversy highlighting the fragility of the law when it conflicts with accepted community norms. This extrajudicial and controversial discussion has had a lasting effect on the civil judges, who have been accused of harming religion and have seen their attempts to install new protection standards severely curbed.²³⁸

233 This Committee was convened by the Minister of Justice under a reform project implemented in cooperation with the UNODC

234 Protection and supervised freedom are home-based measures that do not deprive the child of liberty, while rehabilitation is an out-of-home measure that is more corrective in nature. Protection is defined as returning the juvenile to one or both parents, to a legal guardian or to an extended family member as long as the adult has “good morals,” while being under the supervision of a social representative. In the absence of a person with “good morals,” the child can be placed with a trustworthy family or in a social or health institution. Supervised freedom is defined as placing the child under the surveillance of a social representative who observes the behaviour, conduct, work and cultural background of the child for a period of one to five years. Rehabilitation means the detention of a child in a correctional institution for a minimum of six months, education and professional training provided along with supervision of the child’s physical and mental health and morality.

235 Translated text of Law No. 422

236 USJ, MOSA, HCC, UNICEF, Strengthening the Child Protection System in Lebanon, 2012

237 Ibid

238 Ibid

Law No. 422 is applicable to all children in Lebanon. However, specific challenges in the implementation of the law arise in the case of Syrian children where protective services are limited (for example, interim care institutions which do not accept Syrian children, or have very limited space for them). There are various challenges faced by Palestinian children residing in Lebanon, including the difficulty in camp access that impedes access to social workers mandated through Law No. 422. Furthermore, Palestinian refugee children within some of the camps do not benefit from information campaigns aimed at raising awareness, a reality that is reflected in the low reporting rates by victims and their families. The overall lack of awareness among key duty bearers like doctors, teachers, and social workers about procedures and protection measures involved in addressing child protection issues is another factor contributing to the poor quality of the formal child protection system.²³⁹

Law No. 293/2014 on the Protection of Women and Family Members from Domestic Violence

On April 7, 2014, Lebanon’s parliament passed Law No. 293 on the Protection of Women and Family Members from Domestic Violence. The law defines domestic violence narrowly, thus failing to provide adequate protection from all forms of abuse, and falling short of United Nations guidelines on protection from domestic violence. The law’s provisions on restraining orders are also too narrow, according to Human Rights Watch’s 2014 report. Victims must be able to secure these orders quickly if they are to be effective. As per Article 13 from the law, orders should be issued within 48 hours at the latest. The new law requires victims to seek these orders from magistrates or courts, but does not address the cost of doing so (although victims can submit a request for a protection order without a need to have a lawyer, and they are exempted from any court fees), nor how to obtain an order outside of court hours. However, Article 11 gives the assigned general prosecutor the authority to request that the ISF take all measures to protect victims. This authorisation can be given over the phone if necessary.

Lebanon should clarify the law to ensure that short-term, emergency protection orders can be issued quickly. As outlined by Human Rights Watch, Article 22 of the new law is also a source of concern. It states that all provisions considered contrary to the new law would be annulled, except those relating to personal status laws and the Protection of Juvenile Offenders at Risk Law. This article is contrary to the recommendation of the UN Handbook for Legislation on Violence against Women, which states that “where there are conflicts between customary and/or religious law and the formal justice system, the matter should be resolved with respect for the human rights of the survivor and in accordance with gender equality standards.” Human Rights Watch points out that exempting matters governed by personal status laws from the domestic violence law undermines women’s security in the home. Notably, the law increases penalties for begging and prostitution that takes place as a result of a family member’s influence, with even harsher penalties in cases involving threats and violence.²⁴⁰

7.2 Legal Mandate, Roles, and Responsibilities²⁴¹

Following the issuance of Law No. 422 pertaining to children at risk and in conflict with the law, the jurisdiction for and responsibility to care for children in these cases was transferred to the MOJ. MOSA retained the responsibility for preventive and rehabilitation services in cooperation with the relevant administrations and contracted NGOs.

Law No. 422 calls for the Department of Juveniles within the MOJ to organise and coordinate all matters related to children under the law. Under an ensuing article, the MOJ may nonetheless contract with other specialised agencies to support the implementation of the provisions of the law. In Lebanon this has been in fact the role of the Union for the Protection of Juveniles in Lebanon (UPEL), which is mandated by MOJ to provide protective services for children at risk or in conflict with the law who have been referred to the juvenile system.

During the last few years, UPEL has faced a number of administrative and financial problems, which has led to a decline in the number of social workers. This decline has prompted MOSA to reinforce its capacity, and ensure there are delocalised social workers who can also provide support to children in conflict with the law, and to attend court sessions with the child. In 2015 a Memorandum of Understanding outlining this agreement was signed between MOSA and MOJ.

239 MANARA Network, Violence Against Children in Schools: A Regional Analysis of Lebanon, Morocco and Yemen, 2011

240 Children Living and Working on the Streets in Lebanon: Profile and Magnitude, ILO, 2015

241 The following section is taken from USJ, MOSA, HCC, UNICEF, Strengthening the Child Protection System in Lebanon, 2012

MOSA's role as the service provider is reflected in the ministry's structure through four key departments:

1. Department of Family Affairs
2. Department of NGOs
3. Department of Disabled Affairs
4. Department of Social Welfare

All departments have contractual agreements with NGOs for service provision with the exception of the Family Affairs Department.

The social welfare department supervises three sections:

1. The social welfare section
2. The juvenile protection section
3. The specialised care section

The government does not provide many direct services itself. It contracts out a number of child welfare and protection services to civil society organisations.

The Social Welfare Department at MOSA is responsible for the development of partnerships and contracting arrangements with civil society organisations, although the provision of services by these organisations is not specifically mandated under Law No. 422. Traditionally, these contracts were arranged with organisations that provide residential care and educational support for vulnerable children. More specialised protection facilities were also contracted for those with particular needs through the juvenile protection section and the specialised care section.

It is worth mentioning that court orders are mainly used for referrals or placement in the protection facilities, while the placement of children in residential institutions does not require a court order and is usually implemented through an application by the parents through the SDCs or directly at MOSA. As explained in this report, children are placed in residential institutions for economic reasons and not for protection purposes.²⁴²

It is important to also note the role of SDC staff in relation to Law No. 422. SDC staff are not legally mandated to participate in the protection of children. Although the SDCs' social workers may report a case to the UPEL, they are under no legal obligation or duty to do so and have no other powers of intervention (such as removing a child in emergency situations). Rather, SDC staff may simply act as a conduit to the police and UPEL by encouraging parents and families to seek judicial assistance and statutory child protection services. In some cases, however, judges may order a child in conflict with the law to be supervised by SDC staff or to join one of the centre's programmes.

Finally, it is important to outline that in 2015, Standard Operating Procedures (SOPs) developed by MOSA, USJ, and UNICEF were established to further strengthen the child protection system, and to ensure standardised protocols for monitoring and assessing children at risk. The SOPs constitute a set of procedures and standardised methodologies for case management that describe the steps to be followed in the protection of children at risk in Lebanon in line with the judicial system. Given the judicial system's caseload, the SOPs clarify the track of non-judicial procedures (case management) versus the track of judicial procedures. In parallel to the roll-out of the national SOPs, trainings are being provided to social workers and professionals in the field so they are aware of the scope of Law No. 422, and to ensure the quality of child protection mechanisms under Law No. 422.

²⁴² In the Study of the University Centre for Family and Community Health, Université Saint-Joseph (USJ): Directory of Specialised Institutions for Children Aged 0-18 Years, 2009, it was found that 133 organisations were providing 321 residential or day-care support services to children in difficulty or facing trauma. The directory cites the following numbers of services by region: Beirut and Mount Lebanon (176), South (58), North (31) and Bekaa (28). A review of children's services reveals that these are largely generic in nature, rather than specialised to provide tailored support to children who are at risk of or suffering abuse, violence, neglect and exploitation.

7.3 Child Protection - Family Environment and Alternative Care (Article 20-25)

7.3.1 Family Environment Separation and Alternative Care

The UN Guidelines for the Alternative Care of Children remains un-adopted in Lebanon. Currently Lebanon does not have a policy regarding forms of alternative care.

It is important to note first that all Lebanese personal status laws share a common guiding principle, namely that the child has to be in the parents' guardianship, custody, and care and must not be separated from them. Parents therefore must meet all requirements, including financial and moral requirements, for the developmental needs of their children. However, there are certain cases as documented in the Sharia laws, religious laws, and civil laws, whereby the decision is issued to separate the child from his or her parents.

Some of the texts in the Lebanese Penal Code provide for ensuring the non-separation of the child from his or her family. Lebanese laws do not allow the mother who has custody of the child to travel in the company of her child without the permission of the father.

Law No. 422 stipulates that children should be kept in "their natural environments as much as possible" and allows for children at risk to be placed in a "trustworthy family, a social or health institution," and the judge ought to keep juveniles in their "natural environments as much as possible."²⁴³ However, it does not regulate how the placement of children in alternative care is assessed, determined, monitored, supported, and managed according to their best interests and in compliance with the UN Guidelines on Alternative Care.

The concept of a foster family was introduced through Law No. 422 Article 9, which states, "The protection measure is to hand over the juvenile to his parents or one of them, to his legal guardian or his family under the condition that the one who takes the child shall have good morals and the ability to raise him under the supervision of a social representative assigned for this task. If none of the mentioned people is in Lebanon, or with the absence of the previous conditions, the juvenile can be handed over to a trustworthy family or to a social or health institution authorised by the concerned ministries or others provided that the authorised institutions do not have the required specialties."²⁴⁴

Islam generally prohibits adoption due to the interpretation of certain stipulations in the Koran, though some Islamic countries have adoption legislation. However, the Kafala system is practiced in Lebanon, and is a form of alternative care, comparable to foster care. The term is also used for sponsorship purposes, e.g. when the child lives with her or his family, but someone from outside the family or a relative sponsors the child and the family through financial and material support. According to the state's third periodic report to the UN Committee on the Rights of the Child, there are a high number of institutions which are applying the Kafala system. These institutions sponsor a large number of children, and ensure basic needs for the child (e.g. education and health) while the child remains within a family environment.²⁴⁵ The same institutions could hold a contractual residential agreement with MOSA, since the residential contract has a higher financial value than non-residential. However, the scope of children supported through Kafala (sponsorship or family-based) is not monitored or known in Lebanon, and needs to be further researched.

In general, there is a gap of well-supported and monitored family and community-based care mechanisms for children in need of alternative care solutions and protection services.

"For Christian sects, adoption is allowed but distinction must be made between the spiritual courts which allow adoption of the child only in Lebanon (adoption of a Lebanese child in Lebanon) and civil courts which allow adoption of a child in case of international adoption (adoption of a Lebanese child outside of Lebanon and if the religion of the adoptive parents is different from the religion of the adopted child)."²⁴⁶ In general, fostering a non-relative child is still not common or accepted by society, mainly for reasons relating to religion. Economic reasons could play a restricting factor should religious impediments be overcome.

²⁴³ Law 422, Article 7 and Article 9

²⁴⁴ Translated text of Law 422

²⁴⁵ State Party Report on the UNCRC, 2004

²⁴⁶ Ibid

A key informant from MOSA noted that alternative care could elicit complaints from religious groups, especially in relation to fostering non-related children. It is worth noting that this argument can be challenged, given that certain Arabian Gulf countries are implementing family fostering programmes for children, in addition to Jordan, Malaysia, and Indonesia. Such models are worth investigating as an advocacy measure for future action. Information was not available about the positions of relevant groups in that respect, whether religious leaders, legislators, or families.

7.3.2 Institutionalisation of Children

To date there is no consensus among policy-makers regarding the development of de-institutionalisation policies and alternative care solutions

One of the most important challenges to children's rights in Lebanon is the widespread practice of institutionalising children. There is a long history of enrolling children from destitute families into residential institutions for socio-economic reasons, dating back to the mid-nineteenth century and the arrival of foreign missionaries.

The Social Welfare Department at MOSA used to apply institutionalisation as an alternative to parental care through residential contractual agreements with NGOs that manage institutions. It previously targeted children who were orphaned, neglected, and those belonging to families suffering difficult circumstances like divorce, abandonment, disability, or the imprisonment of one or both parents. In response to deteriorating economic conditions in Lebanon, MOSA created a new category eligible for institutionalisation for children experiencing a "decrease in income and the deterioration of the economic situation of the family."²⁴⁷

The latter category, which constitutes the bulk of children institutionalised without a court order, does not require alternative care. This is because the parents are not absent, and the issue of institutionalisation can be addressed through economic and poverty alleviation measures targeting the families to allow for reintegration of the child.

In 2005, MOSA issued a decree to establish a programme for the care of children within the family context. This programme never materialised due to the fact that the decision was repealed by the Council of Ministers. This move was justified on grounds that the resources needed to operate such a programme are far too large and that further financial planning would be needed. At that time, the idea of a poverty alleviation programme emerged in the context of family support, one that would prevent institutionalisation.²⁴⁸ As indicated previously, the programme had the reverse effect and in the end further facilitated institutionalisation. "Moreover, it is a general social practice to direct charitable donations to large and well-known institutions, especially religious ones, rather than give them directly to the families."²⁴⁹ This factor has constantly hindered de-institutionalisation efforts. Information provided by the head of the Social Welfare Department for the purpose of this report stated that five contracted institutions host the highest the most children, numbering in the thousands, namely Mabarrat, Dar El Aytam Islamic Institution, Amal Educational Organisations, Les Soeurs de la Charite, Rahbat al Mahaba, and Al-Irfan al Dirzieh.

In their first report to the Committee on the Rights of the Child (1995), the Lebanese government noted that official agencies and NGOs are striving to safeguard the unity and coherence of Lebanese families and to protect them from disintegration and delinquency.

Lebanon has a significant problem with regards to the numbers and conditions of institutionalised children. According to a UNICEF study in 2007, 1.92 percent of the child population in Lebanon live in care institutions separated from their families. The study identified two main reasons for placing children in care institutions: (1) poverty, whereby the family cannot afford to provide for the basic needs of their children, and (2) for education, wherein families place children in institutions in order to receive the free educational services provided.²⁵⁰

The situation of children in institutional residential care is not known. Available research highlights the numbers and the prevalent system without providing information on the children themselves, and the minimum standards that are implemented within the institutions. Qualitative research involving children is not available.

Lebanon's third state periodic report indicated that "monitoring by the MOSA of institutions, which are contracted by the Ministry, remains limited and restricted to regular field visits, conducted by social workers every three months. As for some institutions, which are not contracted by the ministry which adopt the system of alternative care, they have their own system of monitoring children serviced by this care."

To date, the main source of information regarding the situation of institutionalised children in Lebanon is the study conducted by UNICEF and MOSA in 2007, whose publication is still withheld. The Social Welfare Department Head at MOSA highlighted that the study needs updating and that it included erroneous information. For instance, the study mentioned all contracted institutions, without regard to whether they provide services to children or adults. In addition, the number of reported children in residential care, some 35,000, included children placed in non-residential vocational education. Statistics of the Social Welfare Department for 2007, which is the same year when the study was conducted, show that the number of institutionalised children was 22,376. It should be noted however that the number of institutionalised children with disabilities should be added to the above-mentioned number, and accordingly the number would be around 30,000 children. The number of children with disabilities in institutions reached 7,579 children with a 34.7 percent decrease between 2004 and 2014.

In the absence of other studies, the following information can be indicative: the study covered a sample of 144 institutions, while 19 institutions refused to be subject to study. The study revealed that the number of children separated from their families in Lebanon and placed in residential care constitutes 1.92 percent of the total child population in Lebanon.

Furthermore, it was confirmed that institutional care in Lebanon is not limited to orphans. Reportedly, 90 percent of children placed in institutions come from poor families who cannot afford to provide their children with basic needs. Also, an estimated 3 percent of families send their children to residential institutions for educational purposes. This problem is interrelated with the obligation to provide free and compulsory quality education which is not fulfilled by the government. Institutions provide free education to children of vulnerable families who cannot afford the registration and other fees involved in the public education system.

Although the government acknowledges the need to promote family-based care arrangements, it invests considerable social welfare resources in the maintenance of institutions for children (186 at the time of the study). The study indicated that it is possible that as many as half of the nearly 35,000 children receiving free education or vocational training at the residential schools actually go home at night to their families even though they are formally registered as "residential."²⁵¹

The Social Welfare Department's statistics show a constant increase in the number of social care institutions, from 138 in 2005 to 156 in 2014. There is also an increase in the number of children in institutions for the same years, from 22,535 in 2005 to 24,747 in 2014. This increase was attributed to the deteriorating socio-economic situation in Lebanon and the impact of the Syrian Crisis.²⁵²

There were 962 children in the 0 to 4 age group in 2014. It is worth noting that the UN guidelines on alternative care outline the risks associated with institutional care for that age group. Disaggregated data is not available nor provided by the Social Welfare Department relating to institutions and children. MOSA's Head of the Social Welfare Department attributed the lack of disaggregated data to the need for automation.²⁵³ Optimally, such data should be readily available through contractual agreements and social care applications.

It is worth noting that there are children in institutions which do not have contractual agreements with MOSA. There is no information on the relevant number of children in these institutions, as they are not monitored by the government.

It is known that other forms of alternative care modalities besides institutionalisation do exist in Lebanon, for instance the Kafala system and kinship care. However, these methods were never surveyed or mapped, and thus no relevant information was available.

²⁴⁷ State Party Report on the UNCRC, 2004

²⁴⁸ SCS, ALEF, Nabaa, IBCR, Lebanon Country Profile, 2011

²⁴⁹ Ibid

²⁵⁰ Ibid. "Children deprived of family care in Lebanon: Institutional Care and Alternative Care, the current situation and available alternatives," presentation by the Consultation and Research Institution, UNICEF, MOSA April 2008 [title translated into English]

²⁵¹ USJ, MOSA, HCC, UNICEF, Strengthening the Child Protection System in Lebanon, 2012

²⁵² Social Welfare Department, Draft State National Periodic 4th and 5th Report - HCC 2015

²⁵³ MOSA, HCC, Workshop for the discussion of the draft National Periodic 4th and 5th Report, 2015

7.3.3 Alternative Care in Emergencies

As indicated previously, the UN Guidelines on Alternative Care remain un-adopted in Lebanon. The Guidelines address alternative care during emergencies. Similarly, the Interagency Guiding Principles on Unaccompanied and Separated Children (UASC), which was developed in 2004 jointly by ICRC, IRC, Save the Children, UNICEF, UNHCR, and WVI, are not widely known in Lebanon.

The issue of alternative care during emergencies only emerged during the Syrian Crisis, and as a result of which, UASC who are in need of protection and community-based care have been identified in Lebanon. Since the beginning of the crisis in 2011, UNHCR is registering UASC through the UNHCR registration centres, and estimates the total number of UASC in Lebanon at around 6,000.²⁵⁴ However, the number of UASC who are receiving actual case management services through implementing partners seems to be lower. Children who are in need of tracing services are referred to the ICRC. The number of children who have lost all contact with family members and require the “re-establishment of family links” and tracing services is low: around 50 children since the beginning of the crisis, according to the ICRC.²⁵⁵

An inter-agency Child Protection Rapid Assessment (CPRA) carried out in Lebanon in the beginning of 2013 indicated that “children were identified as living with families who were not related to them,” but it does not provide details about the scope, patterns and nature of family separation, which would inform the design of appropriate emergency prevention and response programmes. The same assessment indicated that separation and un-accompaniment takes several forms in Lebanon. Examples are recorded of children separated during displacement at the border, and as a means for families to cope during displacement. The most common period for separation were reported to be during the conflict in Syria and between six months to one year after displacement.

In focus group discussions, women provided two examples of children being sent across the border from Syria unaccompanied. In one example the family followed a year later. Women also said that they were encouraged to leave their homes before being able to locate all their children. Conversely, the men’s focus groups denied they were separated from their children or that children were unaccompanied, stating that they “always travel as a family.”

In the majority of locations, children were identified as living with families who were not related to them. The most common reasons for separation were population movement, the need for children to work, a lack of space in accommodation, and family tension. The main risks identified by key informants for separated and unaccompanied children could include psychosocial distress and trauma, abuse and rape, exploitation, child labour, drug use, and begging. Commonly reported ages of unaccompanied children ranged from 6 to 14 years for both girls and boys.²⁵⁶

The humanitarian crisis and limited access to basic services exposes families to increased levels of stress and psychosocial issues and reduced household income. These factors negatively affect the ability of some parents and caregivers to provide adequate care, protection, and support for their children, and increases the risk of family breakdown and the use of negative coping mechanisms. In Lebanon, risks of abuse, neglect, violence and exploitation of children of the most marginalised families have become more prevalent in communities affected by the crisis. Children in a situation of imminent abuse, neglect, violence, and exploitation are in need of urgent removal from their home and immediate placement in short and/or longer term alternative care and protection, in accordance with their best interests.

Syrian refugee children in need of protection voiced a cry for help through the CRSA validation workshop: “children are exploited, subjected to violence and forced into the streets due to their parents and the state.”

As indicated, residential institutionalised care is the predominant form of alternative care for Lebanese children. Furthermore, residential care is generally not accessible for non-Lebanese children with very strict criteria for entry. However, it is important to note that residential care should only be a last resort and for an interim period until an alternative solution is found. Family-based alternative care systems are not yet in place in Lebanon for either Lebanese or Syrian children, including interim care.

²⁵⁴ Child Protection in Emergencies, Rapid Needs Assessment, Lebanon, CPWG, January-February 2013, page 11-12. It must be noted that there may have been a misunderstanding with regards to the definition of UASC during the CPRA, as the report refers to “separated children” as “children living with Syrian or Lebanese families who are not related to them,” while in fact those children are unaccompanied children, as separated children are cared for by relatives.

²⁵⁵ Ibid

²⁵⁶ Child Protection in Emergencies, Rapid Needs Assessment, Lebanon, CPWG, January-February 2013

7.3.4 Analysis

There is now an abundance of global evidence demonstrating serious developmental problems associated with the placement of children in residential care, especially in institutions that host a large number of children (exceeding 10 children at a time). For the last half century, child development specialists have recognised that residential institutions consistently fail to meet children’s developmental needs for attachment, acculturation, and social integration.

The situation of children in Lebanese institutions could not be assessed due to lack of qualitative data. Residential care for children is a flagrant infringement of children’s rights, and this is not only due to the alarming numbers. The fundamental problem associated with the institutionalisation of children in Lebanon is that the practice has developed into an entrenched “system,” where there is constant elicited demand generated by the lack of realisation of other rights.

Some families resort to the institutionalisation of children in order to compensate for a lack of substantive rights that they are unable to provide due to their economic situation. One of the reasons for which parents place their children in institutional care is the fulfilment of educational needs, including books, transportation, and the payment of fees. Clothes, food and housing are also important factors, but to a lesser extent. It is important to note that that children in practice are enrolled in public (free) schools and private schools subsidised by the government. Subsequently, the costs of education are paid twice by MOSA and MEHE. Various aspects of this issue should be explored, among them the question of whether or not parents would resort to institutionalisation if their child had access to free education including costs and meals. MOSA confirmed that thousands of children continue to reside at home while institutionalised. If we compare the costs versus the benefit, then institutional care should not exist. Institutional care is more expensive per child than other forms of alternative care. It is socio-economic factors that push most children into institutions.

There are no social safety nets or national family support programmes that could act as gatekeepers to prevent the institutionalisation of children. The prevalent poverty alleviation strategies obviously do not address the needs of the most vulnerable families. The existing programmes increase demand on institutional care. As such, separation of children from their families is unjustified and unnecessary. Even when alternative care is required, non-institutional options are scarce. Articles 500 and 501 of the Penal Code punishes parents who give up their children and/or neglect them as they will be failing to play their role as duty bearer to their children.

Although there is no written policy regarding institutionalisation, the practice itself has become the predominant policy. “Care institutions provide a political safety valve for the government that is unable or even unwilling to tackle the complex social and economic factors driving families to place their children into care. They provide a hiding place for the worst casualties of poverty, social exclusion and discrimination, as well as for children with disabilities.”²⁵⁷ The primary concern is that the government and policy-makers do not yet believe that a full-scale move towards de-institutionalisation is justified, and that there is a need to phase out institutions as a care option.

The system that has emerged is not governed by the state, although the latter continues to finance it. Institutions are managed by influential politicised civil society organisations including faith-based organisations.

Care institutions and the structures that support them provide employment to a large number of staff who rely on this model of care for their own livelihoods. They also provide a vital fundraising model for many small and large NGOs and faith-based organisations, which are dependent on donations for their own organisational survival. A reduction in the use of institutional care, or the transformation of institutions to community or family-based care options, could be seen as a threat to their funding.

All existing personal status laws aim at preserving the family and preventing separation of the child from his or her family. In reality, there is an opportunity for these religious groups to effectuate a positive change for children. They can contribute to family support programmes through religious funds like the “Al Zakat Fund,” and church funds.

²⁵⁷ Better Care Network, Families Not Orphanages, 2010

A de-institutionalisation process would entail considerable structural changes within MOSA and acceptance from communities. The impact of any reform would radically reshape the structure and budget of MOSA. Potential barriers should be taken into consideration.

7.3.5 Conclusions

The weak social safety nets and the non-realisation of interdependent children's rights are leading to the problem of the unjustified institutionalisation of children in Lebanon by poor families, or those seeking better educational opportunities. The situation is complex because institutional care is contracted to civil society organisations, including faith-based organisations. Institutional care has become rooted within an entrenched socio-political system that would be difficult to dismantle due to its powerful constituencies. This system remains the prevailing form of alternative care. Reforming this system can be considered a crucial priority, while simultaneously recognising that such an effort represents a major challenge, even for the relevant decision-makers.

7.4 Violence Against Children

7.4.1 Physical and Humiliating Punishment

Law No. 293 issued on April 1, 2014, on the protection of women and all family members from domestic violence contained "increased penalties on family members driving children into acts of begging, debauchery, corruption and prostitution, whereby the penalty would be doubled in case of violence and threat."

From a legal point of view, physical and humiliating punishment has been progressively limited in Lebanon. The text of Article 186 of the penal code which previously allowed discipline permitted by "general custom" from parents and teachers on children, was cancelled through Law No. 286 issued on April 30, 2014, and replaced with another text: "the law permits non-violent discipline practiced by parents, fathers and mothers on their children, on the condition that such discipline should not leave any marks on their children's bodies or inflict any damages on their physical health or psychology."

Other articles of the penal code that are relevant to protection of children from violence include Articles 500 to 600 as well as Articles 492 and 498. These articles define the act of violence and outline penalties for the various types, ranging from physical to sexual violence. These articles apply to both adults and children, but the penalties for assaulting a child are higher.²⁵⁸

The second clause of Article 25, Law No. 422, stipulates that, "The juveniles are considered to be endangered in the following situations:

1. If juveniles are surrounded by conditions that expose them to abuse or threaten their health, safety, morals or the circumstances of their upbringing.
2. If juveniles are exposed to sexual abuse and physical violence that exceeds the limits of what is culturally acceptable as non-harmful disciplinary beating."²⁵⁹

As elaborated above, under Law No. 422 increased measures have been put in place to protect children from maltreatment and abuse, including an expansion of the protective measures a judge can take, and the number of persons who can trigger protective measures. These measures include the removal of a child from a potentially harmful situation and place. However, these measures apply to the cases that reach the legal system, most of which are severe. "A large number of cases of child abuse, violence, neglect or exploitation within the family are neither referred to the formal system nor disclosed to non-statutory service providers. This stems from the fundamental belief in the sanctity of the family unit and its inherent right to manage its affairs in an autonomous way."²⁶⁰

Lebanese laws reflect the generally accepted idea that the degree of harm inflicted on the victim determines the severity of the act. There is no legal prohibition of violence per se. On the other hand, prohibition rests on the degree of harm inflicted, with penalties given depending on the level of physical impairment caused by the harm. This legislative reality feeds into social attitudes towards the use of violence, justifying it on grounds that it does not cause a high degree of pain or harm for the victim.

Disparate surveys and studies have pointed to a high prevalence of physical and psychological violence at home, school, and in institutional settings. No single source of data exists on the number of cases due to the lack of reporting and centralised monitoring, and due to the fact that it is a hidden phenomenon. The MOJ's data for 2013 reported 260 cases of physical violence within the category "Beating and Hurting," including 21 child witnesses, 78 child victims and 161 children accused of committing the act of violence but again these are the cases which are identified and referred into the system.²⁶¹ It is estimated the majority of cases go unreported.

The CAS study results outlined the following: The psychological punishment of children is the most common type of child punishments in Lebanon. This activity ranges from the removal of privileges to shouting and verbal abuse. According to the data, 80 percent of children aged 2 to 14 years have experienced this type of punishment at home. More than half of the children (56 percent) had received minor physical punishment (such as shaking or spanking or hitting or slapping on the body) but 13 percent of children experienced severe physical punishment. Severe physical punishment included hitting or slapping on the face, ears or head, or beating with an instrument such as a belt or stick or other implement. There was no difference between punishments for girls and boys in general. Only 24 percent of mothers or caretakers believe that physical punishment is necessary in order to bring a child up properly. This resulted in 8 percent of all children (aged 2-14) not receiving any types of discipline or punishment at all.²⁶²

There is no recent data on physical and humiliating punishment at home or at school, and there is also no data that analyses different nationality cohorts using the same methodology.

Although there have not been any studies measuring how many children with disabilities face violence in school, most stakeholders interviewed for the CRSA conducted in 2011 testify that children with disabilities are particularly vulnerable to violence. Children with learning difficulties are mistreated, humiliated, and mocked in many instances.²⁶³

Violence in schools remains a concern, there is however consistent official and updated data regarding violence in Lebanese schools. Studies conducted by governmental organisations and NGOs point towards the high prevalence of physical, psychological, and sexual violence in schools.²⁶⁴

The social and cultural context plays a significant role in the prevalence of all forms of violence in Lebanese schools. Violence is still perceived by many as a necessary pedagogic tool used within the family and in schools. Continued use of violence affects the quality of education and, in some countries like Lebanon, results in high numbers of children dropping out of school.²⁶⁵ As the sources used for this study indicate, other factors that contribute to violence include gender-based discrimination and the socio-economic background of the students and perpetrators. Finally, the lack of awareness by children of their right to be protected from violence contributes to the prevalence of violence in schools.

In Lebanon, reports have pointed out that there is a perceived distinction between "mild" and "serious" punishment that renders the former socially acceptable. A study conducted by Saint Joseph University found that 45.6 percent of children interviewed experienced violence in schools. In the same study in Lebanon, it was also found that verbal and/or emotional violence is more frequent than physical abuse, and the perpetrator is more often a peer rather than a teacher.²⁶⁶

258 The text of the Lebanese Penal Code (translated from Arabic by the researcher): The Penal Code thus legislated that "a person who intentionally attacks or hurts another, leading to an impairment of less than 10 days, following the victim's complaint, is subject to a maximum sentence of six months or/and a fine. In the event that the plaintiff gives up his/her right, the prosecution is dropped" and no further social follow-up is effectuated unless sought by the victim. If the harm inflicted on the victim exceeds 20 days, then the punishment is three months to three years in jail and a fine; if the harm is permanent, the perpetrator receives up to 10 years of hard labour. Five years are given for an attack that causes death and penalties are increased if the victim is less than 15 years of age.

259 Text of Law No. 422

260 USJ, MOSA, HCC, UNICEF, Strengthening the Child Protection System in Lebanon, 2012

261 Ministry of Justice, Juvenile Justice Department data for 2013

262 CAS, Children in Lebanon based on MICS 3, 2013

263 Ibid

264 Save the Children, MANARA Network, Violence Against Children in Schools: A regional Analysis of Lebanon, Morocco and Yemen, 2011

265 Mouvement Social, Rapport du Forum: Education: Réalité et Perspectives- Des Pratiques pédagogiques dans la lutte contre le décrochage scolaire, 2009

266 Salim Adib, Experience of Violence among School children in Lebanon, Department of Public Health, Saint Joseph University, available online at <http://www.docstoc.com/docs/>

The main reason given for the phenomenon of psychological violence is that it is socially acceptable. Psychological violence is not widely recognised as a prevalent form of violence against children, owing to either a lack of awareness or social acceptance.²⁶⁷

The child-led reports prepared in 2014 and supported by Save the Children involving Lebanese children showed that 26 percent of children feel hurt because of violence and beating at home, schools, and the street.²⁶⁸ A similar report prepared in 2013 and involving Lebanese and Palestinian children from other communities showed that 48.4 percent of Lebanese children feel hurt due to humiliation and beating, as compared to 24 percent who feel hurt because of violence and beating amongst Palestinian children. The studies issued recommendations aimed at addressing physical and humiliating punishment at school.²⁶⁹ Although the studies are qualitative in nature, they shed light on the problem of physical and humiliating punishment. The latter was also mentioned as a major concern by Lebanese, Palestinian, and Syrian refugee children during the children validation workshops in the context of the CRSA. Children pointed out that violence and corporal punishment at schools is inflicted by school management, teachers, and peers. They proposed prohibiting corporal punishment in schools.²⁷⁰

Notably, Syrian children emphasised violence inflicted by parents and neighbours in the informal camps.

“Children are beaten and subjected to violence by their parents, because parents do not have enough awareness not to do so.”²⁷¹

7.4.1.1 Analysis

In spite of the legal progress relating to the prohibition of corporal punishment in schools, subjecting children to physical or humiliating punishment is still widespread in schools and in homes, as well as in communities. Social norms are the root cause of this problem, allowing children to be subject to various forms of violence under the guise of discipline. The severity of the act and the degree to which evidence is left are key determinants that could render it unacceptable violence, but only if the case reaches the statutory system. Otherwise, children are constantly subjected to violence by their caregivers, teachers, employers, and even peers, without rendering them accountable for their behaviour. Thus, children have no protection from a quasi-invisible act of discipline accepted by society and suffer from limited access to protective services. It is worth noting that this remains true in the Palestinian and Syrian communities, given the fact that they share the same social norms. In fact, there are similarities in the legislation relating to corporal punishment and discipline in Arab countries. Furthermore, the sanctity of the family unit against outsiders and intruders in the family's internal affairs prevents protective measures from being implemented in cases of domestic violence. It is very important to underline the high prevalence of violence that is perpetuated by children themselves. Accordingly, interventions should be used to break the cycle of violence.

7.4.1.2 Conclusions

There was legal progress with respect to banning physical and humiliating punishment in schools. However, enforcement of laws relating to such acts in schools, at home, and in society at large is still weak. The problem is somehow invisible and hard to address given that it stems from prevailing social norms that consider violence an acceptable disciplinary measure. Cycles of violence are inherited between generations, where children become perpetrators themselves.

7.4.2 Child Sexual Abuse and Violence

It is worth noting that child sexual abuse and child sexual violence for the purpose of this study are used interchangeably and for the same meaning. This was imposed by the terminology used in the law and the available studies.

In the penal code (Articles 505 to 520, especially 505), penalties for sexual abuse are higher whenever committed against a child. Law No. 422 of 2002 was the principal law that stipulated a statutory child protection response and relevant judicial decisions pertaining to the child's best interest. The issuance of Law No. 293 in 2014 regarding “the protection of women and all family members from domestic violence” provided further protection.

There is no recent or comprehensive data on the prevalence of child sexual abuse. Despite legislation, it appears that the bulk of sexual abuse cases are not reported, due in part to social stigma and, in part, to the lack of responsive and empathic behaviour in the legal system.²⁷²

The MOJ recorded 32 investigated cases of child sexual abuse or rape between Jan. 1, 2013 and Dec. 31, 2013, including 26 child victims, two child witnesses and four children accused. During the same period, there were 127 recorded incidents in which adolescents were accused of sexual acts that violated social norms including 70 child victims, five child witnesses and 52 children accused.²⁷³

The MOJ data outlines that the cases which reached the court system can be regarded as the tip of the iceberg. It is worth mentioning that as a response to the Syrian Crisis, the capacity for the identification of child protection cases was strengthened. UNHCR data for 2015 shows that 2,468 children were assisted through case management between January and September 2015.²⁷⁴

KAFA's 2008 survey reported that 16.1 percent of respondents (165) experienced at least one form of sexual abuse (as defined by KAFA): 12.5 percent experienced sexual acts, 8.7 percent were subjected to attempted sexual acts, and 4.9 percent were exposed to sexual photographs or movies.²⁷⁵ The average age of victims was 10.3 years.²⁷⁶ Working children appear to experience sexual abuse at a higher frequency than non-working children. KAFA found that sexual abuse was more prevalent in the Bekaa and Nabatieh than in Beirut. However, Mount Lebanon, the North, and South Lebanon were found to have the highest rates of sexual abuse. According to the data, 27 percent of perpetrators were identified as “a male stranger,” and 21.6 percent were identified as “a friend.” In the family, uncles and brothers were most frequently identified as aggressors. The report indicated that 55 percent of incidents of sexual abuse occurred at the home, 27 percent at school, 5.5 percent at a neighbour's house, and 5.1 percent in a relative's house.²⁷⁷

The same study found that among children who reported being sexually abused, no difference was found based on the child's gender.

With respect to sexual abuse among Syrian refugee children, the only available study is the rapid assessment conducted by Lebanon Child Protection in the Emergencies Working Group.²⁷⁸ In focus group discussions, the refugees spoke of sexual violence and exploitation against girls and women but not towards boys or men. This is despite key informants reporting that they were aware of boys who had experienced sexual violence and exploitation. Participants provided general comments that girls were the targets of sexual harassment and assault, with three focus groups advising they knew of girls who had been raped or sexually assaulted.

Due to the fear of girls being subjected to sexual violence, adults reported that they kept girls at home to protect them from kidnap and rape. Conversely, there was little suggestion that adolescent boys should be kept at home.

In 75 percent of municipalities assessed, respondents reported knowledge of incidences of sexual violence towards refugees in Lebanon. Types of sexual violence occurring in Lebanon were reported to include sexual harassment, rape, transactional sex and verbal harassment.

267 Save the Children Sweden, Child Rights Situational Analysis - Lebanon, 2008

268 Mouvement Social, Save the children, Child Led Reports for Data Collection, 2014

269 Naba'a, Mouvement Social, MANARA Network, Save the Children, Child Led reports, 2013

270 Save the children, CRSA Children Validation

271 Ibid

272 Ouis, Pernilla, Situation Analysis of Honour Violence, Early Marriages and Sexual Abuse in Lebanon, the Occupied Palestinian Territories and Yemen, The International Journal of Children's Rights, 2009

273 Ministry of Justice, Juvenile Justice Department data for 2013

274 UNHCR, Syria Refugee Response, UNHCR Lebanon achievement at a glance, 2015

275 Save the Children, KAFA, Child Sexual Abuse: The Lebanese Situation, 2008

276 Ibid

277 Ibid

278 Ibid

Key informants were asked to advise how many refugee girls they knew of who had suffered from sexual violence. Notably, respondents in 19 percent of municipalities assessed said they knew of more than 10 incidents. With regard to sexual violence against boys, the number of incidents was lower, but more than a third knew of cases of sexual violence against boys.

Sexual violence was reported to most likely to occur on the way to and from shops, at home, while working, or on the way to school. Other reported locations include distribution areas, in public places, on the streets, in transport areas, on the edge of villages, and at the border by taxi drivers.

The main perpetrators of sexual violence were reported to be family members, Syrian community members, Lebanese community members, and aid workers (per four in five municipalities in North Lebanon and Bekaa). Both boys and girls who survived sexual violence were most likely to seek help from a family member, with other responses including seeking help from an NGO, the police, community leaders, religious leaders, or not to seek help at all.²⁷⁹

According to UNHCR's 2015 report, women and children are disproportionately affected by violence and abuse. Almost one in four reported cases SGBV involves a child.²⁸⁰ One in four reported SGBV cases is related to incidents of sexual violence with the highest number being incidents of rape. The report does not provide further disaggregated details per gender.²⁸¹

Incidents of domestic violence are increasingly reported within the Syrian refugee community. One of the contributing factors of this rise is the high level of stress experienced within households. This is linked to the deteriorating socio-economic situation of refugees over the past few years, pushing families to send their children to work and to resort to child marriage. Both older persons and persons with disabilities are marginalised and perceived as a burden on the community. In many cases, their families assume that they do not have the capacity to contribute effectively to the well-being of the household. Access to specialised care and services remains limited.²⁸²

In the context of the CRSA's children validation workshops, only Lebanese children raised the topic of sexual abuse and confirmed it. They recommended increased punishments on those committing sexual harassment and abuse. Palestinian and Syrian children did not broach the issue. This could be attributed to the sensitivity of the issue and intimidation, due to the fact that the work groups' environments included children from both genders.

The Lebanon Crisis Response Plan 2015-2016 (Jan. 2015) noted during the inter-agency meeting of November 2015 that: "Recent assessments confirm that domestic violence, sexual harassment and exploitation, as well as forced/early marriage, remain the main protection concerns for women and adolescent girls. Unaccompanied girls, single heads of households, mothers/spouses, and women/girls with disabilities are particularly exposed to such risks."

Analysis

Child sexual abuse remains a taboo issue within the prevalent social norms. These norms represent a barrier to ensuring the protection of children's rights. This issue is usually not dealt with in the open due to the stigmatisation of its victims. The issue is even more complex in cases where the alleged perpetrator is a family member. The "shame" aspect of such a case being brought into the open publically remains an obstacle towards child protection rights. There are, additionally, justified concerns about an ineffective justice system.

Accordingly, a limited number of cases reach the legal system. The system has a poor capacity to address such cases, beginning with the investigation to the sentencing phases and until protection measures are issued. The limited resources available to the family and related specialised services represent another barrier to access services.

It should be noted that prevention measures are not in place.

Conclusions

Child sexual abuse remains taboo in Lebanese social norms, and constitutes a major barrier to child protection. Prevention measures are not in place. Stigmatisation of the victim, shaming of the family, the weak capacity of the legal system, and limited resources (including specialised rehabilitation services) available to families further hinders children's access to protection.

7.5 Children in Conflict with the Law²⁸³

Lebanon's ratification of the UNCRC and the imminent need to reform the juvenile justice system prompted the adoption of Law No. 422 of July 6, 2002. However, to date the law's implementation decrees have not been issued. The present juvenile justice system does not fully integrate into its legislation and practice the provisions of the UNCRC, in particular Articles 37, 40, and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System.

Law No. 422 introduced a limited range of non-custodial measures, in addition to a range of custodial measures that may be imposed on the juvenile offenders at the sentencing stage:

- Non-custodial measures consist of blame, probation (three months to one year), supervised freedom (from one to five years), victim reparation and fines. These measures, except for probation, may be extended to the age of 21 and are generally preferred "for first time offenders," rather than recidivists.
- Custodial measures consist of rehabilitation (minimum six months in a rehabilitation centre; currently the only option is the Fanar Rehabilitation Centre managed by UPEL), correction (minimum three months in a disciplinary centre; currently there are no such centres and children are referred to Fanar or Roumieh Prison's Juvenile Wing), prison (half the duration specified in law for adults except for offenses punishable by life in prison or by the death penalty, for which the duration is reduced to five to 15 years. The prison sentences are served at Roumieh Prison).

Although the law reduced sentences in exceptional cases for offenders aged 15 to 18 who had committed serious crimes, such sentences were counterbalanced by the power given to judges to defer the execution of sentences or to replace them with rehabilitation measures where the offender was not deprived of his or her freedom. Although the law retained the possibility for preventive detention, it restricted its application to certain crimes and under precise conditions. Detention, which can only be carried out in a suitable place, is contingent upon the preparation of a social and medical dossier after the submission of the juvenile offender to a physical and psychological examination.

In addition, the law provided for exhaustive protective arrangements for juvenile offenders in particular danger of recidivism. Such measures can either be decided by the judge or by the request of the offender. Increases in the number of homeless minors, often engaged in begging and vagrancy, justified such measures.

In order to strengthen the role of social and educational personnel, the social worker has become the principal actor in the administration of justice for juvenile offenders. The presence of the social worker throughout the proceedings, from the preliminary inquiries to the reintegration phase, is now required by law. In order to ensure effective application of the law, the importance of the Department for Minors of the MOJ has been underlined, in particular its function as the coordinating office between the different services and the organisations concerned.

From the moment of its entry into force, the effects of the law have been evident. Limitation of the use of detention has led to a reduction in the number of minors detained in the juvenile wing of the central prison at Roumieh.

279 Child Protection in Emergencies, Rapid Needs Assessment, Lebanon, CPWG, January-February 2013

280 UNHCR, Refugees from Syria: Lebanon, 2015

281 Ibid

282 Ibid

283 Currently the worldwide used terminology has shifted to "children in contact with the law". For the CRSA, "children in conflict with the law" will be used since it is still in use in Lebanon.

UNICEF conducted an assessment of the Community Service (CS) measure in 2012 in cooperation with the United Nations Office for Drug Control and Crime Prevention (UNODC). The findings showed that overall the CS programme is being successfully implemented, and has a positive impact on all parties involved in the process including juveniles, their families, hosting agencies, the juvenile justice system as a whole, and society in general. As such, the introduction and increasing use of CS has proved to be an important cost-effective addition to the range of responses to children in conflict with the law. The CS channel showed the lowest level of recidivism.²⁸⁴

Despite the successful implementation of the CS programme and the positive impact associated with it, the programme nonetheless faces obstacles and limitations associated with administrative operations.²⁸⁵ The same assessment found that adherence to Law No. 422 was not always consistent. The formal response to children in conflict with the law is still heavily reliant on the use of custodial measures, such that most children experience custodial measures at pre-trial or as a disposition. Children reported being held in pre-trial detention from one day to a few months. Some children reported having been held together with adults during investigation and pre-trial detention stages.²⁸⁶ The assessment also showed that the problem of responding to children in conflict with the law does not stem from the text of the law, but “in its interpretation and application and the creativity and capacity of actors in the system, to use its advocate and provide the services and programmes.” Limited numbers of staff and capacity building, in addition to restricted resources including untimely funding, exacerbate the problem.²⁸⁷

There have been attempts to amend Law No. 422 since 2005. The law was reviewed in 2007. Gaps were identified as the basis for proposed amendments, which have been the subject of review and consultation within the HCC and CEDROMA, as part of the legal review project.

In 2011, a draft law for raising the minimum age of criminal responsibility was debated within the Parliamentary Committee for Women and Children. The committee agreed to raise the minimum age from seven to 12, and the proposed amendment remains in limbo, waiting for a vote in the General Assembly of the Parliament. Although no assertions can be made with regard to whether this amendment will pass or not, it is important to note that stakeholders have not been unanimous in the conviction to raise the minimum age to 12 years. Some justify the low age of criminal responsibility as a method to protect children from being taken advantage of by adults for committing crimes. Others have argued that raising the minimum age would not make a material difference, given that in current practice children under the age of 15 are not imprisoned. Furthermore, crimes committed by children under 12 make up just 4 percent of all crimes committed by juveniles.²⁸⁸ As mentioned previously, the law is currently under further review, and there are discussions about raising the age of criminal responsibility to 10 years, as highlighted by a key informant from the HCC.

Notably, other aspects of the law are under revision, including Article 33 of Law No. 422 relating to joint procedures with adults and a strengthening of the law’s protective components.

7.5.1 Administration

On the implementation level, the assistance of UNODC between 1999 and 2007 has built the capacity of relevant governmental stakeholders from the MOJ, MOSA, and Ministry of the Interior (MOI).²⁸⁹ Positive changes were achieved at the institutional level, mainly through the establishment of a juvenile justice unit in the MOJ. Although the UNODC project also envisioned the creation of a juvenile police unit, this has yet to be established.²⁹⁰

A process of reform of the conditions of detention and the treatment of juvenile offenders has been initiated, with a view to adapting the national situation to the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly Resolution 45/113, annex), and to the Convention on the Rights of the Child.

The activities in this area aim: (a) to establish a coordination unit within the juvenile wing of Roumieh Prison responsible for centralising data concerning the status of juvenile offenders, and for providing the necessary information to social workers and magistrates, (b) to refurbish and reconstruct prisons and places of detention for juvenile offenders in order to ensure an improvement in the living conditions of detainees, (c) to reorganise academic, educational, and professional activities in order to improve the process of social rehabilitation of offenders, and (d) to set up a new centre for the rehabilitation of juvenile offenders.²⁹¹

The establishment of new standardised dossiers that bring together the information required at all stages of the judicial process, and the computerisation and management of dossiers within the prison, have made it possible to considerably reduce the time taken for judicial procedures to run their course.

In order to perform their functions effectively, the professionals in charge of the affairs of juvenile offenders should have knowledge of and special training in working with children and adolescents. Professional specialisation constitutes an essential element in ensuring the impartial and efficient administration of justice for minors, with particular focus on the well-being of young offenders themselves.

A series of training activities have been initiated, focusing on the application of arrangements relating to conciliation procedures, educational measures, alternative sentencing, treatment and rehabilitation of delinquents, and the prevention of delinquency. As a result, it has been possible to train a growing number of professionals. This training has become an obligatory part of the core curriculum for legal professionals. It is also available to people who wish to specialise or who already exercise specific functions in the field, such as social workers, police officers, and prison personnel.²⁹²

Trial delays are a chronic problem in Lebanon that subjects both adults and children to prolonged detention. Reasons for delays in trials include shortages of judges and the postponement of trials due to various forms of prison mismanagement, such as the delay in transporting detainees to courtrooms in Beirut.²⁹³ This is underlined by data from sentencing in 2013 that showed that in 6 percent of sentences, the court considered the period of pre-trial as sufficient punishment.²⁹⁴

The condition of juveniles during pre-trial detention should be investigated further, especially given that some reports have shown that juveniles in detention with adults are at greater risk of being sexually harassed.²⁹⁵

There is no recent data pertaining to Palestinian children in conflict with the law. Previous reports by the Coordination Forum of the NGOs Working among the Palestinian Community, stated that all Palestinian children interviewed cited violations during their detention. Violations include being beaten, threats of violence, parents not being informed of their child’s detention, forbidding children to make phone calls, not allowing parents to visit them, the absence of a social worker during questioning, and forcing children to do cleaning and washing and other errands for the guards.²⁹⁶

They further noted that children who were detained may be experiencing trauma and should receive special attention. Other alleged rights violations included denying Palestinian children access to government services such as the Judicial Support Fund, which provides support to families who cannot afford a defence lawyer.²⁹⁷ The Coordination Forum concluded that this essentially means: “1) the refugee is brought to court without a lawyer to defend him and therefore, usually receives maximum verdict, [and] 2) with no lawyer to follow up his case, a refugee might spend in detention centres a period of time exceeding 60 days.”²⁹⁸

The latest statistics of the juvenile department at MOJ show that there were 2,139 children in conflict with the law including 1,750 accused, 323 victims and 147 witnesses.

284 UNICEF, UNODC, Non-Custodial Measures For Juvenile Offenders in Lebanon: An Assessment of the Community Service Measure, 2012

285 Ibid

286 Ibid

287 Ibid

288 SCS, ALEF, Nabaa, IBCR, Lebanon Country Profile, 2011

289 Ibid

290 SCS, Child Rights Situation Analysis, UPEL representative. Phone interview, 2011

291 Schmid, Alex and Ralph Rinchy, Juvenile Justice Initiatives in Lebanon. Forum in Crime and Society, 2003

292 Ibid

293 SCS, Child Rights Situation Analysis, ALEF representative. Phone interview, 2011

294 Ministry of Justice, Juvenile Department, Statistics, 2013

295 Frontiers, ALEF, Restart, Al Karama – Joint Submission to UPR Working Group on the occasion of its 9th session for the review of Lebanon, 2010 - draft report

296 Coordination Forum of the NGOs Working Among the Palestinian Community submission to the Committee on Rights of the Child on the occasion of Lebanon’s third period report (01/10/2005), Rights of the Palestinian Child in Lebanon, Third Supplementary Report [Accessed on 25 Feb. 2008 - Summary by CRIN]

297 Ibid

298 Ibid

Trends in legal offences over the five-year period from 2006 to 2010 showed a constant increase in the number of juvenile cases processed by the courts, reaching 1,723 in 2006 in comparison to 2,557 in 2010.²⁹⁹ Statistics of the Juvenile Justice Department for 2013 showed a decrease in cases reaching 1,714.³⁰⁰

As for the type of offences, there were minor differences over the 2006 to 2010 period. Contraventions and misdemeanours represented the majority of the offences with an average of approximately 85 percent. Felony cases represented just 10 percent, and the remaining 5 percent constituted protection cases.³⁰¹ Offences against property constituted 21.49 percent, against public order 30.05 percent, and against persons 17.73 percent. Property and public order offences made up about half of the total from 2006 to 2010.

The Juvenile Department's latest data for 2013 illustrates a reversal in the trend, indicating that 34.55 percent of cases related to theft (which is closely connected to poverty), followed by 12.16 percent related to offences against persons, and 9.6 percent related to weapons.

Over the five-year period from 2006 to 2010, the most commonly imposed penalties were fines, prison time, community service, blame, rehabilitation, deportation, and supervised freedom. Custodial measures represented approximately 20 percent of all imposed penalties.³⁰² Statistics for 2013 reveal no major change with respect to imposed penalties, and show that 29 percent of issued sentences were financial fines (in spite of the fact that the majority of the crimes relate to theft and thus indicate poverty), 20 percent of sentences allocated blame, followed by 9 percent prison time, 6 percent supervised freedom, 6 percent incarceration, 6 percent innocence, 5 percent rehabilitation, and 5 percent community service. Custodial measures represented 24 percent of all penalties imposed.³⁰³

Available data does not allow comparisons between committed offences and crimes to issued sentences. Data was not available on recidivism for 2013.

For the period 2006 to 2010, the vast majority of offences, around 90 percent, were committed by children aged 15 to 18 years. Statistics for the year 2013 show that the majority of offences are committed by children between the ages of 15 to 18, representing 87 percent of the cases, followed by 8 percent involving children between 12 and 15 years of age, 4 percent involving children between 8 and 11, and 1 percent involving children below the age of seven. The gender balance remained unchanged for the period from 2006 to 2010, with females constituting about 7 percent and males 93 percent of offenders. Data for 2013 shows that female offenders constitute 9 percent, and male offenders 91 percent. Hence, female offenders are on the rise.

During the same period, the proportion of Lebanese to non-Lebanese children subject to prosecution showed a slight decrease. In 2006, the ratio was 67:33, while in 2010, the ratio changed to 63:37. In 2013, the data showed a further decrease to 60:40.

Furthermore, detailed data for 2013 shows that 60 percent of offenders are Lebanese children followed by 29 percent Syrian, 7 percent Palestinian, 3 percent with no identification, and 1 percent of other nationalities. There has been a constant increase in the number of Syrian children subject to prosecution since the onset of the Syrian Crisis, and the increase in the number of Syrian refugees residing in Lebanon.

This is consistent with global trends that show that the number of child victims, witnesses, as well as the number of children in conflict with the law, rise significantly during emergencies. According to practitioners in this field, conflict and civil unrest negatively impact justice for children more than natural disasters.³⁰⁴ The CRSA did not identify specific interventions addressing justice for children during the Syrian emergency response. In 2012, the UN Committee on the Rights of the Child emphasised that it is never in the best interests of the child to be subject to detention solely due to their immigration status or that of their parents.³⁰⁵ Moreover, UNHCR launched its 2014

to 2019 global strategy entitled "Beyond Detention".³⁰⁶ The strategy establishes three over-arching goals: end the detention of children, establish alternatives to detention, and ensure that conditions are in line with international standards (where detention is necessary and unavoidable).

As for geographical distribution, the highest percentage of children in conflict with the law is 26 percent in Mount Lebanon, followed by 22 percent in the Bekaa, 17 percent in the South, 16 percent in the North, 12 percent in Beirut and 7 percent in Nabatieh.³⁰⁷ Earlier studies dating from 2008 showed that at the time the crime was committed, the majority of children were no longer in school. Illiteracy and the lack of professional training were high among all young offenders.³⁰⁸

With respect to the level of education of children, the 2013 data shows that 12.9 percent are illiterate, 38 percent have a non-specified education level, and the remaining have an education (the levels were not detailed). It is worth noting that MOJ's data reflects only the reported cases that reach the courts and not the total number of cases. The child-led reports highlighted the fear of imprisonment. This could be attributed to their knowledge of what others had experienced in the juvenile justice system.³⁰⁹

Lebanese, Syrian, and Palestinian children who participated in the validation workshops in the context of the CRSA expressed their concern about the issue of street children, begging, and vagabondage, and the fact that children are forced to the streets. Syrian children exhibited genuine fear in that respect attributable to the fear of criminalisation and imprisonment.

7.5.2 Analysis

Notwithstanding the progress achieved in the reform of the juvenile justice system in Lebanon, many shortfalls still prevent the full realisation of the rights of children in conflict with the law. The principle cause relates to Law 422, and the very low age of criminal responsibility. Irrespective of the sentences and the application of non-custodial measures to children below the age of 15, children still come in contact with the justice system irrespective of age, even those below the age of seven. This represents by itself a major rights infringement and it is traumatic for the child, leaving a negative impact on his or her development. Given that the majority of cases occur in the 15 to 18 year-old age group, it would be logical to raise the age of criminal responsibility to 15, because raising the age to 10 years would still be a very low age of criminal responsibility.

In general, the existing system is retributive in nature and even criminalises children in need of protection. From a children's rights perspective, the majority of children in conflict with the law are essentially protection cases. Notably, judges that are assigned as children's judges do not necessarily undergo capacity building relating to children's rights and the juvenile justice system. The same applies to law enforcement officials. In general, there is lack of specialisation with respect to children's rights and the application of the law in cases where children come into conflict with the law.

The percentages of protection cases are minimal when compared to cases of accusation, which raises questions about the effectiveness of the system with respect to protection. Furthermore, there is a major problem relating to investigative detention and pre-trial detention. This could be attributed to the lack of diversion mechanisms that could filter cases which do not require the involvement of the court at the beginning.

Rehabilitative facilities are not sufficient to assimilate all sentenced children. Non-custodial measures are a breakthrough in the juvenile justice system, however the relevant structures necessary for their implementation are not in place. In addition, there is little capacity to implement different types of measures. An urgent issue that should not be disregarded is the detention of children and adults in the same facilities. Ideally, Law No. 422 applies to all children irrespective of their nationality, however there appears to be some discrimination in the treatment of children.

299 UNICEF, UNODC, Non-Custodial Measures for Juvenile Offenders in Lebanon: An Assessment of the Community Service Measure, 2012. (Data extracted from the Ministry of Justice-Youth Department records for the period 2006-2010)

300 Ministry of Justice, Juvenile Department Statistics, 2013

301 UNICEF, UNODC, Non-Custodial Measures for Juvenile Offenders in Lebanon: An Assessment of the Community Service Measure, 2012. (Data extracted from the Ministry of Justice-Youth Department records for the period 2006-2010)

302 Ibid

303 Ministry of Justice, Juvenile Department Statistics, 2013

304 Global Protection Cluster, International Bureau for Children Rights, Interagency Review of Justice Review in Humanitarian Context, 2015

305 UN Committee on the Rights of the Child (UNCRC), Committee on the Rights of the Child, Report of the 2012 Day of General Discussion on the Rights of All Children in the Context of International Migration, 28 September 2012, available at: <http://www.refworld.org/docid/51efb6fa.html>

306 UN High Commissioner for Refugees (UNHCR), Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2018, 2014, available at: <http://www.refworld.org/docid/536b564d4.html>

307 Ministry of Justice, Juvenile Department Statistics, 2013

308 Ibid

309 Naba'a, Mouvement Social, MANARA Network, Save the Children, Child Led reports, 2013

Most generated data is quantitative in nature and does not provide a comprehensive picture about the situation of children in conflict with the law. This can only be generated through studies undertaken with the participation of children.

When the juvenile justice mandate was transferred from MOSA to MOJ, cohesiveness between the two ministries was undermined. Consequently, the process of prevention, rehabilitation, and reintegration is not guaranteed. Roles and responsibilities are somehow diffused in practice. The situation is even more complicated due to the emerging challenges faced by UPEL.

It is worth highlighting that the increase in the numbers of Syrian refugee children in conflict with the law needs to be addressed.

7.5.3 Conclusions

The juvenile justice system in place does not guarantee the full realisation of the rights of children in conflict with the law. There is no relevant policy. However, the system is retributive in nature and tends to criminalise children. The needed structures and coordination measures are not in place to effectuate prevention, diversion, rehabilitation, and reintegration. The capacity of stakeholders needs strengthening. In addition, non-custodial measures are still in a preliminary phase of implementation and lack capacity and structures for full implementation.

7.6 Child Labour

Lebanon has ratified most key international conventions concerning child labour, including ILO convention No. 182 on the worst forms of child labour, and approved the application of Recommendation 190 in conjunction with it on Aug. 2, 2001, concerning the prohibition and immediate action for the elimination of the worst forms of child labour. Lebanon also ratified ILO Convention No. 138 on June 5, 2002, which fixes the minimum age for child labour, stipulating that the minimum set age should not be lower than the age required to complete compulsory education, and never lower than 15 years. Lebanon had signed two Arab Labour Conventions, No. 1 and No. 18, establishing policies on the work conditions of children that have not reached 12 years of age and child labour as addressed in ILO conventions, respectively. The NSDS includes the protection of working children and the implementation of the HCC's strategy to address the needs of street children.

A National Action Plan (NAP) to eliminate the worst forms of child labour by 2016 was endorsed by the MOL in 2012 but has not been implemented due to a lack of budget allocations.

The NAP revolves around eleven strategic areas, which when fully implemented together, can lead to the elimination of the worst forms of child labour in Lebanon by 2016. They include legislation and law enforcement, free and compulsory education, integration in the educational system, economic opportunities for parents and youth of working age, capacity building and development, development services centres, local authorities, local community and community leaders, prevention, withdrawal, and rehabilitation. The estimated total cost for the implementation of the NAP is \$23,735,000.³¹⁰

The GoL has established institutional mechanisms for the enforcement of laws and regulations on child labour, including its worst forms. The MOL enforces child labour laws through workplace inspections. The MOJ's ISF enforces laws regarding the worst forms of child labour through the Morals Protection Bureau. The MOSA refers children identified by the Child Labour Unit (CLU) to protective institutions such as shelters. The MOJ through UPEL refers ill-treated children, children in conflict with the law, and child victims of human trafficking and other types of the worst forms of child labour to services, coordinates juvenile justice procedures, and advises juvenile court judges on referring child labour victims to appropriate social services.³¹¹

310 Republic of Lebanon, Ministry of Labour. A national action plan to eliminate the worst forms of child labour by 2016, 2012

311 United States' Department of Labour's Bureau of International Labour Affairs. Lebanon, 2013

The GoL has established mechanisms to coordinate its efforts to address child labour, including its worst forms through the MOL's National Committee to Combat Child Labour. The Committee is mandated to implement the MOL's national strategy to combat child labour and draft child labour-related amendments to the Labour Law. It comprises representatives from relevant ministries including MOSA, MOPH, the Ministry of Agriculture and MOJ, the ISF, worker and employer groups, and civil society organisations. The MOL's CLU raises awareness, coordinates communication between agencies, establishes standard practices, and recommends changes to law. The Inter-Ministerial Task Force on Trafficking coordinates efforts against human trafficking, including child trafficking. The UN coordinates efforts to address the needs of children affected by the Syrian refugee crisis in Lebanon and maintains interagency standards for child protection. Its agents identify crucial concerns, especially factors that make children vulnerable to child labour, and make recommendations on the use of resources including referral services.

The GoL has officially committed itself to combat child labour since the year 2000. This commitment materialised through a number of MOUs that have been signed since 2000 between the ILO and the GoL, represented by the MOL. As a result of that collaboration, the government has been taking measures towards combating child labour in Lebanon, especially the worst forms of child labour. Significant measures taken by the government are represented by the preparation of a National Policy and Programme Framework referred to as the National Strategy against Child Labour in 2004, the establishment of a Child Labour Unit at the Ministry of Labour and a National Steering Committee Against Child Labour in 2001, in addition to establishing a database on child labour at the Child Labour Unit.

Action against child labour in Lebanon effectively began in the early 2000s when the International Programme on the Elimination of Child Labour (IPEC), as part of a technical cooperation programme, was agreed and implemented in partnership with the ILO Regional Office for the Arab States. This marked the beginning of a series of projects that have been implemented during the last 10 years in collaboration with the Ministry of Labour, employers' and workers' organisations and other national stakeholders. These projects primarily supported the implementation of policy and normative measures accompanied by grassroots activities to combat child labour, with particular attention to its worst forms.

During the third and final phase of this technical cooperation programme (2009 to 2011), with the financial support of the Italian government, IPEC reviewed and analysed national legislation, plans, and strategies related to child labour in Lebanon.³¹²

The National Steering Committee was strengthened through another decree in 2005, and then amended by Decree No. 5137 in 2010, making it a Higher Committee by the Council of Ministers.

Another measure taken by the GoL was the adoption of Decree No. 8987 in 2012, related to the definition of the worst forms of child labour in Lebanon. In the same year, the government prepared, in close cooperation with and support from the ILO, the NAP to Eliminate the Worst Forms of Child Labour in Lebanon.



312 ILO, Action Against Child Labour, A Mapping of Policy and Normative Initiatives, 2012

Table 7.1 Laws and Regulations related to Child Labour

Standard	Age	Related Legislation
Minimum Age for Work	14	Article 22 of the Labour Code
Establishment of a Committee to Combat Child Labour		Decree 5137 (2010)
Minimum Age for Hazardous Work	17	Decree 8987 (2012)
List of Hazardous Occupations Prohibited for Children		Decree 8987 (2012)
Prohibition of Forced Labour		Law No. 422; Trafficking in Persons Law No. 164
Prohibition of Child Trafficking		Trafficking in Persons Law No. 164
Prohibition of Commercial Sexual Exploitation of Children		Law No. 422; Articles 523–527 of the Penal Code; Statutory Rape Law 505–506 of the Penal Code; Trafficking in Persons Law, Law No. 164
Prohibition of Using Children in Illicit Activities		Law No. 422; Articles Penal Code 509–510; Trafficking in Persons Law, Law No. 164
Minimum Age for Voluntary Military Service	17	Lebanese National Defence Law
Compulsory Education Age	15	Law No. 686 of 1998

A project law was submitted to Parliament in 2011 aimed at raising the minimum age of work from 14 to 15, however delays occurred in its review process and it remains in limbo.

Importantly, efforts have been made by recent administrations to revise the Lebanese Labour Code, and a new draft Labour Code was announced in February 2011. The most relevant and significant provisions of the draft Labour Code in relation to child labour issues are:

- i. Children under 18 (currently 15) would not be allowed to work in occupations that expose them to danger from working conditions, and they could engage only in non-hazardous work between the ages of 15 and 18.
- ii. The Minister of Labour, instead of the Cabinet, would decide by decree which occupations require employees to have more frequent medical check-ups.
- iii. Children would not be involved in occupations where they have to carry heavy weights and should only lift light weights as decided by the Minister of Labour.
- iv. Labour inspections would include the informal economy, with the exception of domestic labour and agriculture. This clause is very significant as most child labourers in the informal economy work in small-scale industrial establishments (e.g. spray-painting cars as car mechanics, in carpentry), or in agriculture (e.g. tobacco cultivation), and in services restaurants, coffee shops, grocery shops, etc.).

There are continued problems in monitoring working children due to a lack of government capacity to enforce legislation. Inspections of child labour at informal work sites are only authorised if a complaint is filed and the accused fails to respond to a summons from the CLU. No mechanism exists to investigate complaints of child domestic labour, since social workers – the only officials allowed to enter a private home – may only assess the overall welfare of the family and not the workplace conditions. According to limited sources, penalties for violating child labour and other related laws are not sufficient to reduce the problem.

In Lebanon, child labour is predominantly concentrated in informal sectors of the economy: small family businesses including domestic work within the family sphere, carpentry, construction, manufacturing, work at industrial sites, welding, agriculture, meat treatment, and fisheries. Some child labourers are employed in the services sector as cleaners, waiters, delivery boys and porters, while an increasing number of children are found on the streets peddling trinkets, collecting waste material, shining shoes, and begging.³¹³ Anecdotal evidence further suggests that child labour is prevalent within Palestinian refugee camps and among Iraqi refugees and nomadic communities.

The questionnaire of the MICS that was implemented in Lebanon in 2009 asked a number of questions relating to child labour, mainly to working children aged five to 14 years. The results of the survey showed that the proportion of working children in that age group was 1.9 percent (2.7 percent for boys and 0.9 percent for girls). This percentage was greater among children aged 12 to 14 years (2.8 percent) than among children aged five to 11 years (1.4 percent). The results also showed differences between regions, with North Lebanon having the highest percentage of working children (3.5 percent in Akkar, Minieh and Dinniye districts, and 3.7 percent in other districts in the North). The figure for the Governorate of South Lebanon was also 3.7 percent. As for the enrolment of these children in school, 1.4 percent of enrolled children were involved in child labour while 27.9 percent of non-enrolled were working children.³¹⁴

Exact numbers regarding children working in the worst forms of labour do not exist in Lebanon. However, a number of studies have been conducted which show that the problem is increasing due to several factors including the lack of appropriate response mechanisms in the country, especially the lack of adequate prevention programmes. In addition, poverty contributes to the seriousness of the child labour problem in general.

A large number of children are found to work in sectors and occupations such as auto repair (e.g. mechanical work, car painting etc.), construction, metal working including aluminium and forged iron, and sanitary installations. In general, child workers are mainly employed in industrial sites and places that lack adequate infrastructure, and they work with obsolete technology and unsafe machinery and tools. Most of these enterprises use inflammable, explosive, harmful or hazardous materials and substances. Within these environments there is a low level of awareness of the health and safety considerations that should govern basic working conditions. Children work in such establishments for long hours and at low rates of pay in jobs that are not suitable for their physical and mental development or skill levels. Most of these workplaces are not legally registered or covered by formal regulation or inspection. Poor sanitary conditions and dangerous machinery contribute to the hazards faced by children at work. There are also industry-specific hazards in the form of exposure to toxic materials and by-products.

In addition, there are many children working in the agricultural sector in Akkar, Hermel and Baalbek districts. In most families, every child has to pitch in and work along with his or her family, especially during harvesting and when preparing the ground for planting, because every small amount saved on hired hands is more income for the family. Dangers arise from the use of plant pesticides and fertilisers that contain elevated levels of toxic chemicals with possible risks to children's health. Moreover, often no safety precautions are taken, such as use of protective masks, gloves and hats. Agricultural work is seasonal and can result in long absenteeism from school, affecting children's academic achievements and possibly leading to them falling behind their peers academically and eventually dropping out of school.³¹⁵

Of particular concern are children working in the tobacco industry, defined as one of the worst forms of child labour by the ILO. Numerous organisations including the ILO, UNICEF, and USAID, have expressed repeated concern about these children. In particular, the age (as low as three years), the long hours, poor/dangerous working conditions, limited access to food during working hours, restricted leisure/play time for children working in this sector, and the poor educational attainment of children in this sector have been highlighted.³¹⁶ An estimated 90 percent of children working in the tobacco industry are family workers and do not receive monetary compensation.

313 Ministry of Labour, ILO, Fact Sheet Child Labour in Lebanon, 2013

312 CAS, MICS 3 Survey, 2009

314 Republic of Lebanon, Ministry of Labour, A national action plan (NAP) to eliminate the worst forms of child labour by 2016, 2012

315 International Programme on the Elimination of Child Labour, ILO, Lebanon Child Labour on Tobacco Plantations: A Rapid Assessment. In Investigating the Worst Forms of Child Labour No. 17, 2000

Syrian Working Children

The cost of living in Lebanon is reported to be considerably higher than in Syria. Given such disparity, households need to make difficult decisions about how to increase their income, including strategies that they would not ordinarily consider. All key informants noted that there was a need for refugee children to contribute to household income during displacement.

In the focus group discussions, while there was acknowledgement that it was the responsibility of the parents to provide food and shelter, circumstances during displacement were such that they believed their children (both male and female) needed to work in order for the family to acquire basic necessities. Both men and women downplayed concerns about children working: “we only send them to work where we know they will be safe” and “we won’t let the boys work in the quarries –it’s too dangerous.”

The money earned by children was predominantly reported to be used to buy food and pay for rent. Other reported uses included paying for medical bills, transportation, to pay back debt, and to send money to family members.

Several groups acknowledged that children left school in order to work, that children often worked long hours, that many employers paid children substandard wages or did not pay for the work done. Boys often started working from the age of 10 years and some are travelling long distances to cities or outside of the country in order to find work. Men and boys acknowledged that at times children are beaten and insulted in the workplace while positing that difficulties were endured because the pay was needed. Almost all focus groups posited that boys worked for wages. The most common types of paid employment for boys reported were selling goods, working in construction (including working from an external pulley outside a building), and working in agriculture. In comparison, it was posited that most girls are expected to work at home rather than work for others for wages. However, of those who do work, the most common types of paid work reported were cleaning, selling goods and working in agriculture. Begging was reported by respondents as a common means of raising income for both boys and girls, whilst getting married and sexual transactions represented alternative means for girls to raise income for their families. Boys were more commonly reported to move away from their families to work or to find work.³¹⁶

A recent study by WFP conducted in 2015 indicated that among the coping strategies of Syrian refugees related to asset depletion are the withdrawal of children from schools (which increased from 10 percent in 2014 to 20 percent in 2015) as well as child labour (which reached 6 percent in 2014 and 5 percent in 2015), in addition to resorting to begging, a practice that affects the whole family including children.³¹⁷

Research suggests that an increased number of Palestinian refugee children are working. Frustration with school, poor quality education and educational environments, and a decreased belief in the importance of education (specifically because of job restrictions for Palestinians), are quoted as reasons for the increase in school drop-out rates and the subsequent increase in working children. Poverty was also cited as a reason for the increased number of working children. Accurate statistics, however, are limited.

There is no recent data on Iraqi working children. Information from 2007 highlighted that Iraqi refugee children are believed to be particularly vulnerable to economic exploitation. Due to the worsening economic situation and the limited mobility of parents (self-imposed for fear of arrest and detention by Lebanese police and military), a significant amount of Iraqi children are believed to be working.³¹⁸ The Danish Refugee Council (DRC) found that an estimated 25 percent of Iraqi boys are working and 90 percent of these children work full time. Less than 10 percent of Iraqi girls were found to be economically active.³¹⁹ Notably, in one of the focus groups with Iraqi children, three of 11 children had worked since their arrival in Lebanon (all boys between the ages of nine to 13).³²⁰ However, their current illegal status in Lebanon and their economic vulnerability make them particularly susceptible to economic exploitation and abuse by employers.³²¹

Dom or gypsy children are especially vulnerable to the above legal dilemma. A 2010 survey found that 19.4 percent work mainly in construction, cleaning, and unskilled labour. When families were asked what children work in, over 50 percent of adults responded with street begging, while in contrast only 6.8 percent of the families responded that their own children work in begging on the streets. Predominant allegations have assumed that both Dom children and adults engage in street begging in an organised manner, whereby children are transported from one area to the next on a daily basis. The Terre Des Hommes study was not able to confirm these assumptions as the children that were observed during the field research appeared to take public transportation with older siblings to different areas for begging on certain days of the week.³²² Dom children on the streets face an array of risks, including physical violence, sexual harassment and arrest. Girls are especially at risk of trafficking and prostitution, as will be seen in the following section.

Children Living and Working on the Streets

The problem of children living and working on the streets is considered one of the worst forms of child labour as stipulated in ILO Convention No 182. The HCC attempted to address the issue of street children through the implementation of a national programme. In 2010, the HCC established a relevant committee. Currently, the HCC is in the process of formulating a national action plan given the exponential growth of the problem with the influx of Syrian refugees to Lebanon, many of whom are children, but that is by no means the core cause or consequence of children living or working on the streets.

Article 25 of Law No. 422 of 2002 includes street children within the definition of children at risk. However, current legal debate shows a persistent tendency to consider these children as young offenders. Article 610 of the penal code criminalises many actions associated with begging, living, and working on the streets, but it also has special provisions for the punishment of adults and parents that permit or force a child to beg or work on the street (Art. 617 to 618). Article 586 of Law No. 164 on human trafficking increases penalties for the trafficking and exploitation offences that result in a child begging.

A study conducted in 2015 relating to children living and working on the streets, and referred to in the study “Street Based Children (SBC),” found a total of 1,510 children living or working on the streets.³²³ SBC predominately work in Lebanon’s urban centres, a majority of them in Greater Beirut and Tripoli. The type of work most prevalent among SBC is begging (43 percent). Over two-thirds of SBC in Lebanon are male, most female SBC (69 percent) are engaged in begging, while most male SBC work. The majority of SBC work in street vending (77 percent). More than half of SBC in Lebanon are aged between 10 and 14. Most SBC enter the market between seven and 14 years of age. Some 6 percent of SBC report being victims of sexual assault or rape in the workplace. SBC’s workdays vary considerably from four to 16 hours per day, with an average workday of 8.46 hours. SBC are also subject to several occupational hazards, including the carrying of heavy loads (39 percent) and involvement in various forms of traffic accidents (30 percent).

Combined with non-Syrian nationals from Syria, SBC originating from Syria amount to almost three-quarters (73 percent) of the total sample, a rise from a proportional estimate of two-thirds over the past decade. Lebanese SBC made up 10 percent of all SBC compared to an estimated 15 percent of SBC in 2004. The proportion of Palestinian SBC has also fallen from 10 percent in 2004 to 8 percent. The remaining SBC are stateless or identified as other ethnic minorities residing in Lebanon, including the Dom, Turkmen and Arab Bedouin tribes. Many Syrians who engage in street work come from lower-income segments of the Syrian population who did not pay rent in their home country. Other refugee populations such as Iraqis and Palestinians also engage in street child labour in order to bolster household income. Other ethnicities in Lebanon such as the Dom, Arab Bedouin tribes and Turkmen resort to child-street labour because they have been marginalised by Lebanese society.

Many SBC engaged in street work are organised and controlled by criminal networks. Family members of SBC are commonly run or are involved in the networks that organise street-based child labour in Lebanon.

316 Child Protection in Emergencies Working Group (CPEWVG), Child Protection in Emergencies, Rapid Needs Assessment, 2013

317 World Food Programme, Vulnerability Assessment of Syrian Refugees, 2015

318 Danish Refugee Council, Iraqi Population Survey in Lebanon, 2007

319 Ibid

320 Ibid

321 Iraqi children (aged 9-13). Hermet. Focus Group Discussion, 24 April 2008; 11 Iraqi children. Nabaa (age 8-14). Focus Group Discussion, 23 April 2008; 12 Sudanese children and children of migrant workers (age 8-15). Nabaa, 23 April 2008.

322 Terre Des Hommes (TDH) “Child Protection Assessment: Dom and their Children in Lebanon”, 2010

323 Republic of Lebanon, Ministry of Labour, ILO, UNICEF, Save the Children, Children Living and Working on the Streets in Lebanon, 2015

The average SBC household size is seven members, almost double the Lebanese aggregate. The majority of SBC are either illiterate and/or never attended school. Around 29 percent of SBC say they have been chased or arrested by law enforcement officials while around 3 percent report that, at times, they are paid less than the agreed upon daily rate for work. Almost half of SBC believe they have no one (47 percent) to report abuses to, while just over one-third refer to family members (35 percent) in such cases. On average, SBC earn less than \$12 per day. Only 13 percent of SBC keep all the money they earn for themselves. A minority of SBC suffer from domestic and sexual violence in the home. A total of 15 percent of SBC admit to suffering from domestic violence at home. In general, 41 percent of SBC suffer from some kind of health affliction. Overall, 72 percent of SBC have never visited a medical professional. SBC are sometimes arrested but usually do not spend long periods of time in holding cells. Non-Lebanese SBC were more likely to be arrested than their Lebanese counterparts.³²⁴

The same study considered the root causes of the problem as “the intricate webs of economic, social, cultural, psychological and institutional factors, which are both current and long-standing. It further identified four main driving factors that cause children to live or work on the streets of Lebanon: social exclusion, vulnerability of households, the influx of Syrian refugees into Lebanon, as well as organised crime and exploitation of children.”³²⁵

Child labour was emphasised by Lebanese, Syrian, and Palestinian children during the validation workshops, undertaken in the context of the present CRSA. Lebanese children highlighted the fact that children do hazardous work and work on the streets. Palestinian children were concerned about exploitation of children, child begging on the streets, and forcing children to work to help their families. Syrian children emphasised poverty and the economic conditions that force parents to push their children to the streets, and to child labour. They also linked withdrawal of children from the schools by parents for the sake of child labour and the lack of education opportunities conducive to child labour. They talked about neglect and exploitation as well as the role that should be played by parents and the state to ensure children’s rights. All children recommended that child labour be banned altogether.

7.6.1 Analysis

Child labour in Lebanon is a product of structural causes relating to interrelated socio-economic problems, lack of anti-poverty policies, employment schemes for adults, national development plans, and inequitable access to quality education. Free and compulsory education is not enforced. Relevant laws limit free education to Lebanese citizens. Formal school drop-out rates in Lebanon are high because of education-related expenses such as transportation, books, and uniforms and the quality of education. The denial of free education to many children and these education-related expenses may prevent families from sending children to school, increasing their vulnerability to child labour. In addition, children aged 12 to 14 are particularly vulnerable to the worst forms of child labour, as they could be out of school, but are not legally permitted to work.

Eliminating child labour cannot be achieved without addressing the root causes of the problem. Although substantial progress was achieved beginning in 2000, progress in recent years has stalled due to the national legislative paralysis that halted the review and endorsement of the proposed amendments of the labour code and relevant child-related clauses. A major barrier to the protection of working children is the monitoring and enforcement of the existing laws. This represents a challenge given the limited number of inspectors, their capacity, and authority to access children’s workplaces and enforce sanctions on those violating the laws. This dynamic in particular represents a major barrier when the employer is the parent of the child or in the case of domestic work.

Similarly, the NAP on the elimination of the worst forms of child labour was not implemented due to a failure to allocate the required governmental funds. It is important to note that there is a generalised tendency by the government to ratify conventions without further efforts to ensure compliance with their provisions. This is also true for relevant ILO conventions.

7.7 Child Prostitution and Trafficked Children

Lebanon ratified the OP on the Sale of Children, Child Prostitution and Child Pornography on Nov. 8, 2004. Ten years after ratification, the government has not taken any measures to comply with its provisions. Lebanon has not submitted any of the required reports to the UN Committee on the Rights of the Child.

Lebanon signed and ratified the United Nations Convention against Transnational Organised Crime and the protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, that supplement the Convention in 2005. The UN Protocol recognises the special status of children, in article 6 (4), which states: “Each State Party shall take into account, in applying the provisions of this article, the age, gender and special needs of victims of trafficking in persons, in particular the special needs of children, including appropriate housing, education and care.”³²⁶

In providing special protection for children, the UN Protocol prescribes that the proof of means is irrelevant when children are trafficked. In these cases, only the act and the exploitative purpose must be proved. Article 3(c) reads, “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article.”³²⁷

As a consequence of this provision, a child cannot give consent even if none of the means are used. Therefore, the consent of the child is, in every circumstance, irrelevant. The importance of addressing the demand side of the equation in order to successfully prevent and combat human trafficking for the purpose of sexual exploitation is recognised by the UN, which requires in Article 9 (5) state parties to: “Adopt or strengthen legislative or other measures, such as educational, social or cultural measures, including through bilateral and multilateral cooperation, to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.”³²⁸

Lebanon ratified ILO Convention No. 182 Concerning the Prohibition and Elimination of the Worst Forms of Child Labour. The definition of the worst forms of child labour comprises “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour...” and “the use, procuring or offering of a child for prostitution, for the production of pornography or pornographic performances.”

The Arab Charter on Human Rights adopted by the League of Arab States in 2004 does not give a comprehensive definition of trafficking. However, Article 9 prohibits trafficking in human organs and presumably trafficking for the use of “medical experimentation.” In addition, Article 10 prohibits “all forms of slavery and trafficking in human beings.” Article 43 encourages ratifying states to interpret the Arab Charter in congruence with other international and regional human rights conventions, thereby encouraging states to interpret trafficking in persons as defined under the UN Protocol. Article 43 reads:

“Nothing in this Charter may be construed or interpreted as impairing the rights and freedoms protected by the domestic laws of the States parties or those set forth in the international and regional human rights instruments which the States parties have adopted or ratified, including the rights of women, the rights of the child and the rights of persons belonging to minorities.”³²⁹

The HCC supported by WVI is in the process of elaborating a national strategy to combat the trafficking of children. The strategy was shared with relevant stakeholders through a participatory process. The strategy

³²⁶ UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children Article 6 (4)

³²⁷ Ibid, Article 3 (c)

³²⁸ Ibid, Article 9 (5)

³²⁹ Arab Charter on Human Rights, Article 43. See also Dr. Mohamed Mattar, “Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional, and International Standards,” Harvard Human Rights Journal, Vol. 26, 2013, http://www.protectionproject.org/wp-content/uploads/2013/07/Article-43-of-the-Arab-Charter-on-Human-Rights_Dr.-Mohamed-Mattar_HHRJ_Spring-2013.pdf

³²⁴ Republic of Lebanon, Ministry of Labour, ILO, UNICEF, Save the Children, Children Living and Working on the Streets in Lebanon, 2015

³²⁵ Ibid

Law No. 164 of 2011 on human trafficking introduced for the first time the notion of “exploitation.” The law provided more severe penalties for trafficking and exploitation offences which force children to participate in the following acts a) breaking the law, b) prostitution, c) sexual exploitation, d) begging, e) slavery, or similar practices, f) forced labor, g) implication in armed conflicts, h) terrorist acts, and i) organ removal (Article 586 (5)). It also widens the category of “trafficking” when a minor is involved, by making unnecessary any proof of force, violence, deception, abduction, or material favours (Article 586-1).

The penal code (Article 523) criminalises prostitution, including where a child is involved, while Law No. 422 of 2002 (Article 25) considers a child engaged in prostitution as a child at risk and in need of protection. The legal status of the girl-child engaged in sex work is ambiguous. Under the penal code she is liable to imprisonment and under Law No. 422 she is entitled to protective measures. The penal code (Article 533) criminalises commercial pornography in general, but Law No. 164 on human trafficking can be applied as a penalty for trafficking and exploitation leading to child pornography (Article 586-1).

The ISF employed nine investigators to enforce criminal laws against child trafficking and commercial sexual exploitation; they carried out four investigations involving the worst forms of child labour.³³⁰

In 2013, UPEL provided training to some of the 26 ISF Morals Protection Bureau enforcement officials on how to handle child trafficking cases. Various government agencies including the ISF and the Ministries of Justice, Interior, and Social Affairs, participated in a three-year training programme with international and grassroots organisations to enhance Lebanon’s anti-trafficking effort. In March 2013, the group presented a SOP Guide. The SOP presents measures to identify, protect, legally assist, and return trafficking victims to their home countries. The document is awaiting Cabinet approval. The MOJ prosecuted six cases of child trafficking. However, the number of investigations does not seem sufficient to address the scope of the problem effectively.³³¹ Statistics from the Juvenile Department at the MOJ from 2013 show that there were 24 cases of prostitution, including one child victim, one child witness and 22 children accused.³³²

There is no comprehensive data on the prevalence of trafficked children in Lebanon. Lebanon is a source country for children, especially girls, trafficked for commercial sexual exploitation, domestic service and criminal activity. Following the Syrian crisis, Syrian girls particularly started getting trafficked to Lebanon for the purpose of commercial sexual exploitation under the guise of fake or temporary marriage. The government allocated minimal resources to protecting victims and did not have victim protection policies in place. Victims of trafficking are not referred to protection services. Instead, they are detained for unlawful acts committed as a direct result of being trafficked, such as immigration violations or prostitution.³³³

The rapid assessment conducted with Syrian refugees in 2013 showed through focus group discussions with men and women that prostitution or sexual exploitation of women and girls is done in exchange for offers of money for unaffordable items such as clothing and food. Those who were exploited were identified as mothers who were married, divorced, or widowed. Notably, refugees stated that one of the ways that some people in Lebanon harass girls and women is to refer to them as prostitutes.

Reasons given for the increase in the incidents of sexual violence and exploitation amongst informants included socio-economic difficulties, crowding, and cheaper prices for sex.³³⁴

There is almost no reported mention of Palestinian children being involved in child prostitution or being trafficked.

Dar El Amal has been active for more than a decade in the field of child protection, especially girls involved in prostitution.

In 2013, ABAAD NGO established three safe houses, “Al Dar” for women and children affected by SGBV and facing life-threatening situations where they receive care and support. Their shelters are open to Lebanese women and their children as well as refugee women from various nationalities, especially Syrian and Iraqis.

It is worth mentioning that UNHCR’s work to promote the civil registration of all refugee births in the region is also an important protective measure, as refugee children are more at risk of human trafficking if they lack birth certificates and travel documents.

7.7.1 Analysis

Lebanon can be considered in a preliminary stage with respect to addressing trafficking in children and child prostitution, but is heading in the right direction through the elaboration of a children anti-trafficking strategy.

Lebanon has achieved limited progress with respect to implementation of the UNCRC relevant optional protocol. This is also valid with respect to ILO Convention 182. On the other hand, the topic of trafficking began garnering more attention only in 2006, and the relevant law was issued in 2011. A major barrier to the protection of children is the criminalisation of victims due to the legal system as well as stigmatisation of the victims due to social norms. In addition, the limited specialised services hinder access to rehabilitation services and subsequent social reintegration.

7.8 Children and Armed Conflict

Lebanon signed the OP to the UNCRC on the involvement of children in armed conflict on Feb. 11, 2002, but has taken no action towards ratification. The Special Representative of the Secretary General on Children and Armed Conflict visited Lebanon in April 2007, soliciting the commitment of key politicians to ratify the OP on the involvement of children in armed conflict. The Special Representative reported that there is only “anecdotal evidence” of the association of children with the military wings of some key political parties but warns that “should sectarian violence flare in the current political climate in Lebanon, children and youth may well become involved.”³³⁵ Following the visit, then-Prime Minister Fouad Siniora and Member of Parliament Mohamed Raad (representing Hezbollah) publicly committed to ratifying the OP.³³⁶ In 2010, as part of the UPR process, Lebanon rejected a recommendation from the Spanish delegation to ratify the above-mentioned protocol.³³⁷ The SCI country representative in Lebanon indicated during an interview conducted in the context of the present CRSA in relation to the OP, that even if Lebanon ratifies the OP, it will not be able to enforce it, given that the same groups that are training and recruiting children are part of the government and parliament. Lebanon has not ratified the Rome Statute of the International Criminal Court (ICC) which established permanent courts to try persons who have committed war crimes (which includes recruitment of persons under the age of 15).

As mentioned previously, Lebanon ratified ILO convention No. 182 concerning the Prohibition and Elimination of the Worst Forms of Child Labour, which states, “the worst forms of child labour comprises all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.”

The HCC developed a relevant action plan aiming to facilitate future ratification of the optional protocol, to be implemented by the end of 2015. UNICEF is currently working on the issue of children in armed conflict.

Law No. 164 of 2011 on human trafficking criminalises exploitation or trafficking leading to the participation of children in armed conflicts. Comprehensive and recent data is not available on the prevalence of child involvement in armed conflict.

There are around 20 armed factions in the Palestinian refugee camps. Children are regularly trained and deployed by these factions to serve various (and often conflicting) political motives. According to the Coalition to Stop the Use of Child Soldiers in 2007, “military training was provided by some of the Palestinian factions to children as young as 10.”³³⁸ In the past years, various media explicitly showed children involved in armed conflict and assuming combat roles. The US Department of Labour reported an increasing problem in 2013, relating to the recruitment and exploitation of children in political protests and militant activities in North Lebanon and some areas of Beirut. It also reported that child labour is common in Palestinian refugee camps where some children work as armed guards.³³⁹

330 U.S. Department of State. “Lebanon” in Trafficking in Persons Report- 2013. Washington, DC, June 19, 2014, <http://www.state.gov/documents/organization/210740.pdf>

331 Ibid

332 Ministry of Justice, Juvenile Department Statistics, 2013

333 U.S. Department of State. “Lebanon” in Trafficking in Persons Report - 2013

334 Child Protection in Emergencies working Group (CPEWG), Child Protection in Emergencies, Rapid Needs Assessment, 2013

335 Office of the Special Representative of the Secretary General on Children and Armed Conflict, Visit of the Special Representative for Children & Armed Conflict to the Middle East: Lebanon, Israel and occupied Palestinian territory, 9-20 April 2007, p. 7, available online at http://www.un.org/children/conflict/_documents/countryvisits/SRSGCAAC-Middle-East-visit.pdf

336 Office of the Special Representative of the UN Secretary - General for Children and Armed Conflict (12 April 2007), Lebanon: All Parties Agree to Protect Children Affected by Armed Conflict, OSRG/070412-22

337 Human Rights Council, Report of the Working Group on the Universal Periodic Review- Lebanon, 12 January 2011, A/HRC/16/18

338 Coalition to Stop the Use of Child Soldiers, “The vulnerability of children to involvement in armed conflict”, October 2007, available online at www.child-soldiers.org/document/get?id=1252

339 United States’ Department of Labour’s Bureau of International Labour Affairs. Lebanon, 2013

In 2012, Al Monitor published an article titled “Child Soldiers Entering Spotlight as Clashes Continue in Lebanon.” The article indicated that “previous disturbing security events in Lebanon leave no doubt that child soldiers exist there, especially after they were seen in a number of Lebanese areas armed with sophisticated weapons and wearing the uniforms of several different organisations. Lebanese Minister of Social Affairs and President of the HCC, Wael Abu Faour, confirmed this saying that ‘in the midst of the security problems unfolding in Northern Lebanon, children’s rights have been clearly and blatantly violated. Child soldiers have appeared on TV channels.’ But this crisis is not limited to the city of Tripoli. In certain neighbourhoods of Beirut, children are being trained to take up arms and fight in street wars. Their training and participation have been kept a secret, but the security crises soon forced them into the public spotlight.”

“Parties, political movements and organisations have rejected the charge that they are training child soldiers below the age of 18. However, it is undeniable that children are actively present on the streets and that they are carrying weapons during the most dangerous times. They are risking their lives, largely unaware of the reality of the crisis.”³⁴⁰

An online article by Sulome Anderson posted in 2013 pointed out that “child soldiers have long been a problem in Lebanon. During the civil war that ravaged the country for nearly 15 years, many kids were practically born with machine guns in their hands. Since the war died down, most Lebanese thought those days were over, but the conflict in Syria has caused the security situation in the country to deteriorate, especially in Northern cities like Tripoli, and has prompted a new generation of kids to pick up guns. Poor and mostly Sunni, many of them are drawn to the growing Salafist militias that have spread throughout Lebanon over the past few years.”³⁴¹

Another article published by Al Monitor in 2015, “The Islamic State’s Child Soldier,” highlighted through an interview with retired Lebanese Army General Hisham Jaber that “thousands of refugee children in Lebanon are potential fighters.”³⁴²

A recent article posted on Al Modon in September 2015, “Recruitment of Minors as Soldiers, a Current Debate Amidst Hezbollah,” underlined that there is an ongoing controversy within Hezbollah with respect to the recruitment of children in the Syrian armed conflict. This debate arose following the death of several children during the fight in Syria. The party’s media had previously mocked the Islamic State in Iraq and Syria (ISIS) for recruiting children. There are current debates within the party on the acceptability of recruiting children from a religious point of view, but no consensus has yet been reached.³⁴³

Syrian children verified the involvement of children in armed conflicts due to the war as well as an “unavailability of education which forces them to carry guns.” Palestinian children expressed a sense of insecurity in the camps due to the proliferation of arms which they described as “the arms mess.” Lebanese children did not particularly discuss this issue.³⁴⁴

The Permanent Peace Movement (PPM) launched a national campaign in 2007 calling for the ratification of the OP to the UNCRC on the involvement of children in armed conflict. In addition, PPM produced a legal study on the obligations entailed in the protocol and a documentary portraying the military training of children.³⁴⁵

A project implemented by PPM between 2013 and 2015 in partnership with IDEA NGO and funded by UNDEF, “Democratic and Empowerment Processes for Youth,” led to the establishment of a Youth Council which identified the issue of child involvement in armed conflict as a priority and devised an advocacy action plan to be implemented by youth themselves on the ratification of the Optional Protocol.

340 Accessed Online at: <http://www.al-monitor.com/pulse/culture/2012/06/child-soldiers-in-lebanon-in-the.html#ixzz3ksU9OyKX>

341 Accessed Online at: <http://www.vice.com/read/lebanons-sunni-child-soldiers>

342 Accessed Online at: <http://www.al-monitor.com/pulse/culture/2012/06/child-soldiers-in-lebanon-in-the.html#ixzz3ksToq55B>

343 www.almodon.com. “Recruitment of minors as soldiers, a current debate amidst Hezbollah”

344 Save the Children International, Children Validation Workshops, CRSA, 2015

345 Permanent Peace Movement, Campaigns - Child Soldiers, official website at <http://www.ppm-lebanon.org/campaigns.html>

Mine Action

Lebanon is party to the Convention on Cluster Munitions (CCM), and has made adherence to the Convention a priority. Lebanon signed three protocols annexed to the “Convention on Certain Conventional Weapons (CCW)” but has yet to ratify them. The Lebanon Mine Action Centre (LMAC), chaired by the Minister of Defence and led by the Lebanese Armed Forces, is the main government stakeholder responsible for implementing the Lebanese National Mine Action Programme (LMAP) and for coordinating all related initiatives.³⁴⁶ LMAC operates in cooperation with other governmental bodies, particularly the MOPH, MEHE, and MOSA as well as UN agencies, especially UNDP and UNICEF, and a few local and international NGOs. Lebanon elaborated a 2011 to 2020 Mine Action Strategy including five objectives: enable affected communities to better manage risks posed by mines/explosive remnants of war (ERW), guarantee the rights of victims of mines, contribute to socio-economic development by clearing and releasing land for use, adherence to and promotion of the universalisation of the CCM and other relevant international instruments, and establish a sustainable capacity to manage residual risk.³⁴⁷

Lebanon remains committed to continually improving the overall productivity of its programme. The LMAP has made progress in demining work but the remaining 2,248 tasks (cluster munitions and minefields) are significant and continue to directly impact over 419 Lebanese villages covering more than 62 square kilometres. Indirectly, of course, the entire country is impacted as these hazards block access to arable land in many cases and also impede the delivery of key development initiatives. The combined efforts of the UNDP, international donors, and local stakeholders have enabled impressive results in a variety of fields. Nevertheless, funding limitations are impacting the future of demining efforts in the country and are impacting the country’s ability to achieve the obligations laid down by the international treaties it has signed.³⁴⁸

The number of casualties from mines in 2014 decreased, marking a positive achievement. In 2013, the number of casualties was 23 and in 2014 it fell to 16. The age group most affected by the danger of mines was 19 year olds.³⁴⁹

According to the third State Report to the Committee on the Rights of the Child, the South of Lebanon and territories previously occupied by Israel currently suffer from the “presence of an unlimited number of minefields with unknown places to date, a large number of disseminated cluster bombs and unexploded missiles within inhabited areas, where about 46 percent of the injuries occurred as result of bomb explosions.” The report also adds that these mines and missiles are particularly attractive to children because of their shapes.³⁵⁰

Children are especially vulnerable to the dangers of ERW. Naturally curious, children are most likely to pick up strange or shiny objects thinking they are toys or to try to salvage them. Even if they survive, a child injured by a mine or an ERW will face months of painful recovery and struggle to afford replacing prosthetic limbs as they grow. Many injured children never return to school and face discrimination and social exclusion for life. Mine-Risk Education (MRE) is a fundamental component of mine action planning and implementation. The LMAC supervised several activities funded by UNICEF in order to ensure better protection of children and families from the dangers of explosives.

MRE sessions were delivered at schools, communities, and NGOs, targeting a number of beneficiaries totaling 14,434 individuals. Training packages, activity books for children, and posters were published totaling 52,500 individual copies. During 2014, children were the main target group and schools were the main beneficiaries of MRE sessions. MRE sessions reach 29,729 children in schools, representing 63.46 percent of the MRE beneficiaries in 2014. Notably, the Mine Advisory Group (MAG) implemented several projects targeting children using MRE, and LMAC launched in 2014 a relevant three-year action plan supported by the EU.³⁵¹

346 Accessed Online at: http://www.lebmac.org/files/publications/Mine_Action_in_the_Republic_of_Lebanon.pdf

347 Lebanon Mine Action Centre, Lebanon Mine Action Strategy 2011-2020, 2011

348 Lebanon Mine Action Centre (LMAC), Annual Report 2014

349 Ibid

350 Committee on the Rights of the Child, Consideration of Reports Submitted By States Parties under Article 44 of the Convention. Third Periodic Reports of States Parties Due In 2003: Lebanon, CRC/C/129/Add.7, 25/10/2005

351 Lebanon Mine Action Centre (LMAC), Annual Report 2014

7.8.1 Analysis

There are many factors that are contributing to the recruitment of children in armed conflicts, including ongoing political, economic, and social tensions in Lebanon. Armed conflicts, poverty, lack of educational opportunities, and dropping out of school are direct factors causing this issue. Political parties target children because they are vulnerable and easy to influence. Male children are generally attracted to carrying weapons and assuming combat roles. This activity gives them a sense of independency and manhood. Families accept the recruitment of their children with an eye to the additional income that would be generated. In addition, there are structural causes that are exacerbating the problem including non-compliance with ratified conventions like ILO Convention No. 182, and weak enforcement of existing relevant laws. This could be attributed to the prevalent stance of the government which remains in denial of the problem, especially since the organisations that engage in child recruitment are represented in the government and parliament. This has led to the continued weakening of protective measures for children. Consequently, there are no demobilisation, disarmament and reintegration (DDR) programmes for children. The current deteriorating economic situation in Lebanon, including the high number of refugee children that are out of school, place even more children at risk of recruitment by militant groups.

The subject of children in armed conflicts is a priority issue that has been essentially ignored by duty bearers. The legal protective framework is not enforced and relevant protection programmes are almost nonexistent.

7.9 Child Protection in Emergencies

In the absence of a general emergency preparedness plan and, particularly, a specialised child-related plan which is capable of addressing the overwhelming influx of refugees, an ad hoc working group was created in parallel with other thematic working groups. The CPIEWG is co-led by MOSA, UNICEF, and UNHCR. It brings together relevant actors under one platform to coordinate child protection activities and to represent the best interests of children. As of July 2013, the CPIEWG consists of five UN organisations, 17 INGOs, and nine national NGOs, who all aim to prevent and respond to abuse, neglect, exploitation and violence against children affected by emergencies. Activities of members are focused on the provision of psycho-social support to all child populations affected by the Syrian Crisis including Palestinian refugees from Syria, Lebanese returnees, and the most vulnerable children amongst the affected host communities.

7.10 Analysis of the Child Protection System

Notwithstanding the progress achieved on many levels relating to child protection, there is still a weak enabling environment that prevents the full realisation of protection rights for children. Among the basic causes behind child protection issues is the non-enforcement of free and compulsory education until the age of 15. To date, there is no national child protection policy and no solid child protection legal framework. In parallel, laws are not harmonised with the UNCRC and do not guarantee child protection. There are multiple laws that apply to children and which can be in conflict, for instance the personal status laws, Law No. 422, and the penal code. As indicated previously, personal status laws can contribute to discrimination against different groups of children in need of protection due to their religion and sect, and at times can contradict the best interest of the child.

Furthermore, Law No. 422 was conceived as a law for children in conflict with the law or at risk of becoming in conflict with the law. It is not a child protection code as such. This is reflected by the small percentage of protection processed by the courts over the years. In fact, many provisions within Law No. 422 criminalise the victims like in the case of begging, vagabondage, sexual exploitation, and even suicide. This is also valid for the penal code. Law No. 422 is undergoing reform, but it will require extensive amending to render it a child protection law. It would be more effective to elaborate a child protection code that would encompass all protection matters.

In spite of the legal shortfalls of Law No. 422, it could have provided additional protective measures if it was coupled with implementation decrees to facilitate its implementation. Judges are constantly faced with the absence of a coherent structure to issue adequate sentences, whether it be regarding protection, and custodial or non-custodial sentencing. The same applies to Law No. 293 on the Protection of Women and Family Members from Domestic Violence, which was endorsed in 2014 but without implementation decrees.

The main structural barrier to child protection is the absence of a national child protection system which can ensure a networked system of interventions in an integrated and coordinated manner. Currently, there are vertical interventions implemented by ministries that can themselves be uncoordinated despite being at the same level at the same ministry. There is also the additional factor of civil society localised work.

The NAP for the prevention and protection of children from all forms of violence represents a step forward if the identified bottlenecks and obstacles can be overcome. A substantial gap persists between things that the government endorses and things that receive government-allocated resources. For the NAP to be effective, it should be implemented comprehensively through all concerned ministries and other duty bearers. To date, only MOSA has managed to secure funding for its action plan in partnership with UNICEF. As such, the challenge to adopt a child-rights based approach incorporating the principle of the interdependency of rights remains. It is not clear how MEHE, MOPH, MOJ, and MOL would be involved.

A substantial barrier to child protection stems from prevailing social norms, which manifest themselves as social tolerance of violence and child abuse as well as stigmatisation of victims. The latter substantially affects the ability and willingness of those who need help to actually seek it out through formal or informal channels.

In the event that those social norms are overcome, there remain various challenges that undermine child protection on the supply side. These include access to adequately staffed services, facilities, and information. Child protection specialised services are restricted in number and are not equitably distributed across Lebanon, and the quality of their services are not guaranteed. Moreover, they do not cover all children without discrimination, irrespective of their nationality.

As indicated above, judges face difficulty when issuing their sentences with respect to referrals to protection facilities, and the same is true for the police. Poor distribution of information about existing facilities and referral systems and low awareness levels significantly contribute to this problem. The development of SOPs might address this problem, should they be enacted. Moreover, relevant information is not adequately shared with families and children to facilitate access to services. The quality of protection services remains a serious issue due to limited compliance with international standards and weak monitoring from relevant authorities. Technical capacity represents a challenge, as well as securing qualified human resources and mitigating the turnover rates of trained personnel.





8

ANALYSIS OF CROSS-CUTTING FACTORS AND ACTORS

8.1 Key Factors Important to the Realisation of Rights

8.1.1 Structures

The UNCRC was ratified by Lebanon as a result of efforts by the Parliamentary Committee on Women and Children, as well as networks of NGOs operating in Lebanon. The aforementioned parliamentary committee is mandated, along with 15 other committees, to study project laws as well as the ratification of conventions that are presented to the parliament for endorsement. Today, the HCC is a crucial player on the legislative and policy planning level. The HCC is organisationally part of the MOSA (another key stakeholder on children's rights), primarily through its Department for Alternative Care Institutions and the juveniles department. The MEHE, the MOPH, the MOSA, the MOJ (the Juvenile Justice Department), Ministry of Labour (the Unit for Combatting Child Labour), and the Ministry of Interior and Municipalities are the main authorities responsible for the provision of policy and services targeted at children.

Although the Lebanese state holds the primary responsibility to protect and promote the rights of all children on Lebanese territory, it often redirects this responsibility with regard to refugee and asylum-seeking children, mainly to the UNHCR and UNRWA. For Palestinian children, no single entity has fully accepted the role of primary duty bearer, leaving gaps in the realisation of children's rights.

However, in actuality the duty-bearers are comprised of the Lebanese government, UNRWA, the international community, the Palestinian Authority, and Lebanese and Palestinian civil society organisations. The result, exacerbated by internal conflicts in the camps and competition for donor funding, is that a unified approach to the protection of refugee children's rights in the camps and gatherings has not been established to date.

The primary duty bearer for non-Palestinian refugee children in Lebanon should be the Lebanese government. However, the Lebanese state has not officially accepted that responsibility (notably it has not signed the 1951 refugee convention). Though this does not affect its legal obligation to protect all children within Lebanon's borders, practically all of the responsibility currently rests on UNHCR and NGO service providers. It should be noted that though the Lebanese state has not officially taken steps to ensure the protection of Palestinian refugee children's rights, they appear to be cooperating with UNHCR and other organisations to these ends. The UNHCR, however, only accepts responsibility for persons whom they have officially recognised as asylum seekers or refugees.³⁵²

The Syrian Crisis has compelled the Lebanese government to take action pertaining to Syrian refugees in collaboration with UNHCR and other UN agencies, as well as a wide array of local and international partners. Relevant ministries were mobilised to address the situation, with MOSA assuming the leading role.

8.1.2 Decentralisation

Municipalities

The objective of the Taif Reconciliation Accord signed in 1989 was to create a strong state that could impose peace and stability across the country and also allow for decentralised development planning at the municipal level. This framework broadly allowed for the de-concentration of state power to eight governorates and 25 districts, and allowed for the country's 985 municipalities to administer their own development plans. These provisions have yet to be implemented, nearly 26 years later. With frequent outbursts of violence, political assassinations, rapid turnover of governments, and continued sectarian tensions, the country has been too politically unstable to truly devolve any central state power. Lebanese law, on paper, provides for administrative decentralisation at the municipal level. However, on the practical level various hindrances prevent decentralised governance, including competition for authority, financial gridlock, the unavailability of human resources, and weak capacity.

There is much discussion around decentralisation throughout the Lebanese political scene. This discourse was recently triggered in 2014 by a draft bill on decentralisation that was endorsed by the last President, aiming at transparency and participation. The draft bill calls for the creation of a popularly elected council for each of the country's 25 districts to handle budgeting and development planning. The bill was not passed and it is not clear when it could pass through the parliament.

Consequently, governance is not decentralised to municipalities. Various donors are working with municipalities to effectuate administrative reforms and build their capacities. However, most interventions are not national. While decentralisation remains unfulfilled, it potentially offers a more flexible and responsive governance structure closer to the people. The strengthening of the role of the Unions of Municipalities corresponds to decentralisation's focus on empowering local government. While improving the capacity of Unions is vital, so is strengthening the relationships among municipalities, and between municipalities and the Unions.

The Municipal Law was issued through the Legislative Decree No 118 dated June 1977. Article 1 stated that the municipality is a local government, it enjoys financial autonomy and self-management authority. The existing law encompasses various articles pertaining to children's rights including those with respect to education, health, child protection, and the environment. The HCC is attempting to include further articles on children's rights to the intended amended project law. The existing mandate of municipalities with respect to children was not fully implemented and is restricted to specific funded projects.

The Syrian Crisis imposed certain roles on municipalities, but those addressing refugees' needs, including those of children, have yet to be assessed for their effectiveness. Although the central government issued a decision mandating that municipalities to take actions to respond to the Syrian refugee crisis, little support or guidance has been provided to municipalities to help them cope with the attendant issues.

³⁵² Save the Children Sweden, MANARA Network, Country Profile of Lebanon, A Review of the Implementation of the UN Convention on the Rights of the Child, 2011

A study conducted by United Cities and Local Governments reported that officials stated that “more than 1 million Syrians who fled to Lebanon are spread in 980 localities. Officials from municipalities are seeking help for technical, material and financial support. Technical support includes management of basics services and partnerships for a better collaboration with NGOs and UN agencies. Material support includes ambulances, garbage collection trucks, garbage containers, water pumps and materiel for electricity production. Concerning the financial support, officials from the central government emphasised the fact that promises of grants have not been completed yet (only 32 percent of the \$1.6 billion). At the local level, municipalities face problems in managing their daily administration since the government has not transferred their fiscal revenues for three years. The refugee population has doubled the size of the community and the impact has been felt on all basic services in particular water, sanitation, waste disposal, healthcare, and education. However important, the work of the UN and NGOs cannot and should not replace local governmental responsibilities. Specific and targeted support to local governments is critical if social stability is to be maintained. Some of this support can best be offered by partners from the world of local government.”³⁵³

According to a study undertaken by Mercy Corps, municipalities represent the frontline response to refugee and host community needs. Mayors, vice-mayors, and municipal staff are challenged daily to meet the increasing requests of their constituents with scarce resources, while simultaneously remedying the effects of the Syrian refugee crisis. Faced with issues such as job competition, rising food and fuel prices, higher housing costs, and strained municipal systems with limited capacity, municipalities are trying their best to meet the growing challenges. Tasked with registering new arrivals, maintaining security, ensuring adequate water and sanitation services, providing shelter, as well as mediating community tensions, municipalities are struggling to cope with the increasing pressure on their communities and resources.³⁵⁴ The same study indicated that 64 percent of surveyed municipalities had received help from local and international organisations to respond to the Syrian refugee crisis. Municipalities cited the improvement of municipal-level responses as their greatest need, and with 79 percent requiring additional resources and funding, 71 percent noting service delivery (water, sanitation, electricity, education, health care), and 43 percent mentioning greater collaboration and involvement of the central government.³⁵⁵

Another study conducted by Mercy Corps which surveyed 12 municipalities across Lebanon showed that “while municipalities lack key resources, they are proactive and working to address community-level needs. Out of the 12 surveyed municipalities, 100 percent are registering refugees and providing housing assistance and providing facilitated access to health care, while 89 percent are facilitating assistance provision (food and non-food items), 78 percent have increased their security presence with more staff in their communities, and 78 percent are providing dispute resolution facilities between refugees and host communities. Since municipalities are on the frontline of the crisis, they are aware of community needs, as well as how to best manoeuvre project implementation in such a delicate environment.”³⁵⁶

MOSA-Social Development Centres (SDC)

SDCs have been a universal feature of local-level service delivery in Lebanon since the late 1960s. There are approximately 280 SDCs in the country, including both primary and secondary centres. The secondary centres tend to be located in more rural areas and may be satellites of the primary centres. These centres constitute the most important local-level executive arm of MOSA. As part of the Ministry’s policy of decentralisation, each SDC is supposed to target a specific locale and reach between 30,000 and 40,000 inhabitants. The SDC mandate includes the development of local action plans and resource allocation, field assessments, oversight of projects taking place in their geographical area, as well as coordination with public and private bodies. While the central office oversees the major programmes, the SDCs have relative autonomy to decide their own activities. In 2010, MOSA highlighted reform and strengthening of the SDCs as a strategic priority, given their importance as a provider of basic social services at the local level. Together with the MOPH and the Ministry of Interior and Municipalities, MOSA signed a joint Memorandum of Understanding in 2010 to improve coordination in the delivery of health care services at the local level. MOSA envisions that SDCs will have a stronger role in the identification, selection, and monitoring of community social development projects.³⁵⁷

³⁵³ United Cities and Local Governments, *Municipalities on the Frontline, The Effects of the Syrian Crisis on Local Governments in Bordering Countries (Turkey, Jordan, Lebanon), Mission Report and Recommendations*, 2013

³⁵⁴ Mercy Corps, *Successful Municipal Strategies to Cope with the Syrian Crisis*, 2014

³⁵⁵ Ibid

³⁵⁶ Mercy Corps, *Policy Brief-Engaging Municipalities in the response to the Syrian Crisis in Lebanon*, 2014

³⁵⁷ USJ, MOSA, HCC, UNICEF, *Strengthening the Child Protection Systems in Lebanon - Challenges and Opportunities*, 2012

SDCs were assigned a pivotal role in the implementation of the MOSA child protection action plan as well the LCRP.

Throughout the past years SDCs became optimal partners in the context of the UN programme of cooperation, as well as for local and international implementation of donor funded projects given their geographical distribution in all Lebanese regions.

Ministries’ Regional Departments

The organisational structures of the three ministries MOSA, MEHE and MOPH include regional departments and sections mandated to work on a de-centralised level. However, decision making is centralised at the level of the line ministries. MOSA includes a sub-department in each governorate and a section in each district. The MEHE organisation includes a sub-department per governorate, and the MOPH has a department per governorate excluding Beirut. These decentralised structures report directly to the director general.

8.1.3 Disaster Risk Management

In 2005, the global endorsement and adoption of the Hyogo Framework for Action (HFA) offered Lebanon, for the first time, a blueprint to systematically plan, implement and coordinate a Disaster Risk Reduction (DRR) approach that includes disaster prevention, mitigation, response, and recovery actions.

According to the United Nations Office for Disaster Risk Reduction (UNISDR), “Even in its early stages of DRR implementation, Lebanon is unique in implementing a highly collaborative DRR agenda. However, a range of political, economic and administrative challenges, particularly the onset of the 2006 War, made it difficult to adopt DRR priorities and all related institutional reforms were stalled. Meanwhile, various domestic and international disasters in 2008, 2009 and 2010 served as a reminder of the urgent need to develop capacities and dedicate resources for effective disaster planning, response and coordination.”³⁵⁸

Taking guidance from the HFA’s five Priorities for Action, Lebanon’s DRR agenda is positioned to be comprehensive. It emphasises a vertical integration of DRR from the highest political levels down to the decentralised level. It emphasises a horizontal integration of DRR across relevant sectors including health, education, media, and private sector engagements. Through the implementation of a “Training Strategy,” it is focused on developing sustainable institutional and local capacities for DRR, and is working to ensure that gender considerations are integrated across all DRR actions.

In 2011, an inclusive Communications Strategy for DRR was developed by the Project Management Office (PMO) and UNDP. It underscores the importance of popularising DRR by designating it essentially as a “people-based approach.” The Communications Strategy is engaging key stakeholders – DRR decision-makers (national and local authorities), the media, and the general public and educational institutions. Its vision is to engender a behavioural change towards DRR, wherein the country sees a perception shift from engaging in a culture of disaster response management to embracing a culture of disaster prevention and preparedness.

The National Committee for DRR serves as a good example of national and multi-sectoral coordination. The Committee is convened by the PMO, under the auspices of the Prime Minister and as a proxy function of the National Platform for Disaster Risk Reduction. The National Committee has been formed to enable horizontal, multi-sectoral, and vertical coordination between ministries, agencies, national societies, NGOs and UN agencies working on DRR-related activities. It facilitates regular interactions between the members and enables them to work together in support of institutional DRR mandates and goals. One of the primary outputs of this group has been the development of biennial National HFA Progress Reports. The latest progress report, 2013 to 2015, showed the following progress on the five core priority areas.³⁵⁹

³⁵⁸ UNISDR, *Making Lebanon Resilient, Achieving Disaster Risk Reduction in the Arab States, Good Practice Country Brief*, 2012

³⁵⁹ Lebanese Republic, *National Progress Report on the Implementation of the Hyogo Framework for Action 2013-2015*, 2015

Table 8.1 Progress on the Five Core Priority Areas- Hyogo Framework for Action

Priority for Action	Progress
Ensure that disaster risk reduction is a national and a local priority with a strong institutional basis for implementation.	Institutional commitment attained, but achievements are neither comprehensive nor substantial.
Identify, assess and monitor disaster risks and enhance early warning.	Substantial achievement attained but with recognised limitations in key aspects, such as financial resources and/or operational capacities
Use knowledge, innovation and education to build a culture of safety and resilience at all levels.	Institutional commitment attained, but achievements are neither comprehensive nor substantial.
Reduce the underlying risk factors.	Substantial achievement attained but with recognised limitations in key aspects, such as financial resources and/or operational capacities.
Strengthen disaster preparedness for effective response at all levels.	Substantial achievement attained but with recognised limitations in key aspects, such as financial resources and/or operational capacities

Source: Lebanese Republic, National Progress Report on the Implementation of the Hyogo Framework for Action 2013-2015, 2015.

The UNISDR-UNDP partnership in the Lebanese context has given political visibility to DRR and supported coordination of the DRR agenda at the highest institutional levels. UNISDR facilitated three visits by the UN Secretary-General's Special Representative for Disaster Risk Reduction (SRSG) in 2010, 2011 and 2012. The SRSG's visits emphasised the importance of global policy agendas and regional instruments in shaping Lebanon's national DRR agenda (including the Hyogo Framework for Action 2015, recommendations of the Global Platforms for DRR, and the Arab Strategy for DRR 2020).

Furthermore, UN-Habitat, UNICEF and WHO have been working with their respective national counterparts on integration of DRR measures across the various sectors. The specialised UN agencies support has facilitated technical guidance and targeted initiatives on risk assessment related to informal settlements, schools, and hospitals.

At the local level, collaboration within and among municipalities is one of the hallmarks of Lebanon's DRR momentum. According to UNISDR, "the municipality is the only level of decentralised governance that is helping to realise visible DRR results in the absence of a strong national institutional coordinating agency or mechanism. Collaboration between international-regional-national and local levels is well demonstrated by municipal participation in the UNISDR Global Campaign on Making Cities Resilient. The campaign has raised awareness, mobilised action and garnered the commitment of local authorities and service providers in Lebanon."³⁶⁰

There is also important work being done by NGOs, scientific research organisations and most recently, the private sector. Namely, the Lebanese Red Cross works effectively to support local administrations, civil society groups, and communities to prepare for and respond to disasters in a timely manner.

The Association for Forests, Development and Conservation (AFDC) has made important contributions to working at the grassroots to collect data and conduct research and analysis on forest fires over the past decades.

With respect to its work on seismic risks, the Centre for Science and National Research (CNRS) has developed research partnerships with a number of countries in the Mediterranean region and currently has a seismic monitoring system. Most recently, private sector involvement is picking up. For instance, as part of the 'Get Airports Ready for Disasters' initiative, DHL, Civil Defence, the Army and UNDP are conducting drills for the readiness of the capital's international airport.

³⁶⁰ UNISDR, Making Lebanon Resilient, Achieving Disaster Risk Reduction in the Arab States, Good Practice Country Brief, 2012

Lebanon has made remarkable progress in adopting a comprehensive, popular, and collaborative DRR agenda in a relatively short period of time. However, it is evident that the country has a long way to go in achieving resilience, and is mindful of its many challenges ahead.

At the national and political level, one of the greatest challenges that Lebanon continues to face is one of political instability and economic uncertainty. In view of this reality, it will be important to underline Lebanon's commitment to providing continuity in risk governance. That is, irrespective of political changes, risk governance should remain a priority down to the decentralised levels. Beyond the likelihood of continued political challenges, Lebanon will possibly face its greatest hurdle in the enforcement of laws and decrees, implementation of plans and strategies, and mobilisation and allocation of resources, if DRR know-how and institutional capacities are not developed on a priority basis.

The issue of raising DRR awareness and developing capacities is fundamental to implementing DRR measures across sustainable development initiatives. Lebanon's focus on the education sector and the health sector will also soon have to include public infrastructure, real estate development, and building construction.

General lack of progress at the local level has been attributed to delays in clarifying national institutional mandates, coordination structures, and resource allocation. Local challenges emanate from a lack of awareness, technical know-how, and capacities to implement DRR measures. Implementation capacities are weak in the public sector, making the enforcement of building codes and standards difficult to implement.

Additionally, public memory and consciousness around certain kinds of disasters is not fresh, so it is difficult to sensitise people to risk. For instance, the last major earthquake was more than 60 years ago, so many do not take possible future risk seriously. As a priority, Lebanon needs a greater awareness of risks, impacts, and prevention and mitigation strategies.

Lebanon's challenge will be to maintain the national political momentum, spirit of local collaboration, and resourcefulness of international partnerships while finding other relevant entry points that could contribute to making its DRR agenda sustainable.

There is a clear recognition by the GoL and the UN system partners as well as bilateral donors for the need to ensure a long-term commitment to DRR within a sustainable development context.³⁶¹

The main challenge in integrating disaster risk consideration remains in the low level of awareness and capacities on the process and methods of integrating disaster risk reduction measures into projects, plans, and strategies and on highlighting how this will have a positive impact on development goals.

Another challenge remains increasing investment in prevention and mitigation measures, as focus remains on relief and response. This is mainly due to the lack of funds available for DRR within concerned agencies.

Moreover, the national disaster strategy which provides a holistic approach and integrates DRR still needs to be formulated and implemented, including action plans with cross-cutting issues. Awareness in communities needs to be raised so that they too can participate and advocate for the integration of DRR considerations starting from the local level.

Moreover, the Syrian Crisis has hampered many of the development goals as a result of the pressure it has placed on the country at large. As such, more funds to DRR should be allocated, especially since Lebanon is susceptible to both natural and man-made disasters and where the pressure on inadequate infrastructure has been heavily increased due to the increasing Syrian refugee population, which is the highest in the region (if not in the world, accounting for about a third of the population).³⁶²

³⁶¹ UNISDR, Making Lebanon Resilient, Achieving Disaster Risk Reduction in the Arab States, Good Practice Country Brief, 2012

³⁶² Republic of Lebanon, National Progress Report on the implementation of the Hyogo Framework of Action (2013-2015), 2015

It is worth mentioning that the existing DRR agenda does not include a specific component for children. The Syrian crisis highlighted the lack of a national DRR plan targeted at children as well as the absence of such plans by international organisations. The same applies to the SCI country office in Lebanon.

In Lebanon, the Council of Ministers has assigned the leading role for emergency coordination to MOSA. An existing community-based network of 222 SDCs affiliated with MOSA was mandated as the central point for provision of social and economic development services. In line with protection sector plans under the LCRP, SDCs have been identified as the primary entry points to build resilience within communities in order to mitigate the impact of the crisis on vulnerable groups, including children and women – vis-a-vis immediate response, early recovery and longer term development. This will require significant cooperation between multiple agencies to invest strategically in SDC sub-national structures — in alignment with the strengthening of national institutions — and local actors, as a more cost-efficient approach that will advance coping, recovering, and transforming resilience-based strategies. To date, both UNICEF and UNHCR have provided support to MOSA to ensure a harmonised approach.

Ad-hoc thematic working groups were formed, addressing various issues including education, child protection, hunger, and livelihoods. Notably, the working groups are led by MOSA, they are co-led by other ministries as relevant and include UN agencies, especially UNDP, UNHCR and UNICEF as well as INGO memberships. In January 2015, MEHE decided to replace the education working group and replace it with the RACE project management unit (PMU). Other members decided to maintain a core group on education including UN agencies and NGOs having non-UN funding, which focuses on coordination and feedback from the RACE strategy.

8.1.4 The Syrian Crisis and Lebanon Crisis Response Plan (2015-2016)

The Syrian crisis created a multi-dimensional shock to Lebanon. First and foremost, the demographic and social shock resulting from a massive influx of refugees created a strain on geographic space and access to resources. It also affected the economic sphere, both reducing Lebanon's ability to export and import through Syrian markets, which contributed to economic decline. There was also a political shock due to the further polarisation of Lebanese politics in response to the crisis. More recently, security shocks have been felt due to the increasing spillover of the conflict into Lebanon and the infiltration of various militant groups. Finally, there is the increasing risk of conflict between the displaced Syrian and Lebanese communities as a result of the demographic, economic, social service, natural resource, and security pressures arising from the continuing growth of the refugee population.

The LCRP describes how the GoL and its partners will work together to reinforce stability through this crisis while also protecting Lebanon's most vulnerable inhabitants, including de facto refugees. The Lebanon chapter of the Regional Refugee and Resilience Plan 2015-16 (3RP) represents both the international and Lebanese government's commitment to expedite strategies and funding to mitigate the impact of the crisis on Lebanon's stability. Stabilisation, in the context of the LCRP, means strengthening national capacities to address long-term poverty and social tensions while also meeting humanitarian needs.

The LCRP is designed to:

1. Ensure humanitarian assistance and protection for the most vulnerable among the displaced from Syria and poorest Lebanese,
2. Strengthen the capacity of national and local service delivery systems to expand access to and quality of basic public services, and
3. Reinforce Lebanon's economic, social, environmental, and institutional stability – emphasising opportunities for vulnerable youth to counter the risk of radicalisation.

The LCRP promotes stabilisation priorities articulated by the GoL and emphasises the role of the government in leading the response through the MOSA and with oversight by the Crisis Cell. It also seeks to complement and build on other international investments to reinforce Lebanon's systems and communities. Programmes in the LCRP reflect and include key national strategies such as the RACE strategy and the National Plan to Safeguard Children and Women in Lebanon. This is in addition to global initiatives led by government, including the No Lost Generation strategy.

The LCRP (2015-2016) proposes a \$2.14 billion plan to 1) provide direct humanitarian assistance to 2.2 million highly-vulnerable individuals with acute needs, primarily de facto refugees from Syria and 2) invest in services, economies, and institutions reaching up to 2.9 million people in the poorest locations.³⁶³

There is a range of sub-national systems that are critically strained as a result of the Syria refugee crisis. These sub-national systems are key centre points in the LCRP as mechanisms for community engagement. Under Strategic Objective 2, local institutions like health clinics, schools, and SDCs are platforms for resilience programming because they provide key services to vulnerable localities. They also represent key social networks and relationships that can be strengthened for future shocks and stresses, and ultimately could be transformed to offer more equitable social welfare.

Ensuring that SDCs are not consumed with capacity development will necessitate a gradual approach. This would be a measured step forward to position SDCs as centre points for greater social welfare to both Syrians and Lebanese, to be provided with additional training and support on child protection, health care, and information dissemination as a multi-year effort to expand SDC capacity.³⁶⁴

The main partners involved in the implementation of the LCRP are: the GoL, ABAAD, Agency for Technical Cooperation and Development (ACTED), Action Contre la Faim (ACF), ActionAid, Adventist Development and Relief Agency (ADRA), AMEL Lebanon, ANERA, ARMADILLA, AVSI, British Council, Cooperative for Assistance and Relief Everywhere (CARE), Canadian Centre for Policy Alternatives (CCPA), Comitato Internazionale per lo Sviluppo dei Popoli (CISP) - Lebanon, Caritas Lebanon Migrant Center (CLMC), CONCERN, Cooperazione Internazionale (COOPI), Digital Opportunity Trust, Development and Cooperation Association (DCA), DRC, FAO, Fundacion Promocion Social de la Cultura (FPSC), Gruppo di Volontariato (GVC) Lebanon, Handicap International, Humedica, Hilfswerk Austria International (HWA), ILO, IMC Lebanon, International Alert, Intersos, International Orthodox Christian Charities (IOCC), International Organisation for Migration (IOM), International Relief Lebanon, IRC, Leb Relief, Mines Advisory Group (MAG), Makassed, Makhzoumi, MAP, Medair Lebanon, Mercy Corps, Mercy USA, NRC, OXFAM, Polish Center for International Aid (PCPM), Premiere Urgence-Aide Medicale Internationale, RET (Protecting through Education Lebanon), Relief International, Safadi Foundation, Save the Children, Search for Common Ground (SFCG), Solidarite Internationale, Secours Islamique France (SIF) Protecting through Education Lebanon, Solidar Suisse, SOS Village, TdH (Terre Des Hommes) - It, TdH - L, Toastmasters International, UNDP, UNESCO, UNFPA, UNHABITAT, UNHCR, UNICEF, UNIDO, UNOCHA, URDA, WCH, WHO, WRF, WVI, UNRWA, Seraphim Global and WFP.

It is not clear how funding will be secured for the LCRP. All interviewed key informants in the context of the CRSA emphasised the decrease in funding that has occurred since the onset of the Syrian Crisis, particularly UNHCR which saw programmes downsized. If funding is not secured, children's rights will be gravely impacted. In fact, a scarcity of resources will lead to major child protection risks that will be difficult to contain by the government and other children's rights actors.

³⁶³ Lebanese Republic, Lebanon Crisis Response Plan, (2015-2016), 2015

³⁶⁴ Mercy Corps, UNDP, Stabilisation and Resilience in Protracted Politically Induced Emergencies, A Case Study Exploration of Lebanon, 2015

8.1.5 Political Stalemate, Legislation and Budgeting

It is imperative to shed light on contextual factors impeding the realisation of children's rights. Prior to the Syrian refugee crisis, and looking back at the period between 2005 and 2010, and the intertwined events that occurred within the Lebanese context, it becomes evident that Lebanon was suffering from its own chronic crises that are continuously reflected at institutional levels, and which consequently affect children's rights. In fact, political instability, security concerns, and economic deadlock consistently shift the focus away from prioritising children's rights. This situation is exacerbated by continuous governmental changes leading to a loss of positive history, achievements relating to children's rights, and the wasting of resources on redundant programmes. Political stalemate led to paralysis of the legislative authorities and processes, which resulted in the delaying of project laws. Similarly, the last national budget to be endorsed was in 2005. National debts and budget constraints represent major obstacles for the endorsement of childhood strategies and the allocation of required budgets for the enactment of action plans. It is not clear when this situation could change.

The Parliament is currently paralysed and inactive due to the severe political polarisation in the country, which has resulted in disagreement on priorities, and on whether to elect a new President of the Republic or hold parliamentary elections. Additionally, the Parliament has a tendency to extend its own term.

8.1.6 Corruption

Lebanon joined the United Nations Convention against Corruption (UNCAC) in 2009 and is a member of the Arab Anti-Corruption and Integrity Network (ACINET). An inter-ministerial anti-corruption committee was established by the prime minister and under his chairmanship a supporting technical committee chaired by the Minister of State for Administrative Reform was concurrently formed. Both committees were assigned a number of tasks that would enable Lebanon to implement the UNCAC, and activate participation in ACINET.

Lebanon has laws and regulations to combat corruption, but these laws are not always enforced. According to Lebanese law, it is a criminal act to give or accept a bribe. The penalty for accepting a bribe is imprisonment for up to three years, with hard labour in some cases, and a fine equal to at least three times the value of the bribe. Bribing a government official is also a criminal act. The Central Inspection Directorate is responsible for combating corruption in the public sector, while the public prosecutor is responsible for combating corruption in the private sector.³⁶⁵

In parallel, the Parliament and the Council of Ministers have continued to devote efforts for the modernisation of anti-corruption legislation, although there is agreement that such efforts are in need of additional support. Recent key achievements in this area include the referral of a draft bill on the right of access to information and the anti-corruption law in the public sector to the Parliament's General Assembly, the successful preparation of a draft bill on whistle blower protection, and a proposal by the Administration and Justice Parliamentary Committee amending the anti-illicit enrichment law. Discussions were initiated on the bill relating to the activation of regulatory authorities and on the activation of the judiciary. Meanwhile, the Council of Ministers referred a bill on public procurement to Parliament and is currently debating a bill on conflicts of interest. It is worth mentioning in this regard that the Lebanese Parliamentarians against Corruption, the National Network for the Right of Access to Information, UNDP, and the Westminster Foundation for Democracy have played pivotal roles in supporting these efforts.³⁶⁶

Corruption is widespread and permeates all levels of Lebanese society. Pervasive clientelism is at the core of the country's political system, making political corruption and nepotism Lebanon's most serious corruption challenge.³⁶⁷ With the recent discovery of hydrocarbon resources, there is a need for Lebanon to strengthen its anti-corruption safeguards in order to avoid the "resource curse."

There is rampant corruption throughout the public sector. In December 2014, Lebanon dropped nine places to 136th out of 175 in Transparency International's (TI) annual survey on perceptions of public sector corruption, placing it alongside the likes of Nigeria and Kyrgyzstan. According to TI's 2012 Corruption Perception Index, Lebanon ranked 128 out of 174 countries worldwide and 14 out of 21 MENA countries. Although this ranking represented an improvement of six spots in TI's worldwide ranking compared to 2011, Lebanon remained among the top 50 most corrupt countries in the world.³⁶⁸

Similarly, the World Bank's Worldwide Governance Indicators place Lebanon in the lowest quarter of the percentile ranks, with a score of 19.4, on a scale from 0 to 100, in terms of control of corruption. Lebanon's score declined significantly between 2005 (38.5) and 2006 (17.6), and has remained relatively stable. Similarly, Lebanon's score on rule of law plunged from 43.5 in 2005 to 32.1 in 2006, and has remained constant. Lebanon's rule of law score in 2011 was 30 on a scale from 0 to 100. Consistent with these findings, Lebanese citizens also perceive corruption as an increasing problem in the country, as reflected by TI's Global Corruption Barometer 2011: 82 percent of the surveyed individuals believe that corruption has increased in Lebanon in the past three years. They are also pessimistic about the ability of the government to fight corruption. In 2009, 71 percent of the surveyed citizens qualified the government's actions against corruption as inefficient or neither efficient nor inefficient and, in 2011, 68 percent did not trust the government as a credible actor in the fight against corruption. Similarly, according to the World Economic Forum's Global Competitiveness Report from 2012 to 2013, business executives perceive corruption as one of the most significant obstacles to doing business in Lebanon (11.7 percent of the respondents), just after insufficient infrastructure, burdensome bureaucracy, and government instability.³⁶⁹

Practical steps have also been undertaken to accompany legislative efforts to promote de facto adherence to anti-corruption principles, although such steps are generally still considered limited compared to the government's aspirations and citizens' expectation. Certain ministries, particularly those who are members of the inter-ministerial anti-corruption committee, have recently taken a number of steps in this regard. The Office of the Minister of State for Administrative Reform (OMSAR) launched a project in co-operation with the Ministry of Finance aimed at anti-corruption at the sectoral level, along with a large number of initiatives undertaken by the ministry in terms of modernising and developing the Lebanese administration. The media has also played a key role in highlighting potential corruption cases and has instigated judicial action in some cases. On the other hand, the role played by civil society organisations in this regard remains limited, with a few exceptions mainly focusing on supporting and advocating for legislation, or relating to broader efforts focusing on elections and municipal activities.³⁷⁰

TI noted that the country's "deeply entrenched nepotism networks" make civil society efforts against corruption very difficult, while anti-corruption legislation exists but is not properly enforced. The Lebanese Transparency Association blames political paralysis for preventing the passage of various legal reforms (including draft laws against illicit enrichment, access to information, and whistle blower protection) on which the organisation has been closely involved to combat corruption. The index measures the perception of corruption by public officials and politicians and focuses on corruption in the public sector, defined as an abuse of official power for private interests.³⁷¹

It is noteworthy that OMSAR launched in 2003 a "Youth Charter to Combat Corruption" in three languages targeting youth in the age group 14 to 24 supported by UNODC.³⁷² During the same year, OMSAR published various citizens' charters including public funds, public safety, health and education, and environment. All the charters are published on OMSAR's website but information is not available on how these charts were disseminated and used as anti-corruption tools.

365 Lebanon - Corruption <http://www.globalsecurity.org/military/world/lebanon/corruption.htm>

366 Republic of Lebanon, UNDP, Supporting the Implementation of the UN Convention Against Corruption in Lebanon, Workshop Agenda, Parliament, 2013

367 Bertelmanns Foundation. Lebanon country report, 2012. <http://www.btproject.de/fileadmin/Inhalte/reports/2012/pdf/BT1%202012%20Lebanon.pdf>

368 Lebanon - Corruption <http://www.globalsecurity.org/military/world/lebanon/corruption.htm>

369 U4 Anti-Corruption Resource Centre, Overview of Corruption and Anti-Corruption, 2012

370 Republic of Lebanon, UNDP, Supporting the Implementation of the UN Convention Against Corruption in Lebanon, Workshop Agenda, Parliament, 2013.

371 Lebanon - Corruption <http://www.globalsecurity.org/military/world/lebanon/corruption.htm>

372 OMSAR, UNODC, Youth Charter to Combat Corruption, 2003

8.2 Capacities and Interactions of Key Actors in Rights

The State

The state is ultimately the primary duty-bearer for the obligations it has subscribed to by ratifying the UNCRC and other human rights treaties. However, it did not succeed to adequately fulfill this role

Government Ministries and Related Governmental Bodies

There is a relationship between the state and civil society in relation to children's rights. There's the membership of civil society organisations in the HCC and its sub-committees, as well as other national committees pertaining to children's rights like child labour.

The latter has its own advantages with respect to the participation of civil society organisations in decision making. In addition, civil society is being sub-contracted by the state to provide services to children as was elaborated in the course of the CRSA. This relationship can be controversial on many levels, particularly if the government cannot exercise its strict monitoring role in a politicised context, which is mirrored in civil society.

The availability of resources governs the interaction between state and civil society. A key informant from the HCC indicated that since civil society is widely regarded as the preferred partner for international donors, a new dynamic has taken hold whereby the state actors would partner with civil society to implement planned programmes that otherwise have no governmental resources. In this way, civil society gains legitimacy and cache.

All interviewed key informants in the context of the CRSA expressed that capacity-building for all actors on the UNCRC is presently a priority. It was further emphasised that capacity-building on thematic issues is needed, especially where specialisation is called for (for example, child protection which involves many issues in which most have no prior experience).

The Parliamentary Committee on the Rights of Women and Children

As indicated in the course of the CRSA, the concerned parliamentary committee as well as other related committees have played a passive role, restricted to revision and commenting on proposed project laws and amendments. Notably, members in the committees do not necessarily possess relevant knowledge in these areas, because members are assigned to the committees regardless of their backgrounds. The committees, however, have the option to consult with line ministries and experts as necessary. The HCC and civil society organisations are frequently consulted whenever laws are revised.

Activity pursuant to the other functions of parliament that are critical for the promotion of good governance, namely oversight of children's rights issues, budgeting and allocation of resources, and representation (amplifying the voices of the rights-holders and including their concerns on the government agenda), is very limited.

Judiciary

As described in the country context, the prevalent political divisions have influenced the independence of the judiciary, and consequently they are not able to play a role that would ensure the accountability of governments and the ability of rights-holders to claim their rights. In Lebanon, there have been instances of judges being marginalised and excluded from the system due to the adoption of just rights claims in compliance with international conventions and treaties.

Legal mobilisation is undermined by the existing political and religious power structures. Trust in formal justice mechanisms is weak due to corruption, and legal information is not readily available to communities in a transparent manner.

Irrespective of the independence of the judiciary, judges need to be adequately trained to take on rights issues and encourage rights-based claims.

Citizens/Children

The citizens, including parents, are not able to fulfill their potential as key actors to support children achieving their rights. This can be attributed to the state not succeeding in playing its role as primary duty-bearer. Hence, citizens are constantly faced with a multiplicity of structural barriers that prevent equitable outcomes for children, and which they are not able to address by themselves. In the rights-based approach, right-holders need capacity and communication in order to be able to claim their rights. Both need reinforcement for such a process to take effect. Citizens need empowerment and organisation to play an active role for the sake of children. A blatant example is the issue of children in institutions, which is a consequence of infringements of various rights including the rights to education, parental care and protection. However, parents who are facing economic difficulties are left with this option.

Awareness of children's rights is weak and it is entrenching perceptions and attitudes that children are not rights-holders, further preventing citizens from supporting children. This is valid for children too. Notwithstanding the government's obligations to set in place structures and mechanisms and create an enabling environment that promotes the realisation of participation rights, children need capacity in order to play their role. Otherwise, their participation will remain superficial. Child-friendly governance requires children's active participation. This is not currently ensured.

Non-State Actors

Civil society

The role of civil society is critical in articulating people's concerns, promoting children's views, and monitoring the government and other actors.

According to Lebanese legislation, an association is defined by Article 1 of the 1909 Ottoman Law on Associations as "a group of several persons permanently unifying their knowledge or efforts for non-profit objectives." Traditionally, the country has enjoyed a vibrant civil society composed of multiple layers of action, priorities, and interests for public issues. According to the Lebanese Centre for Human Rights (Centre Libanais des Droits de l'Homme, Lebanese Center for Human Rights, CLDH), there are, "1.3 associations per 1,000 inhabitants in Lebanon compared to 0.2 in Jordan and Egypt, 2.4 in Morocco and 6 in Europe. No exhaustive list of associations exists in Lebanon today, but it is estimated that around 5,000–6,000 associations have registered since 1900. The number of associations that are still active and operating is not officially known. As a reference, Lebanon Support has 1,156 national associations, mostly working in the social sector, registered in its directory. Lebanon Support is an independent, non-governmental, non-religious, non-political, and non-profit making information and research centre, established in 2006. It aims at enhancing civil society capacity, efficiency and effectiveness through the creation of public spaces for reflection, collaboration and debate on and for civil society in Lebanon. Within this framework, Lebanon Support focuses on information and knowledge sharing and management, production, and delivery."³⁷³

In addition, "at least 3,360 operating associations were reached by the Council for Development and Reconstruction for its 2005 NGO survey. Both numbers exclude political parties and unions."³⁷⁴

A recent mapping report of civil society in Lebanon indicated that the latest data received from the official records of the Ministry of Interior and Municipalities shows the presence of 8,311 registered civil society organisations, in addition to a number of loosely organised groups.³⁷⁵ The mapping study highlighted that "the nature of civil society organisations, their functions, membership, scope of work, and overall influence over governance and policy making is highly limited. Access to and understanding of this information is a necessity for any actor wishing to promote and support civil society in Lebanon."³⁷⁶

373 Accessed Online at: <http://lebanon-support.org/pages/about-us>

374 Lebanese Center for Human Rights (CLDH). The state of the freedom of association in Lebanon – What prospects for the future?, 2010

375 Beyond Reform and Development, Transtec, EU, Mapping Civil Society in Lebanon, 2015

376 Ibid

Lebanese civil society is comprised of diverse associations including NGOs, ethnic, family, alumni and neighbourhood associations, clubs (sports, cultural, artistic, etc.), federations, Scout organisations, youth and student groups, local branches of foreign associations, scientific or research centres, religious organisations, political parties, chambers of commerce, trade unions, professional associations, and cooperatives.³⁷⁷

Civil society operates in a relatively flexible context, whereby their space is not bound by the state. In general, civil society is not monitored by the Ministry of Interior and Municipalities on the operational level.

NGOs have enjoyed a great extent of operational and financial freedom. NGOs registered at the Ministry of Interior and Municipalities did not have their finances monitored until 2010, when the Ministry of Finance imposed financial registration numbers and required tax declarations. Similarly, in 2014 the Central Bank of Lebanon imposed tight regulations on private banks wishing to open bank accounts for NGOs. This was related to money laundering concerns and lack of transparency.

The recent mapping report's main findings showed a spread in how civil society organisations (CSOs) efforts are focused: 28 percent on service provision, 37 percent on capacity building, and 46 percent on raising awareness. In addition, CSOs target a variety of beneficiaries, including 40 percent women, 39.5 percent youth, and 30 percent children.³⁷⁸

The principle networks working on children's rights are the three standing networks members in HCC, namely the Forum of NGOs on the Rights of the Child, The National Association for the Lebanese Child, and the Lebanese Union for Child Welfare. The HCC also includes the National Network for Social Service and the Women Council. Individual NGOs include the Hariri Foundation, the Lebanese Association for the Care of the Disabled and the Lebanese Red Cross. Recent members include the Lebanese Scouts Union and the Lebanese Union for Female Scouts and Guides. Apart from the HCC there is the Lebanese Inter-sectoral Board of Associations Network for the Prevention of Child Abuse and Neglect.

In Palestinian civil society, the main networks are the Co-ordination Forum of NGOs working among the Palestinian Community in Lebanon and the Palestinian Disability Forum. However, they also encompass a wide array of NGOs not necessarily working on children.

Information was not available on Syrian civil society active in Lebanon.

A comprehensive assessment of CSOs working on children's rights and childhood projects was not found. It would be difficult to categorise NGOs based on their bylaws which specify their respective mandates, due to the fact that they usually widen the scope of their interventions upon registration.

UNICEF reported in 2008 that CSOs play a critical role in service provision, filling in the gap in provision of education and health services: over 50 percent of education and over 90 percent of primary health care services are satisfied by private (non-governmental) institutions. CSOs are specialised in either service provision or advocacy or a combination of both.³⁷⁹ All contracted NGOs by MOSA provide direct services to children.

Given the multiplicity and diversity of NGOs working on children's issues and rights it is not possible to determine within the scope of the CRSA how well civil society is fulfilling its role as a key factor in children achieving their rights. That should be a determination made on a case by case basis. Furthermore, it would not be accurate to generalise how civil society regards its role in the larger society. Many NGOs lack yearly strategies, or a mission or vision

statement, and when they are elaborated they are not always feelings shared with all members and personnel of the NGO. The controversy around the rights-based versus the needs-based approach is still not resolved among NGOs, and a few are not aware of the child's rights-based approaches. The majority of NGOs lack specialisation, meaning that they work generally with children and adults, and on many sectors of interventions. Many NGOs are driven by funding, and this dynamic might influence their role. This is sometimes reinforced by the availability of restricted funding, which prompts a supply-induced demand as a financial survival tool for NGOs, especially those relying exclusively on external funding and that are not subsidised by the government.

A capacity-building assessment of non-governmental organisations (NGO) in 2009 has indicated that the majority of NGOs in Lebanon have weak governance, led "by one or at best a few individuals who control all key aspects of the organisation including its governance, management, and funding structures."³⁸⁰ This finding may also be applicable to children's rights organisations. Few NGOs have solid financial and operational capacities, nor are they operated like an institution per say. It should be emphasised that initially the establishment of NGOs was driven by a philanthropic approach. This developed over time into an emergency approach during the war, and subsequently into a development one and later on into a human-right based approach. It is to be noted that NGOs, despite the progress in approaches, may still be confined within the philanthropic mindset or other inefficient approaches.

Many programmes were initiated and implemented by various local and international organisations aiming to improve capacity building in civil society. We mention among others the NGO support unit at MOSA supported by UNDP, the CDR NGO programme and the OMSAR-AFKAR programme supported by the EU. All the implemented programmes also targeted NGOs working with children.

Civil society plays a role in development efforts, however, their activities are not harmonised in a manner that aligns with national development goals or that results in impacts on the national level. Activities are generally fragmented. The concept of ownership in development processes is minimal. This could be attributed to the limited participation in strategic planning and implementation of national action plans aiming at national development, whenever such strategies exist. In addition, national programmes of cooperation between donors and the state (for example, between the UN and EU) are effectuated with various ministries, and separate programmes are elaborated with civil society and sometimes through the same ministries.

Most of the programmes and projects implemented by NGOs are not financially sustainable, and once the funds are used the activity would cease. This is also true for state actors. Without sustainability, achieving resilience is not feasible.

Moreover, there is a fine line between civil society and the state which grows invisible at times when civil society is politically and religiously affiliated to governing groups, wherein they essentially represent one actor. In such cases, effectuating change for children faces a challenge similar to that facing to children in residential social welfare institutions, and failed attempts at de-institutionalisation in 2005.

With respect to engaging with the state to effectuate change for children, and if we consider advocacy as an example of interaction, then it becomes evident that civil society engagement needs strengthening. Advocacy initiatives are limited in relation to what is required to institute change for children. For instance, the CRSA was not able to identify in the past 10 years a comprehensive advocacy campaign relating to free and compulsory education.

Political parties are indirect key actors in children's rights given their representation in the parliament and the government. They can therefore facilitate or hinder endorsement of project laws, their enforcement, policy formulation, action planning, and ratification of conventions (for example the OP to the UNCRC on the involvement of children in armed conflict). It is important to note that various political groups manage affiliated civil society organisations.

377 Lebanese Center for Human Rights (CLDH). The state of the freedom of association in Lebanon – What prospects for the future?, 2010

378 Beyond Reform and Development, Transtec, EU, Mapping Civil Society in Lebanon, 2015

379 Save the Children Sweden, 'Child Rights Situation Analysis for Lebanon', May 2008

380 UNDP, Assessment of Capacity Building Needs of NGOs in Lebanon, 2009

Similarly, religious leaders and groups are key influencers for the realisation of children's rights, given that personal status laws are governed on a confessional basis. In addition, many issues pertaining to children's rights would require approval from religious authorities (for example alternative care, age of criminal responsibility, and minimum age for marriage). Moreover, they would have an enormous impact on children because many families comply with their guidance.

Media

In general, the media depends on freedom of expression, and is key to providing the information, transparency, and accountability necessary for good governance. It contributes to shaping attitudes and opinions and plays a significant role in raising awareness and educating the public on children's rights issues.

The media plays an influential role with respect to children's rights in Lebanon. It is used by most key actors in campaigning. However, it was highlighted by key informants from HCC and MOSA that media programmes should be subject to stricter controls when children are involved. Several talk shows infringe on the rights of the child to privacy by disclosing names and images, and further complicate the children's rights issue being discussed.

Social media is gaining an increasingly important role with respect to children's rights, given it is widespread usage and ease of dissemination. Child related projects, activities, and events are posted on social media as well as infringements of children's rights.

Academia

Universities have been playing an active role with respect to generating information relating to children through the undertaking of relevant research. It is common to mobilise experts through universities, or contract university centres to conduct studies and act as consultants, (for example the Saint Joseph University and the American University of Beirut referenced in the CRSA).

It is worth noting that the law curriculum at universities encompasses courses on international conventions and treaties including the UNCRC.

Private Sector

The private sector has been playing a limited role, in line with the emerging corporate social responsibility initiatives. This role requires further strengthening in line with childhood priorities. The private sector can readily work with civil society organisations, whereas there is no adopted procedure to work with the government.

The founder and Chief Executive Officer of Corporate Social Responsibility Lebanon (CSR) said that, "the private sector must play a vital role in fostering CSR practices." When referring to the private sector, he does not only mean individual companies but also business associations who are expected to provide significant support for such initiatives. "Businessmen associations, such as the Chamber of Commerce, Association of Lebanese Industrialists and the Association of Lebanese Banks, must be active in promoting sustainability," he said. "This is what such entities in other countries usually do." CSR has recently assumed strategic significance in the industrial world for companies and governments in the region. Lebanon, unfortunately, still lags behind its regional peers. "CSR in Lebanon is still perceived as an add-on to business rather than integrated values." Statistics conducted by CSR Lebanon show that 90 percent of corporate social practices in Lebanon remain philanthropic, with little consideration beyond public relations. Only 2 percent of corporations are committing to an officially announced long-term CSR strategy and vision.

The role of the private sector in the context of privatisation was not analysed in the context of the CRSA. However, with the increasing trend toward privatisation in the country, this need could arise in the future, for instance when the private sector is managing the delivery of services and goods that are essential to the realisation of children's rights, like water.

Regional Actors

Among the regional actors with relevance to children's rights is the Arab League-Childhood Department, which is restricted to state actors including higher councils for family and childhood. Although the issues that are addressed are crucial to children's rights, there is poor follow-up on recommendations and intended measures.

From the civil society side, the Arab Council for Childhood and Development is a regional body that works on children's rights issues. Information was not available on its current role.

The MANARA Network was identified as a civil society network for children's rights in the MENA region. It works on CRG and aims to build societies that fulfill children's rights by establishing and strengthening the infrastructure necessary for states to effectively implement the UNCRC and other obligations.

International Actors

With respect to international organisations active in Lebanon like UN agencies and INGOs, in the last five years most of their efforts were directed towards humanitarian assistance and emergency response to the Syrian Crisis. There was a surge of organisations that were mobilised to provide assistance for refugees which represented a priority for action. Consequently, partnerships with state and civil society focused on that purpose as well. On the other hand, partnerships aiming at development and sustainable work were negatively affected. In fact, this situation has created problems especially where services were provided free of charge for Syrians and where Lebanese had to pay fees (for example medical consultations in health centres).

It is important to note that UN agencies and the EU have stronger partnerships with the state than INGOS. This can be attributed to the formal cooperation structures that are in place like country programmes that are signed by the government, through the Ministry of Foreign Affairs.

Currently, there is an emerging general consensus around the need to institute a balance between development work and humanitarian work, which is currently being reflected through interaction of the various stakeholders, including the LCRP which is attuned to the new reality, or MOSA taking the lead and mainstreaming actions for development and sustainability. This will also be reflected in INGOs potential partnerships for development.

Conclusions:

Based on the analysis of key factors and actors outlined above, it can be surmised that the key elements constituting an enabling environment conducive to the enjoyment of human rights including children rights, and sustainable and inclusive development, are not ensured. These poor areas include the participation of affected stakeholders, equity and inclusiveness, accountability, transparency, efficiency, and responsiveness to the needs of people. Moreover, lack of political will, structural incapacities and lack of understanding of the specific nature of children's rights lie at the heart of the failures to effectively and efficiently enforce children rights. These factors are critical and constitute key elements for good governance as it relates to children's rights. The concept of interdependence of rights and indivisibility of rights is still weak, and these principles are not reflected in the governance structures, leading to a fragmented approach. Children's rights-based approaches are not widespread. Implementation of the UNCRC would require effective mechanisms to support prioritisation of children's issues and ensure sound, coherent measures across government action in partnership with other duty bearers.



9

RECOMMENDATIONS

9.1 General Recommendations and Save the Children's Recommendations

Sectors	Eight UNCRC reporting clusters
Child Rights Governance	General Measures of Implementation (Articles 4, 42, 44.6) General Principles (Articles 2, 3, 6, 12) Definition of the Child (Article 1) Civil Rights and Freedoms (Articles 7, 8, 13-17, 37)
General Recommendations	
General Measures of Implementation	
Legislation	
Elaborate and endorse a Children's Code.	
Fully harmonise national legislation with the provisions and principles of the UNCRC, related protocols, and ratified conventions, and provide the necessary human and financial resources for the full and effective implementation of domestic laws in order to better protect the rights of the child.	
Endorse proposed child-related project laws and amendments.	
Issue all pending implementation decrees and allocate relevant budgets and resources.	
Enforce existing legislation.	
Ratify the third protocol on the UNCRC.	

National Plan of Action

Formulate a National Childhood Strategy and relevant action plan, and allocate the necessary budgets.

Allocate resources for the full implementation of existing and endorsed action plans or those under preparation per concerned ministries, including human and financial resources, and adequate follow-up mechanisms to ensure full implementation.

Adopt a children's rights based approach in the formulation of all the plans.

Put in place systems for monitoring, evaluation, and impact assessment.

Coordination

Evaluate the status and mandate of the HCC.

Strengthen the coordination role of the HCC in relation to the various governmental bodies and NGOs involved in the implementation of the rights of the child at national, regional and local levels, in order to ensure uniform implementation of the children's rights policies and programmes in all parts of the country.

Provide the HCC with the specific mandate for this coordination.

Independent Monitoring

Establish an ombudsman for children and provide the office with an adequate jurisdiction and allocate the necessary human and financial resources.

Ensure that children's rights are included in the human rights institution's mandate and establish coordination mechanisms with the ombudsman's office.

Allocation of Resources

Map existing budget allocations for children.

Initiate and implement the concept of a national children's budget to be prepared by ministries.

Disseminate the concepts and the technical skills necessary to elaborate child-friendly budgets.

Increase the proportion of the budget allocated for the realisation of children's rights to the maximum extent possible with available resources.

Allocate budgets at the local level for children, in particular for the most vulnerable children.

Data Collection

Adopt a national mechanism for data collection and develop indicators consistent with the UNCRC in order to ensure that data is collected on all areas covered by the UNCRC.

Ensure that the data is disaggregated by age for all persons under 18 years, and by gender, urban and rural area, and by those groups of children who are in need of special protection.

Undertake periodic surveys relating to children.

Undertake qualitative research with various groups of vulnerable children to assess their situation.

Cooperation with Civil Society

Map all civil society organisations dealing with children.

Engage all groups of civil society in partnerships.

Initiate collaboration with religious leaders and groups. Evaluate the system of service provisions by NGOs.

Elaborate guidelines and standards for service provision and ensure that they are followed through a transparent process of accountability.

Establish an accreditation process for civil society before engaging in contractual agreements.

Dissemination of the Convention and Training Activities

Initiate a national process for the “re-adoption” of the UNCRC and related protocols by all duty bearers.

Formulate and implement national plans for raising awareness and the systematic dissemination of the UNCRC and related protocols to children and the broader public.

Undertake systematic education and training programmes on the provisions of the Convention and the OP on the sale of children, child prostitution, and child pornography for all professional groups working for and with children. These include judges, lawyers, law-enforcement officials, civil servants, teachers, and health personnel including psychologists and social workers.

Disseminate and build the capacity of duty bearers on a children’s rights-based approach.

Disseminate information and spread awareness of the content of the third protocol.

Definition of the Child

Initiate a national dialogue on the definition of the child involving various religious leaders, civil society leaders, and judges in order to mobilise them for the realisation of children’s rights.

Take urgent measures to engage religious and confessional groups to prohibit early and forced marriages, and adjust the implementation of existing provisions applicable to these communities.

Raise the awareness of the general public on the consequences of early marriage, especially on girls.

Address the root causes, namely poverty, which have led to an increase in early marriages among Syrian refugees.

General Principles

Non Discrimination

Eliminate discrimination against children with disabilities, foreign, refugee and asylum-seeking children, Palestinian children, children living in poverty, children in conflict with the law, and children living in rural areas and other vulnerable groups.

Institute special measures for the inclusion of children with disabilities, including Lebanese and refugee children (Palestinian and Syrian).

Ensure that these children have equal access to health and social services and to quality education, and that services used by these children are allocated sufficient financial and human resources.

Review domestic laws with a view to ensure that children in Lebanese territory are treated equally.

Allocate specific budgets for vulnerable children at the local decentralised levels and enhance monitoring of programmes and services implemented by local authorities with a view to identifying and eliminating disparities.

Best Interest of the Child

Review national legislation and administrative measures to ensure that Article 3 of the UNCRC is duly reflected therein and that this general principle is taken into account when judicial, administrative, policy, or other decisions are made.

Conduct periodic training for duty bearers like judges and policy makers on practices conducive to the best interest of the child.

Right to Life, Survival and Development

Provide special training and resources to law enforcement personnel with a view to investigating and prosecuting cases of “honour crimes” involving children in an effective way.

Raise awareness about the unacceptability of “honour crimes,” being sure to involve religious and community leaders.

Elaborate a national psycho-social support programme for children, including suicide prevention, targeting children affected by armed conflict like Syrian refugees.

Respect for the Views of the Child

Implement a child participation strategy.

Establish permanent participation frameworks pertaining to child-related policy making.

Strengthen measures that would promote respect for the views of all children and facilitate their participation in all matters affecting them within the family, in schools, in institutions, and in judicial procedures, including procedures in the religious and Sharia courts, in local communities, and in society at large.

Civil Rights and Freedom

Eliminate barriers to birth registrations through raising awareness and the provision of technical and legal support, in addition to other necessary resources.

Raise general awareness on the importance of birth registration for Syrian refugees.

Pursue advocacy for nationality rights to be conferred by the Lebanese mother to her children.
Promote voluntary work among children and youth and build their capacity in civic engagement.

Save the Children in Collaboration with a Broad Spectrum of Civil Society Organisations

General Measures of Implementation

Law Reform

Update the last legal comparative study conducted in 2007 on compliance with the UNCRC and continue to support and participate in efforts to ensure that laws pertaining to children are in accordance with the UNCRC.

Advocate for the endorsement of proposed project laws generated by the 2007 study, and the updated study. Begin by raising awareness about the project laws for all relevant stakeholders.

Re-introduce the concept of a comprehensive child law.

Support legal reform action with respect to Law No. 422, leading to a raise in the minimum age of criminal responsibility to 12 instead of 10. This process could begin with updated research on this issue from other countries, and could be coupled with roundtable discussions on the topic.

Support the HCC to transform the existing legal review initiatives into a systematic coordinated review, readily available to all stakeholders (NGOs, parliamentarians etc.) who wish to engage in legal reform.

Joint advocacy campaign: engage a broader spectrum of civil society including environmental, women's organisations, human rights institutes, and others with a common agenda to enact laws.

Advocate for the UNCRC definition of the child to be adopted in law reforms.

Initiate a campaign to change attitudes around children and children's rights.

National Strategies and Plans of Action

Support concerned stakeholders in pursuing the national strategy for the protection of children from all forms of violence. Particular support should be provided to the Ministries of Education, Health, Justice, Labour, and the Interior to complement MOSA's action plan supported by UNICEF.

Recommend a national action plan in coordination with other action plans. Support the HCC in the formulation and finalisation of the intended action plans relating to early childhood development, street children, trafficking, disabilities, and participation.

Support the endorsement of advocacy measures and identify components that could be funded by Save the Children as a facilitating factor for endorsement.

Support the HCC in identifying gaps in their plans in order to address them appropriately.

Investment in Children

Undertake analyses of the ministries' budgets (related to children).

Support initiatives that introduce the concept of child-friendly budgets aiming at long term adoption, making use of adopted models by other countries, and focus on decentralisation and the empowering of local governments.

Build the capacity of relevant stakeholders around policy and programme impact assessment.

Support capacity building in civil society organisations allowing them to invest in children.
Promote transparency in government.

Data Collection

Advocate for a good data collection system with the NAS and civil society.

Support research activities for the generation of information about vulnerable children in Lebanon to enable the human rights and children's rights communities, in addition to state actors, to have a comprehensive understanding of critical needs. To support this activity, complete a series of research projects focused on addressing the existing gaps in information.

Ombudsman

Reintroduce the concept of an ombudsman for children and disseminate successful modalities from other countries that could be applied to Lebanon.

Dissemination of the UNCRC and Training Activities Among National Staff

Devise and support a national capacity building programme with the HCC based on the UNCRC and a children's rights-based approach to programming.

Distribute the concluding observations of the committee on the national level.

Initiate introductory processes on the 3rd OP to the UNCRC and ratification procedures.

Support initiatives to follow-up on UPR-accepted recommendations by the government pertaining to children.

Ensure Awareness Among Children and Adults on UNCRC Impact Assessment

Devise a national plan to increase awareness of the UNCRC for adults and children.

Distribute the concluding observations of the committee at the national level.

Participation

Support existing participation frameworks in order to have a national standing participation council that enables the continual participation of different groups of children on a yearly basis.

Empower children to establish standing communication platforms to express their views using social media and other forms of media.

Link the HCC to the policy making processes.

Build the capacity of children in participation, leadership, and advocacy.

Raise awareness of parents and caregivers to facilitate children's participation.

Expand existing work on children's participation at a local, decentralised level, building on relationships with municipalities and relevant children's municipal councils.

Build the capacity of civil society and other key children's rights actors to increase civic engagement.

Non-discrimination

Ensure egalitarian gender perspectives in all campaigns, advocacy, development, and humanitarian programming. Highlight and normalise non-discrimination in all programming (structural, formal, and informal discrimination)

Sectors	Eight UNCRC reporting clusters
Education	Education and culture (Articles 28, 29, 31)
General Recommendations	

Pre-Primary Education

Provide access to early childhood education for every child, and raise awareness and motivation of parents with respect to preschools and early-learning opportunities

Primary Education

Ensure that primary education is attended by all children, and establish a national programme for early detection of out of school children, school dropouts, and the reintegration of children.

Fill the gap in the quality of education between private and public institutions.

Address regional disparities in the number of teachers, the poor conditions of school facilities, and the insufficient quality and availability of learning materials and equipment, particularly in rural areas.

Provide capacity building to all teachers on child centred education, positive learning practices and psycho-social support.

Secondary Education

Take measures to increase enrolment rates in secondary education as well as technical and vocational education and training, including for girls, children living in rural areas, and children with disabilities.

All School Levels

Ensure that public education policy and school curricula reflect in all their aspects the principle of full participation and equality, and include children with disabilities in the mainstream school system to the extent possible and, where necessary, establish special education programmes tailored to their special needs.

Establish a national school programme for the inclusion of children with disabilities targeting all children irrespective of nationality.

Establish national programs for school administrators and teachers on non-violent measures for discipline as an alternative to corporal punishment.

Enforcing the implementation of decrees forbidding violence against children including physical and humiliating punishment, and develop implementing mechanisms.

Child Development

Early Childhood Care and Development

Elaborate a national early childhood strategy (0-8 years) and the requisite action plan, assign leadership, management structures, and allocate necessary budgets, including a situation analysis of early childhood care and development.

Child Culture and Leisure

Elaborate a national strategy with its action plan for child development and allocate needed budgets, emphasising decentralised levels, for municipalities, MEHE, MOPH, and MOSA-SDCs.

Reinstate recreational artistic and sports activities as a component of school curricula, and allocate needed budgets and recruit specialised human resources.

Reactivate student and parent councils in public schools, and involve them in the child development processes.

Save the Children in Collaboration with a Broad Spectrum of Civil Society Organisations

Primary Education

Introduce non-formal vocational education and accelerated vocational training for children and youth who have dropped out of schools for several years, coupled with literacy and life skills programmes. Note that it is recommended that the programmes prioritise Lebanese children for the coming programme cycle, as well as Palestinian children residing in the camps, and refugee Syrian and Palestinian children coming from Syria.

Link educational programmes to livelihood programmes, including the provision of food and basic living needs for the refugees.

Undertake programmes to reduce illiteracy among children with disabilities.

Initiate a programme on the right to education for children with disabilities including capacity-building for teachers and the provision of facilitative aids. The programme should be undertaken with the MEHE and UNRWA schools. Special attention should be given to refugee children with disabilities coming from Syria including Syrians and PRS. Advocate with MEHE and donors to support quality, non-formal education programmes that target children who are not able to access, or not ready to attend, formal education.

Pursue existing non-formal education programmes which address school dropouts and reinsertions, including remedial education, accelerated learning programmes, basic literacy and numeracy, and other preparatory programmes.

Secondary Education

Support educational programmes to increase enrolment in secondary education.

Early Childhood Care and Development

Advocate and support the finalisation and implementation of early childhood care and development strategies. Initiate an integrated ECCD programme targeting children 0 to 8, encompassing a multi-sector approach including health, education, and protection as well as early detection and intervention for children with disabilities and better parenting programmes. The programme could be modified for future expansion and replication.

Child Culture and Leisure

Initiate a programme for recreational activities for children to be undertaken in schools and in coordination with municipalities, including the establishment of play spaces for children.

Pursue the provision of safe-spaces for refugee children and psycho-social support activities.

Raise awareness on the importance of child development stakeholders to parents, caregivers, and teachers.

Sectors	Eight UNCRC reporting clusters
Health and Nutrition, Hunger and Livelihoods	Basic Health and Welfare (Articles 6, 18, 23, 24, 26, 27)
General Recommendations	

Welfare

Implement the social development strategy and establish social safety nets as a matter of urgency.

Strengthen decentralised community development programmes.

Address the increased level of poverty and unemployment among Lebanese host communities and Syrian refugees, including livelihood development. Particular attention should be given to food security in order to prevent coping mechanisms that negatively affect children like school withdrawal, child labour, and early marriage.

Children with Disabilities

Ratify the Convention on the Rights of People with Disabilities (CRPD).

Fully implement Law No. 220 and amend it to include children's rights-related provisions as proposed by the HCC. Formulate a national action plan for children with disabilities.

Strengthen and reactivate the National Committee for Disabled Affairs and the intergovernmental disability committee under the MOSA.

Comply with ratified conventions and standards relating to children with disabilities.

Conduct a national survey on people with disabilities to estimate their numbers and gauge the types of disabilities, including amongst children.

Conduct a thorough situation analysis of children with disabilities.

Raise awareness in the public at large about the rights of children with disabilities, and their rights to not be separated from their families.

Prevent and prohibit all forms of discrimination against children with disabilities and ensure equal opportunities for their full participation in all spheres of life by implementing Law No. 220 of 2000.

Provide children with disabilities with access to adequate social and health services, accessible physical environments, information, and communication.

Include children with disabilities in national efforts at de-institutionalisation.

Health

Reform the health care system to ensure equal access to quality health care for disadvantaged families.

Continue to develop and implement comprehensive policies and programmes for improving the health situation of children.

Introduce a system of public health insurance card for disadvantaged families.

Address regional disparities in the provision of health services and the implementation of programmes. This should include equal access to quality primary health services for mothers and children in all areas of the country.

Harmonise health service provision in order to reduce redundancy and waste, especially between MOSA SDCs and contracted health services, and other service providers in the same location.

Exert additional effort to further reduce infant and child mortality rates.

Undertake situation analysis of maternal and children's health in the context of the early childhood strategy.

Guarantee access to quality pre-natal and post-natal health services and facilities, including training programmes for midwives and traditional birth attendants. Particular attention must be paid to rural areas.

Strengthen the national immunisation programme in order to address emerging needs stemming from the Syrian Crisis, including an introduction of additional vaccine-preventable diseases and the re-emergence of eradicated diseases.

Expand breastfeeding campaigns and promote child-friendly hospital programmes.

Encourage the practice of breastfeeding exclusively for six months after birth, with the introduction of an infant-appropriate diet thereafter. Take measures to improve the nutritional status of children through education and the promotion of healthy feeding practices.

Conduct a study on the scope and causes of accidental deaths among children, and strengthen efforts to reduce accident-related deaths through, among other methods, awareness-raising campaigns and education programmes aimed at parents, children, and the public at large.

Adolescent Health

Expand programmes on Adolescent and Youth-friendly health services to all primary health care centres.

Ensure adolescents' access to adequate social and health services, including youth-sensitive and confidential counselling on HIV/AIDS, and provide them with accurate and comprehensive information.

Adopt and implement a national policy or action plan addressing school health services. This would involve broadening the school health services on offer currently, including reproductive health services, counselling, and preventive health education.

Provide all pupils with regular medical exams as well as dental and oral health services.

Enforce the anti-smoking law and increase anti-smoking efforts targeting adolescents.

Study the possible causes of youth suicide and the characteristics of those who appear to be most at risk, and put in place support and intervention programmes, particularly in the field of mental health. Special focus must be placed on children affected by armed conflict like Syrian refugee children.

Save the Children in Collaboration with a Broad Spectrum of Civil Society Organisations

Disseminate the Convention on the Rights of People with Disabilities, and initiate a relevant advocacy action for ratification.

Develop a life skills tool-kit for youth including health topics, and undertake youth capacity-building through a peer-to-peer approach. Use the children participation manual in health and nutrition.

Initiate a school-based child recycling initiative and support its execution through the provision of necessary logistical support in cooperation with municipalities. This would pave the way for child community recycling initiatives.

Mobilise additional funds to pursue food security and livelihood programmes for refugees. Particular attention should be given to food security needs.

Assess the feasibility of covering delivery expenses for women.

Sectors	Eight UNCRC reporting clusters
Child Protection	Family environment (Articles 5, 9, 10, 11, 18, 19, 20, 21, 25, 27)
General Recommendations	

- Prevent the future need for institutionalisation or recourse to alternative care, and develop a range of non-institutional options when such care is required. Special attention has to be paid to fully include children with disabilities and children under the age of three.
- Develop relevant policies and strategies and allocate necessary budgets to ensure alternatives to institutional care are available for children through a range of family-based options in place.
- Initiate or expand social protection programmes. These might include cash transfers, short-term safety nets, health and education services that are free at the point of delivery, social assistance, social services, and social insurance.
- Elaborate national policies to support families and prevent children being unnecessarily placed in alternative care.
- Build family support services and family-based alternative care.
- Ensure that all forms of alternative care adhere to the principles and standards set out in the UN Guidelines for alternative care.
- Make sure interim care services are in place for high-risk children with a clear exit strategy.

Save the Children in Collaboration with a Broad Spectrum of Civil Society Organisations

Initiate a national dialogue on de-institutionalisation and advocate for it.

Disseminate successful international models and best practices including those from other Arab countries.

Raise awareness of the importance of family and community-based care for children. This should include information campaigns to educate public and private donors, make children and families aware of their rights with regard to support services, and encourage adults to engage in fostering programmes.

Direct funding towards preventative systems in the community and family, as well as with family-based alternative care.

Support de-institutionalisation efforts and the development of good, quality family-based care alternatives.

Promote the training of professional social workers and their involvement in family-based alternative care.

Select and train substitute families.

Initiate or expand social protection programmes to be adapted according to local needs.

Develop community-based services that support families to care for their children.

Dedicate further research to the issue of unaccompanied and separated refugee children. For those children requiring interim care, develop family-based care whenever possible starting with Syrian families, and opt for supported small group care within the child's community. Where it is specifically appropriate, necessary, and constructive for the individual child, choose small group residential care (until family-based interim care is available).

Child Protection

Special protection measures (Articles 22, 37-40)

General Recommendations

Establish a national system for child protection and social change that ensures an enabling environment for the protection of all children without discrimination. The system to be based on prevention, care, rehabilitation, and reintegration.

Elaborate on and endorse a child protection comprehensive code.

Implement the endorsed action plan for the prevention and protection of children from all forms of violence, using an integrated and coordinated method between all concerned ministries and organisations.

Build a national network of specialised child protection organisations.

Raise awareness of the public at large on gender-based violence and sexual abuse.

Physical and Humiliating Punishment

Introduce new legislation prohibiting all forms of corporal punishment against children in all settings, including the family and within all institutions, and the alternative care system.

Introduce public education, awareness-raising and social mobilisation campaigns on alternative non-violent forms of discipline with the involvement of children in order to change public attitudes to corporal punishment.

Institute national legal and practical measures to ban physical and humiliating punishment from all schools (public, private, and UNRWA) in addition to other behaviour at schools that degrade children and develop a complaint mechanism for children.

Child Sexual Abuse

Establish effective procedures and mechanisms to receive, monitor, and investigate complaints, including intervention methods where necessary, and to prosecute cases of abuse and ill-treatment. These procedures must ensure that the abused child is not victimised in legal proceedings and that his or her privacy is protected.

Ensure that all child victims of violence and abuse have access to adequate care, counselling, and assistance with recovery and reintegration through appropriate programmes and allocation of resources.

Continue to introduce awareness-raising campaigns, with the active involvement of children themselves, in order to prevent all forms of violence against children and to combat child abuse, including sexual abuse, with a view to changing public attitudes and prevailing cultural practices in this respect.

Juvenile Justice

Reform the system of juvenile justice to render it more compliant with the UNCRC and other UN relevant standards.

Amend Law No. 422 in order to raise the age of criminal responsibility to at least 15 years of age, introduce more protection measures, and cancel the articles relating to criminalisation of victims of economic and sexual exploitation who engage in activities like begging, vagabondage, and prostitution.

Adopt a new children's rights-based policy that relies on rehabilitation and restoration as opposed to the current punitive approach which criminalises victims.

Prevent the contact of very young children with the justice system, whatever the offense done (at least for children 10 years old and below).

Establish diversion measures to act as gatekeepers for the system to prevent unnecessary detention through mediation processes, beginning at the time of arrest.

Develop and implement a comprehensive system of alternative measures, such as community service orders and interventions of restorative justice, family group conferencing, and others to ensure that deprivation of liberty is used only as a measure of last resort.

Organise and build the capacities of juvenile probation services needed for an efficient development and implementation of alternative measures.

Build a system including family networks and a chain of specialised organisations that can facilitate the implementation of protective and alternative measures like foster families and NGO networks.

Assess the conditions of all detention, rehabilitation, and prison facilities and plan a new system that is more compliant with the UNCRC and international standards.

Establish rehabilitation facilities as a matter of urgency to cover all children and prevent incarceration in the juvenile prison for rehabilitation cases.

Conduct periodic training for judges and law enforcement officials, and disseminate practical referral systems to all concerned including SOPs for children in conflict with the law.

Raise awareness of families and communities on available protection systems.

Collect disaggregated statistics and other information on the practical implementation of Law No. 422.

Undertake qualitative research with children in conflict with the law to assess their situation.

Address the issue of juvenile justice during emergencies through relevant programmes, including those providing legal assistance.

Economic Exploitation

Child Labour

Leverage family support, address the root causes of child labour including poverty and the lack of free, compulsory, and quality education.

Amend the labour law and effectively implement and enforce existing domestic laws and the provision of ratified conventions.

Implement the National Strategy on the Elimination of the Worst Forms of Child Labour and allocate the relevant and required financial resources necessary for its implementation in partnership with ILO/IPEC.

Formulate and implement a national action plan for street children.

Refrain, as a matter of policy, from detaining children begging in the streets and seek alternative protection measures that are fully compatible with the provisions of the Convention.

Improve the labour inspection system in order to ensure that the work performed by children is light work and not exploitative, and, in particular, empower the system to monitor and report on the practice of domestic and rural labour by children.

Provide child workers and their families with appropriate opportunities to withdraw from child labour including recovery and educational opportunities for current and former child workers and family support schemes.

Child Trafficking and Sexual Exploitation

Implement the provisions of the OP to the UNCRC on the sale of children, child prostitution, and pornography. Implement ILO convention 182.

Endorse a child anti-trafficking action plan, and establish a national multi-sectoral task force to implement and monitor it.

Refrain, as a matter of policy, from detaining children involved in child trafficking and sexual exploitation, and seek alternative protection measures that are fully compatible with the provisions of the UNCRC, OP, and international conventions.

Launch awareness-raising campaigns for children, parents, and other caregivers, in order to prevent trafficking, sexual exploitation, and pornography involving children and reduce stigmatisation of victims. Sensitise officials working with and for victims.

Ensure that victims of sexual exploitation and trafficking are not criminalised and that they are provided with adequate recovery and social reintegration services and programmes.

Establish and build the capacity of a network of specialised organisations.

Children Affected by Armed Conflicts

Reinforce the national action plan of the HCC and elaborate a national advocacy campaign for ratification of the OP.

Ratify the OP to the UNCRC on the involvement of children in armed conflict.

Implement ILO Convention 182.

Conduct research about the situation of children affected by armed conflicts.

Elaborate a national plan of action for children affected by armed conflicts.

Ensure as a matter of priority that children affected by armed conflicts have access to adequate health and social services, including psycho-social recovery and social reintegration.

Devise specialised programmes for children involved in armed conflicts emphasising demobilisation, disarmament, and reintegration, and focusing on creating educational and livelihood opportunities for ex-combatants and their families.

Continue de-mining activities and widen public education and landmine awareness, especially amongst children.

Refugee Children and Children of Migrant Workers

Conduct assessments on the situation of non-Syrian refugees and asylum-seeking children including Iraqi and Sudanese among others and formulate relevant programmes.

Conduct research on the situation of children of migrant workers to assess their numbers and conditions, particularly in relation with the newly imposed regulatory measures.

Save the Children in Collaboration with a Broad Spectrum of Civil Society Organisations.

Undertake national awareness campaigns on child protection from all forms of violence.

Elaborate programmes that empower children to be able to protect themselves from violence.

Train children on non-violent means of conflict resolution.

Implement programmes on peace-building for children starting from an early age that emphasise resilience.

Start an initiative to end corporal punishment by working with schools, communities, institutions working with children and building capacities for the use of non-violent disciplinary measures. This initiative should build on previous work done by Save the Children.

Advocate for the adoption of a child protection policy by all institutions and enforcement by MOSA, which should use the policy as criteria for contractual agreements with NGOs.

Devise capacity-building activities and dissemination plans on the OP to the UNCRC on the sale of children, child prostitution, and pornography.

Support initiatives aimed at the dissemination of the OP on the involvement of children in armed conflict including support for its ratification.

Implement a national campaign on the inclusion of children with disabilities.

Launch campaigns spreading awareness of the consequences of early marriage, especially among the Syrian and Palestinian refugee communities.

Integrate programmes with other stakeholders, including ILO/IPEC, and the Ministry of Labour to address the worst forms of child labour, including economic and sexual exploitation, child trafficking, child involvement in armed conflicts, and the issue of street children. Specific focus should be given to withdrawal from the worst forms of child labour, and providing educational opportunities for ex-workers and livelihood opportunities for their families.

Initiate an awareness-raising process on birth registration of Syrian refugee children, which highlights the benefits for both Lebanese and Syrians, particularly with respect to return of refugees to Syria.

Cross-cutting factors and actors

Key factors important to the realization of rights

Enact the draft bill on decentralisation aiming at transparency and participation.

Strengthen the role of the Unions of Municipalities to empower local governance.

Strengthen the relationships among municipalities, and between municipalities and the Unions.

Raise awareness among municipalities on their rights and responsibilities according to the municipal law.

Support the municipalities in setting child centered plans.

Increase budget allocations for children on the municipal level.

Empower and build the capacity of SDCs to maintain the pivotal role granted by MOSA to implement the child protection plan of the LCRP.

Raise DRR awareness and develop capacities of relevant actors to implement DRR measures in relation to the national disaster strategy.

Raise DRR awareness and develop capacities of relevant actors to implement DRR measures in relation to the national disaster strategy.

Allocate more funds to DRR, as Lebanon is susceptible to both natural and man-made disasters.

Include a child specific component to the Lebanon DRR agenda with the engagement of civil society and local stakeholders.

Together with CSO partners, design a child-focused emergency preparedness plan, which includes civil society involvement.

Build the capacity of CSO partners and their staff on disaster risk reduction (DRR), including Climate Change Adaptation (CCA) and the new Sendai Framework for DRR post 2015-2030.

Integrate child-centred DRR/CCA and resilience building into all sector-based development and humanitarian programming including education, health, child rights governance, child protection, and child poverty.

Initiate child-centered and child-informed DRR/CCA programmes tailored to children's needs and rights with the municipalities.

Emphasise children's participation in DRR/CCA programmes and plans.

Coordinate with national DRR/CCA stakeholders as the National Committee for DRR to integrate children-related concerns, including environmental concerns, in future plans.

Find new CSO partners with expertise on environment and climate change.

Together with a broad spectrum of civil society partners, advocate for child-centered and child-informed DRR/CCA government plans.

Activate the role of the inter-ministerial anti-corruption committee.

Enforce laws and regulations to combat corruption.

Capacities and Interactions of Key Actors in Rights

Activate the role of the Parliamentary Committee of Women and Children.

Raising awareness on child rights amongst children and communities to change the current perception of children as passive members of society not as active citizens.

Emphasise on the role of civil society as the driving change in the society and how to work in coalitions to increase impact on children and communities.

Support and strengthen CSOs' organisational development.

Support CSO partners' capacity-building in rights-based approaches.

Include a broader spectrum of civil society groups for strategic collaboration and cooperation on a shared advocacy agenda (women, disability, environment/climate, Syrian and other refugee groups, CSOs with potential to initiate collaboration with religious leaders and groups).

Gather political parties and religious leaders to draft a common agenda together with the government and the civil society towards the realisation of child rights in Lebanon.

Raise awareness among media agencies on how to handle children issues ethically and respectfully.

Empower media to be a platform for children development.

Collaborate with universities to lead on research around children issues and needed studies, in addition to providing university students at several faculties with courses on international conventions and treaties, focusing on the UNCRC.

Raise awareness among the private sector agencies to adopt the "Child Rights and Business Principles".

Play an active role at the Motherhood and Childhood Committee at the League of Arab States.

Strengthen cooperation with regional child rights networks to share experiences and available expertise.



REFERENCES AND ANNEXES

References

- Amnesty International, Report 2014/2015, The State of the World's Human Rights, 2015
- ANERA, Palestinian Refugees in Lebanon, 2012
- Arab Charter on Human Rights, art. 43. See also Dr. Mohamed Mattar, "Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional, and International Standards," Harvard Human Rights Journal, vol. 26, 2013), http://www.protectionproject.org/wp-content/uploads/2013/07/Article-43-of-the-Arab-Charter-on-Human-Rights_Dr.-Mohamed-Mattar_HHRJ_Spring-2013.pdf.
- Article 13 of the International Covenant on Economic, Social and Cultural Rights
- Article 14 of the International Covenant on Civil and Political Rights
- Article 28 of the Convention on the Rights of the Child
- AUB, Johns Hopkins, IMC, MDM, UNHCR, EU, Syrian Refugees and Affected Host populations, Health Access Survey in Lebanon, 2015
- American University of Beirut, Socio-Economic Survey of Palestinian Refugees in Lebanon, 2010
- Bank Med, Analysis of Lebanon's Education Sector, 2014, p.23
- Bertelmanns Foundation. 2012. Lebanon country report. <http://www.btiproject.de/fileadmin/Inhalte/reports/2012/pdf/BTI%202012%20Lebanon.pdf>
- Better Care Network, Families Not Orphanages, 2010
- Beyond Reform and Development, Transtec, EU, Mapping Civil Society in Lebanon, 2015
- CAS, MICS Round 3 (MICS 3), 2009
- CAS, Statistics in Focus, -Children in Lebanon, based on MICS 3, 2009, September 2013
- CDR, UNDP, Lebanon Millennium Development Goals Report 2013- 2014, 2014
- CEDAW, Consideration of Reports Submitted by State Parties, Fourth and Fifth periodic reports of States Parties due in 2014, 2014
- Central Intelligence Agency 'World Factbook', Lebanon
- CERD, Statistics Bulletin 2013 – 2014, retrieved on 20 August 2015 from <http://www.crdp.org/ar/desc-statistics/25707-2013%20-%202014>
- Chaaban, J. et al (2010) 'Socio – Economic Survey of Palestine Refugees in Lebanon' Report published by AUB and UNRWA
- Child Protection in Emergencies, Rapid Needs Assessment, Lebanon, CPWG, January-February 2013
- Children Living and Working on the Streets in Lebanon: Profile and Magnitude, ILO, 2015
- Coalition to Stop the Use of Child Soldiers, "The vulnerability of children to involvement in armed conflict", October 2007, available online www.child-soldiers.org/document/get?id=1252
- Committee on the Rights of the Child, Consideration of Reports Submitted By States Parties under Article 44 of the Convention. Third Periodic Reports of States Parties Due In 2003: Lebanon, CRC/C/129/Add.7, 25/10/2005
- Coordination Forum of the NGO's Working Among the Palestinian Community submission to the Committee on Rights of the Child on the occasion of Lebanon's third period report (01/10/2005) "Rights of the Palestinian Child in Lebanon, Third Supplementary Report." [Accessed on 25 Feb. 2008- Summary by CRIN]
- Currently the worldwide used terminology has shifted to children in contact with the Law. For the sake of the CRSA "children in conflict with the law" will be used since it is still in use in Lebanon.
- Daily Star, 'Lebanon's Government will not pass draft budget', Beirut, 6 March 2012
- Danish Refugee Council "Iraqi Population Survey in Lebanon: A Report", 2007 Available at: www.drc.dk & www.lebanon-support.org
- EU, Action plan for EU-Lebanon partnership and cooperation 2013-2015, 2013
- Fact Fish retrieved on 22 August 2015 from: <http://www.factfish.com/statistic-country/lebanon/gross+enrolment+rate,+preprimary,+female>
- FAO, REACH, Food Security and Livelihoods Assessment of Lebanese Host Communities, 2015
- Faour, Hajjar, Bibi, Maysoun "Comparative regional analysis of ECCE in four Arab Countries (Lebanon, Jordan, Syria, and Sudan)" (Arab Resource Collective 2006). Background paper prepared for Education for All Global Monitoring Report 2007
- Frontiers, 'Invisible Citizens: A Legal Study on Statelessness in Lebanon', 2009
- Frontiers, ALEF, Restart, Al Karama – Joint Submission to UPR Working Group on the occasion of its 9th session for the review of Lebanon. 2010 - draft report
- Global Protection Cluster, International Bureau for Children Rights, Interagency Review of Justice Review in Humanitarian Context, 2015
- <http://data.unhcr.org/syrianrefugees/country.php?id=122>
- https://now.mmedia.me/lb/en/reports/features/lebanons_abortion_question
- <http://lebanon-support.org/pages/about-us>
- <http://www.al-monitor.com/pulse/culture/2012/06/child-soldiers-in-lebanon-in-the.html#ixzz3ksU9OyKX>
- <http://www.al-monitor.com/pulse/culture/2012/06/child-soldiers-in-lebanon-in-the.html#ixzz3ksToq55B>
- <http://www.cdr.gov.lb/eng/profile.asp>
- <http://www.dailystar.com.lb/News/Lebanon-News/2014/Sep-11/270261-one-person-commits-suicide-in-lebanon-every-three-days.ashx>
- http://www.lebmac.org/files/publications/Mine_Action_in_the_Republic_of_lebanon.pdf
- <http://www.unhcr.org/pages/49e486676.html>
- http://www.unicef.org/eapro/InterAgency_Panel_Best_Practices.pdf
- <http://www.vice.com/read/lebanons-sunni-child-soldiers>
- Human Rights Council "Report of the Working Group on the Universal Periodic Review- Lebanon" 12 January 2011. A/HRC/16/18
- Human Rights Watch, Lebanon Report, 2015
- ILO, Action Against Child Labour, A Mapping of Policy and Normative Initiatives, 2012
- INEE, Lebanon Minimum Standards for Education in Emergencies, 2014. http://toolkit.ineesite.org/toolkit/INEEcms/uploads/1154/Lebanon_MS_for_Education_v1.0_LowRes.pdf
- Inter-Agency Coordination Lebanon, Meeting, November 2015.
- Inter-agency Coordination Lebanon, Monthly Dashboard August 2015, Education Sector, 2015
- International Budget Partnership, Lebanese Transparency Association, Open Budget Survey, Lebanon, 2012
- International Monetary Fund, IMF Lebanon country report, 2014
- International Programme on the Elimination of Child Labour, ILO "Lebanon Child Labour on Tobacco Plantations: A Rapid Assessment." In Investigating the Worst Forms of Child Labour No. 17, 2000
- Interview conducted with UNRWA official in the context of the CRSA, 2015.
- Iraqi children (age 9-13). Hermel. Focus Group Discussion. 24 April 2008; 11 Iraqi children. Nabaa (age 8-14). Focus Group Discussion. 23 April 2008; 12 Sudanese children and children of migrant workers (age 8-15). Nabaa. 23 April 2008
- Law 422, Article 7 and Article 9

- Kullab, Samya, Underfunded UNRWA to run out of cash by October, Daily Star, June 10, 2015, retrieved on 22 August 2015 from <https://www.dailystar.com.lb/News/Lebanon-News/2015/Jun-10/301351-underfunded-unrwa-to-run-out-of-cash-by-october.ashx>
- Lebanese Centre for Human Rights (CLDH).The state of the freedom of association in Lebanon –What prospects for the future? 2010
- Lebanese Centre for Policy Studies, Youth unemployment in Lebanon: Skilled and Jobless, 2013: http://www.lcps-lebanon.org/publications/1368538726-youth_enemployment.pdf
- Lebanese Republic, Council for Development and Reconstruction, Annual Report, 2014
- Lebanese Republic, Lebanon Crisis Response Plan, (2015-2016), 2015
- Lebanese Republic, Ministry of Finance, Public Debt Directorate, General Debt Overview, 2015
- Lebanese Republic, MOSA, HCC, AGFUND, Draft Framework for the National Early Childhood Care and Development in Lebanon, 2015
- Lebanese Republic, National Budget, 2005
- Lebanese Republic, National Progress Report on the Implementation of the Hyogo Framework for Action 2013-2015, 2015
- Lebanese Republic, Office of the Minister of State for Administrative Reform, Citizens Charter Public Funds, 2011
- Lebanese Republic, State National Periodic Report on the implementation of the UNCRC-1993-1998
- Lebanese Republic, State Periodic Report on the CRC, 2004
- Lebanese Republic, UN, Lebanon Crisis Response Plan, 2015-2016, 2014
- Lebanon - Corruption <http://www.globalsecurity.org/military/world/lebanon/corruption.htm>
- Lebanon Millennium Development Goals Report 2013-2014
- Lebanon Mine Action Centre (LMAC), Annual Report 2014
- Lebanon Mine Action Centre, Lebanon Mine Action Strategy 2011-2020, 2011
- Lebanon, State report on the CRC, Third Periodic Report 2004 and Draft 4th and 5th report 2015
- MANARA Network, Save the Children Sweden, Lebanon Country Profile, 2011
- MANARA Network, Violence Against Children in Schools: A Regional Analysis of Lebanon, Morocco and Yemen, 2011
- Masri Rania, 'The Impact on the Environment in Lebanon', November 1995
- MDG for 2015, Retrieved on 22 August 2015 from: <http://www.un.org.lb/english/millennium-development-goals>
- Médecins Sans Frontières, Misery beyond the war zone: life for Syrian refugees and displaced populations in Lebanon, 2013
- MEHE. 2004. The National Action Plan for Education for All 2004-2015
- MEHE, Quality Education for Growth, National Education Strategy Framework, Education Sector Development Plan (General Education): 2010-2015
- MEHE Reaching all children with education (RACE) 2014: <http://www.mehe.gov.lb/uploads/file/2015/Feb2015/Projects/RACEfinalEnglish2.pdf>
- Mercy Corps, Policy Brief-Engaging Municipalities in the response to the Syrian Crisis in Lebanon, 2014
- Mercy Corps, Successful Municipal Strategies to Cope with the Syrian Crisis, 2014
- Mercy Corps, UNDP, Stabilisation and Resilience in Protracted Politically Induced Emergencies, A Case Study Exploration of Lebanon, 2015
- Ministry of Agriculture, 2005 report
- Ministry of Finance, public debt directorate, general debt overview, 2015
- Ministry of Justice, Juvenile Department Statistics, 2013
- Ministry of Labour, ILO, Fact Sheet Child Labour in Lebanon, 2013
- MoL-ILO, National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016. Accessed at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_229103.pdf
- MOPH, Ammar Valid, Strategic guidance for the health sector in Lebanon, 2012
- MOPH, National Health Accounts Summary, 2012
- MOPH, 2012b. National AIDS Control Programme
- MOPH. Epidemiology Surveillance Unit: communicable diseases surveillance Annual report 2014
- MOPH. Annual report 2013. Ministry of Public Health, Primary Health-Care Department, Epidemiology Surveillance Unit: Communicable Diseases Surveillance, 2013
- MOSA - National Support Programme for the poorest families, 2015. HCC draft 4th-5th periodic report to UN committee on the rights of the child, 2015
- MOSA, Italian Development Cooperation, Embassy of Italy, Abaad, Afel, Mosaic Project-The Unified Child Protection policy document for institutions and civil society working with children in Lebanon, 2015 (Translated)

- MOSA, National Social Development Strategy, 2011
- MOSA, Social Reform Action Plan, 2012-2015
- MOSA, The National Programme to Ensure Disability Rights, statistics, 2014
- MOSA, HCC. Workshop for the discussion of the draft National Periodic 4th and 5th Report, 2015
- Mouvement Social, Save the children, Child Led Reports for Data Collection, 2014
- Naba'a, Mouvement Social, MANARA Network, Save the Children, Child Led reports, 2013
- Office of the Special Representative of the Secretary General on Children and Armed Conflict, "Visit of the Special Representative for Children & Armed Conflict to the Middle East: Lebanon, Israel and occupied Palestinian territory, 9-20 April 2007", p. 7, available online at http://www.un.org/children/conflict/_documents/countryvisits/SRSGCAAC-Middle-East-visit.pdf
- Office of the Special Representative of the UN Secretary- General for Children and Armed Conflict (12 April 2007), "Lebanon: All Parties Agree to Protect Children Affected by Armed Conflict", OSRG/070412-22
- OMSAR, UNODC, "Youth Charter to Combat Corruption", 2003
- Ouis, Pernilla and Tove Myhrman, Save the Children Sweden "Gender-Based Sexual Violence against Teenage Girls in the Middle East: A Comparative Situation Analysis of Honour Violence, Early Marriages and Sexual Abuse in Lebanon, the Occupied Palestinian Territories and Yemen." 2007
- Pauline Nadjarian, "Inclusive Education: the Lebanese Context", Afkar 2 Project Panel Discussion 26 May 2009. Available online at: www.autismlebanon.org/docs/
- Permanent Peace Movement, "Campaigns - Child Soldiers", official website at <http://www.ppm-lebanon.org/campaigns.html>
- Reforest Lebanon Report, Lebanon Deforestation
- Republic of Lebanon and UNDP, 2010. Millennium Development Goals Lebanon: Interim Progress Report 2010
- Republic of Lebanon, Draft State Periodic Report 4th-5th on the CRC. 2015
- Republic of Lebanon, Ministry of Labour, A national action plan (NAP) to eliminate the worst forms of child labour by 2016, 2012
- Republic of Lebanon, Ministry of Labour, ILO, UNICEF, Save the Children, Children Living and Working on the Streets in Lebanon, 2015
- Republic of Lebanon, Ministry of Public Health, Statistical Bulletin 2013, 2015
- Republic of Lebanon, National Progress Report on the implementation of the Hyogo Framework of Action (2013-2015), 2015
- Republic of Lebanon, State report 4th and 5th to CEDAW, April 2014
- Republic of Lebanon, UNDP, Supporting the Implementation of the UN Convention Against Corruption in Lebanon, Workshop Agenda, Parliament, 2013
- Sarwate Chamsine: The integration of Physically handicapped students in normal schools, Master Thesis, Jinan University, 2013
- Save the Children, Children Validation Workshops, CRSA, 2015
- Save the Children, CRSA 2008, Handicap International Representative. Personal Interview. 21 April 2008
- Save the Children Focus Group Discussion results throughout academic year 2014-15
- Save the Children International, Children Validation Workshops, CRSA, 2015
- Save the Children, MANARA Network, Violence Against Children in Schools: A regional Analysis of Lebanon, Morocco and Yemen, 2011
- Save the Children, State of the World Mothers, 2014
- Save the Children Sweden (24 November 2006). "Lebanon Global Challenge, Country Plan: Quality Education for Children affected by Conflict 2007-2010." Save the Children Sweden
- Save the Children Sweden, 'Child Rights Situation Analysis for Lebanon', May before 2008
- Save the children Sweden, MANARA Network, Country Profile of Lebanon, A Review of the implementation of the UN convention on the rights of the child, 2011
- Schmid, Alex and Ralph Rinchy "Juvenile Justice Initiatives in Lebanon." Forum in Crime and Society, 2003
- SCS, ALEF, Nabaa, IBCR "Lebanon Country Profile" 2011
- SCS, Child Rights Situation Analysis, ALEF representative. Phone Interview. 2011
- Situation analysis of youth in Lebanon affected by the Syrian crisis, Summary Report, UNFPA, UNICEF, UNESCO, Save the Children and UNHCR, April 2014
- Social Welfare Department, Draft State National Periodic 4TH and 5th Report-HCC 2015
- TDH, State Party Report on the UNCRC, 2004. INSAN "Child Protection Assessment: Dom and their Children in Lebanon" 2010

- The National Commission for Lebanese Women, website and Facebook
- The Republic of Lebanon, State UNCRC 3rd periodic report to the Committee on the Rights of the Child, 2004
- The Universal Periodic Review, Lebanon 2015, Civil Society Reports, coordinated by the Arab NGO Network for Development, page 26
- The World Bank, Persistence to last grade of primary, male (% of cohort) , available online at: <http://data.worldbank.org/indicator/SE.PRM.PRSL.MA.ZS/countries?display=default>
- accessed on 17 July 2015
- Their World, A World at School, Reaching all Children with Education in Lebanon, Opportunities for Action, September 10, 2015 Update, 2015
- These include the LPHU, Sesobel, the Lebanese Autism Society (LAS), IDRAAC, Younbou and others.
- TIMSS and PIRLS, Retrieved on 22 August 2015 from: <http://timss.bc.edu/>
- TIMSS and PIRLS, Retrieved on 22 August 2015 from: http://timssandpirls.bc.edu/timss2011/downloads/T11_IR_M_Chapter1.pdf
- Trading Economics, Public Spending on Education, Retrieved on 22 August 2015 from: <http://www.tradingeconomics.com/lebanon/public-spending-on-education-total-percent-of-government-expenditure-wb-data.html>
- Translated text of Law No. 422
- U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children art. 6(4)
- U.S. Department of State. "Lebanon," in Trafficking in Persons Report- 2013. Washington, DC; June 19, 2014; <http://www.state.gov/documents/organisation/210740.pdf>
- U4 Anti-Corruption Resource Centre, Overview of Corruption and Anti-Corruption, 2012.
- UN Committee on the Rights of the Child (CRC), Committee on the Rights of the Child, Report of the 2012 Day of General Discussion on the Rights of All Children in the Context of International Migration, 28 September 2012, available at: <http://www.refworld.org/docid/51efb6fa4.html>
- UN Development Assistance Framework Report, Lebanon, 2010-2014, 2009
- UN High Commissioner for Refugees (UNHCR), Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2018, 2014, available at: <http://www.refworld.org/docid/536b564d4.html>
- UN Office of the High Commissioner for Human Rights, Lebanon Homepage, <http://www.ohchr.org/EN/countries/MENARegion/Pages/LBIndex.aspx>
- UNDP, 'Assessment of Capacity Building Needs of NGOs in Lebanon', 2009
- UNDP, Human Development Index Trends 1980-2013
- UNDP and MoSA, Poverty Mapping, 2007
- UNDP, Development Cooperation Report, UNDP, Lebanon, 2002
- UNDP, Lebanon Millennium Development Goals Report 2013
- UNESCO "Lebanon: Early Childhood Care and Education (ECCE) programmes" Country Profile on Lebanon. 2006. Available online at: <http://unesdoc.unesco.org/images/0014/001480/148027e.pdf>
- UNHCR 2014. Syria Regional Response Plan 2014, Mid-year update
- UNHCR data, 2012
- UNHCR Lebanon Daily Registration Statistics. Retrieved on 20 August 2015. <http://data.unhcr.org/syrianrefugees/syria.php>
- UNHCR, 'Country operations Profile-Lebanon', 2011
- UNHCR, Lebanon Global Appeal, 2014-2015, 2014
- UNHCR Monthly Update July 2013
- UNHCR, Refugees from Syria: Lebanon, 2015
- UNHCR, Syria Refugee Response, UNHCR Lebanon achievement at a glance, 2015
- UNHCR, the UN Refugee Agency, the Registration Trends for Syrians in Lebanon
- UNHCR, 200,000 Syrian refugee children to get free schooling in Lebanon, 2 October 2015: <http://www.unhcr.org/560e96b56.html>
- UNICEF, Education for children and adolescents in Lebanon: A human rights-based, equity focused
- Analysis of the situation (draft version)
- UNICEF, 'Lebanon: Statistics', 2009 figures
- UNICEF, 'Palestinian Children and Women in Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory Country Programme Document 2011-2013', 2010
- UNICEF, The State of the World's Children 2014, Every Child Counts, 2014.
- UNICEF, UNODC, Non-Custodial Measures for Juvenile Offenders in Lebanon: An Assessment of the Community Service Measure, 2012.

- UNICEF website, Lebanon Data
- UNISDR, Making Lebanon resilient, Achieving Disaster Risk Reduction in the Arab States, Good Practice Country Brief, 2012
- United Cities and Local Governments, Municipalities on the Frontline, The Effects of the Syrian Crisis on Local Governments in Bordering Countries (Turkey, Jordan, Lebanon), Mission Report and Recommendations, 2013
- United Nations, Committee on the Rights of the Child, Consideration of Reports Submitted by States Parties Under Article 44 of the Convention-Lebanon, Concluding Observations, 2006
- United Nations, Committee on the Rights of the Child, Concluding Observation, 2006/2006
- United Nations General Assembly, Report of the Working Group on the Universal Periodic Review, Lebanon, Addendum, 25 February 2016, Page 2
- United Nations Population Division, International Migrant Stock: 2008 Revision, 2010
- United States' Department of Labour's Bureau of International Labour Affairs. Lebanon, 2013
- University Centre for Family and Community Health, Université Saint-Joseph: Directory of Specialised Institutions for Children Aged 0-18 Years, 2009
- UNRWA, Disability sub-programme, draft report can the child be mainstreamed, 2012
- UNRWA Education Reform Strategy 2011-2015, 2011: <http://www.unrwa.org/userfiles/2012042913344.pdf>
- UNRWA, information provided to HCC in the context of the CRC reporting, 2015
- UNRWA, Response to Palestinian Refugees from Syria in Lebanon, Bimonthly Briefing, ISSUE 43, March-April, 2015
- UNRWA, School Drop Out-An agency wide study, 2013
- UNRWA, Syria regional crisis, emergency appeal 2015, 2014
- UNRWA, UNRWA Response and Services to PRS in Lebanon, Bimonthly Briefing, Issue 43, March-April, 2015
- UNRWA website <http://www.unrwa.org/tags/lebanon>
- USJ, HCC, Save the Children, UNICEF, Legal Study on UNCRC and compliance with national laws, 2007
- USJ, MOSA, HCC, UNICEF, Strengthening the Child Protection System in Lebanon, 2012
- WHO 2010. Country Cooperation Strategy for WHO and Lebanon 2010
- WHO, 2013b. Syrian Arab Republic, Jordan, Lebanon, Iraq: Situation Report, Issue No. 15, 5–20 June 2013, WHO Regional Office for the Eastern Mediterranean
- WHO, Lebanon health profile 2010. Geneva.
- WHO, Lebanon Country Cooperation Strategy at a glance, May 2014
- World Bank, Climate Portal, Lebanon
- World Bank, <http://data.worldbank.org/country/lebanon>
- World Bank, Lebanon: economic and social impact assessment of the Syrian conflict. Washington DC: World Bank, 2013
- World Bank. 2010. Republic of Lebanon water sector: public expenditure review. Washington, DC: World Bank
- World Food Programme, Vulnerability Assessment of Syrian in Lebanon-Preliminary results, 2015
- World Food Programme, Vulnerability Assessment of Syrian Refugees, 2015
- World Food Programme. Vulnerability assessment of Syrians: a general picture of living conditions of Syrian refugees in Lebanon. 2013
- World Report 2015: Lebanon, events of 2014, <https://www.hrw.org/world-report/2015/country-chapters/lebanon>
- World Vision. Under Pressure: The impact of the Syrian refugee crisis on host communities in Lebanon, 2013
- www.almodon.com. "Recruitment of minors as soldiers, a current debate amidst Hezbollah"
- www.legal-agenda.com, statement issued by nine human rights organisations, against the deportation of children and families of migrant workers, 3/9/2014
- Yaacoub, Hiam. 2013. Tuberculosis in Lebanon. Paper presented at Annual Meeting of Lebanese Pulmonary Society

Annex 1: Child Rights Situation Analysis in Lebanon

Terms of Reference

1) Background and justification:

A CRSA constitutes an essential source of data intended to inform Save the Children's (SC) strategic decision-making, related to both development and humanitarian programming in each country where we operate. All SC Country Offices has been advised to carry out a CRSA as a basis for the development of a new strategy for 2016–2018. Save the Children Lebanon (SCL) has decided to carry out a CRSA in the beginning of 2015 to meet the request from SC, but also due to an identified need to develop a stronger base for developing rights-based programmes that, to a larger extent than what currently exists, guarantees better integration between humanitarian and development efforts, for sustainability and enhanced resilience in marginalised children in Lebanon.

For SCL, the CRSA is expected to serve as an integral part of strategic decision-making and will be the primary assessment that will feed into the 2016-2018 country strategic plan. The CRSA aims to provide an overview of the extent to which children's rights are fulfilled in Lebanon, as well as the obstacles to and enablers of their realisation. It will look at how well Lebanon is progressing towards achieving the children's rights it has committed to, and how SCL can most effectively and strategically contribute to children's rights in Lebanon in the coming years. It will also serve as an advocacy tool to promote children's rights within relevant Lebanese institutions, NGOs and INGOs. It will finally offer some point of comparison in the realisation of children's rights from the previous CRSA conducted in 2011.

Lebanon ratified the United Nations Convention on the Rights of the Child (CRC) in 1991 and has exhibited commitment to improving the condition of the child and protecting their wellbeing since then.

The Lebanese state submitted its third report (due on June 2003) to the UNCRC committee in Geneva in November 2004, and received the committee's concluding observations in June 2006. Since then, the Lebanese state has not submitted the fourth and fifth reports. The HCC is leading the process of compiling the fourth and fifth reports (due since December 2011) together to be submitted during 2015. The CRSA will also be an input towards the reports of civil society.

The 2011 CRSA conducted by Save the Children Sweden (SCS) Lebanon Country Office (CO) highlighted the following findings:

- Awareness among practitioners on the CRC was growing through expanding children's rights initiatives and the promotion by international organisations of rights-based development.
- With regards to the child protection system, more needs to be done in order to promote prevention of abuse and violence against children, while judicial procedures are heavily relied on.
- Children's participation and the principal of "the best interest of the child" were increasing concerns for duty bearers. However, participation continues to be restricted in frequency and scope.
- Child-focused emergency preparedness was an area to strengthen.
- Legal review leading to the comprehensive implementation of children's rights was not progressing holistically. The improvement had been sectoral, and undermined by the absence of a unifying children's rights law. As a result, discrimination in law and practice continues to occur.
- Lebanon had achieved high rankings in boosting school enrolment. However, the lack of legislation on compulsory and free education, and the low quality of education, created significant school retention issues. Discrimination in schools was also a major challenge.
- In regards to Palestinian refugees, identified as one of the main vulnerable groups, improvements are needed in health service provision. Also, discrimination against this category with regard to social, economic and civil rights was prominently highlighted.
-

- Finally, while Lebanon was progressing in reducing infant and maternal mortality, the quality of public health sector services was significantly lower than the private sector, whose access is limited due to high prices and low levels of health insurance coverage. In this regard, Lebanon still lacks a unified health strategy, though great efforts were placed in building the capacity of the healthcare workforce.

Since the last CRSA, several factors have hampered initiatives to improve the situation of children in Lebanon: among them the governance crisis that has characterised Lebanon's political and social spheres, the increasingly unstable security situation and most significantly, the Syrian conflict, now entering its sixth year. While the initial spillovers from the Syrian conflict into Lebanon were primarily of a humanitarian nature and related to the immediate influx of refugees, the escalation of the crisis has also affected the economic and social spheres. Across all public services, the surge in demand from Syrian refugees has overwhelmed the existing Lebanese system, already highly privatised, and contributed to a decline in both access and the quality of public service delivery. Particularly, the increase in demand for health and education services is straining the health system and affecting the quality of public education as well as creating a significant need for non-formal education. The unorganised coordination between agencies and local actors for service provision left a huge number of unmet livelihood needs among the refugee population. In addition, social stability has become a main issue to tackle between refugees and the Lebanese communities because of different cultural, social, political, and economic disparities.

The upcoming CRSA intends to take stock of the above developments in analysing children's rights. The assessment will have a broad scope and will be structured according to the same clusters of rights as found under the CRC.

2) Objectives

The overall objective of the 2015 CRSA exercise is to conduct a review of the situation of boys and girls among the Lebanese and refugee populations, to assess the realisation of their rights based on the CRC and identify the obstacles and enablers to their fulfilment.

Specific CRSA objectives include:

- Obtain an overview of the situation of boys and girls amongst the Lebanese in addition to those in refugee populations and their rights in Lebanon, including the extent to which their rights have been realised and the reasons for their fulfilment or non-fulfilment. The regional children's rights' context will be considered in this overview as it may have a positive or negative influence on the fulfilment of children's rights in Lebanon.
- Inform the Lebanon CO country strategic plan 2016-2018 based on up-to-date information on the children's rights' situation and boys' and girls' needs, in order to reach increased integration of humanitarian and development programming and ensure sustainable solutions are planned to increase the realisation of children's rights and enhance children's resilience.
- Raise awareness and understanding of children's rights, and their fulfilment in Lebanon among SCL staff, duty bearers, and rights holders.
- Develop an advocacy strategy based on the results of the CRSA to increase children's rights based programming in humanitarian and development interventions in Lebanon.
- Draw comparisons between the last CRSA's results and findings from the 2015 exercise, to identify trends in child rights' realisation.

3) Scope

The CRSA shall include a general overview of children's rights fulfilments and violations and include a presentation of immediate, underlying, and root causes of the violations of children's rights based on available data and sources in Lebanon.

The analysis will provide input to guide how SCL can address the rapidly changing and diverse situation of children in Lebanon. It shall not only focus on the situation at national and local levels, but also take into account developments in the region that hamper or encourage the implementation of children's rights in Lebanon. Additionally, it shall take into account the chronic emergency situation resulting from the conflict in Syria and its impact on Lebanon, which has and continues to expose Lebanese and refugee boys' and girls' to even more vulnerable circumstances and constraints on the development of civil society.

The analysis will address governance issues by examining the legal framework, governance structure, role, resources, commitments and capacity of the government to implement all children's rights in Lebanon at national, regional and local levels. It will also pay special attention to the profile and role of local civil society, the private sector, UN and INGOs in promoting the rights of the child. The framework for this children's rights situation analysis is laid out in Save the Children's "Child Rights Situation Analysis Guidelines" from 2013.

The analysis will also give insight on the status of civil society in Lebanon and the region, particularly the children's rights based civil society organisations and coalitions, assess their situation, the challenges faced in developing their activities, promoting children's rights, and describe existing mechanisms in place to hold the GoL accountable for fulfilling children's rights.

More specifically, the CRSA will address:

I. Overall country context:

- Describe the legal, political, economic, cultural and social context and practices prevalent in the country, and identify traditional practices harmful to children.
- Describe the development, the humanitarian contexts, and trends in the country and how these are entangled. Describe the consequences of the current humanitarian situation on the development status of Lebanese society and especially on children identified within the country's jurisdiction.
- Describe the different groups of refugee children (the history, the context, the number, which actor has the legal responsibility for the refugees vs. which actor takes actual responsibility for the refugees etc.).

II. Analysis of Situation on CRC rights

Child Rights Governance:

- Analyse the national governance system that includes a number of General Measures of Implementation (GMI) of children's rights, as mentioned in the Save the Children CRSA guide, as well as their conduciveness to the implementation of children's rights. The GMIs to be taken into consideration are: 1) Law reform and enforcement, 2) National Plan of Action for the advancement of children in Lebanon, 3) National coordination role in relation to the various governmental bodies and non-governmental organisations involved in the implementation of the rights of the child at national and local levels, 4) Independent monitoring (Children's ombudsman), 5) Allocation of national resources to children, 6) Disaggregated data collection, 7) Cooperation with national civil society, 8) Dissemination of the CRC and training activities among national staff, and 9) Ensure awareness among children and adults on CRC and dissemination of UNCRC reports.
- Describe and analyse the Disaster Risk Management systems and institutions that the Lebanese government has put in place or is developing in case of natural or man-made emergencies/crises (DRR/preparedness, response and recovery measures and to what extent children are visible or considered in those measures): look into the Lebanese government's progress reporting in relation to the Hyogo framework, examine the legal framework, the national disaster risk reduction strategies, and the risk mitigation measures in place in case of man-made disasters. The state preparedness and decentralisation of disaster risk governance will inform SCL country and regional offices about the required support, if the most vulnerable children are targeted by the government and who SC should target as well as what governmental bodies SC should seek to cooperate with strategically.

- In addition, look into SCI Emergency Preparedness Plan and SCI engagement with the municipalities, local stakeholders, and civil society in emergency preparedness and responses to increase awareness about the efficiency and effectiveness of SCI's interventions.
- Identify and describe informal parallel service systems and assess the extent of outsourcing to NGOs, private sector groups, and faith-based institutions.
- Present the international legal documents and protocols that the country has ratified with relevance for the fulfilment of the Rights of the Child. Assess to which extent they have been implemented. Highlight the gaps. Inform on possible reservations to the CRC.
- Analyse the governance decentralisation (political, economic and/or administrative power) process and assess the effect of the governing structure's decentralisation on the implementation of CRC for both Lebanese and refugee children.
- Describe the political and public climate towards human rights and the Rights of the Child in particular.
- The legal framework for refugee children and its consequences on the realisation of children's rights, considering that Lebanon did not ratify the Refugee Convention.
- Describe the availability, effectiveness and shortcomings of governance mechanisms directed towards Lebanese children, as well as refugee children in the country, at national and local levels for the implementation of the Rights of the Child.

Articles establishing cross cutting principles:

- Describe and analyse the fulfilment of the general principles among Lebanese and refugee children:
 - Right to life: survival and development, mortality rate under 5 years old for each group of children, and honour crimes.
 - Best interest of the child: looking at the root causes and the consequences of current legislation on the best interest of the child.
 - Non-discrimination including gender analysis: heritage in regards to boys and girls, discrimination against people with disabilities in law and in practice, racism against migrant workers' children.
 - Participation
 - Definition of the Child: law review including children's minimum age for marriage, labour, criminal responsibility. The different communities' perspectives in regards to the definition of a child and to their evolving capacities.

Articles establishing Substantive Rights

- Describe and analyse the access and quality of substantive rights for Lebanese and refugee children:
 - Education and Culture: the role of the MEHE and the governance structure and capacity of the national education system: the training unit at the ministry, teacher's capacities, quality of services, segregated primary dropout rates, current curriculum, access of all refugee and Lebanese children to quality education, consequences of the languages' system on refugee children, early childhood development, care institutions providing education services and children with disabilities, UNRWA schools, girls and boys enrolment, and children with special learning needs.
 - Health and Welfare: children with special needs, children with disabilities, social security services and access to health services at hospitals and dispensaries in relation to the standard of living, vaccination, equal access to primary health care, adolescents sexual and reproductive health rights, the difference of the quality of services between public and private hospitals in addition to looking at the reforms within the health sector, law reforms, and resources allocated by the Ministry of Health to ensure equality and quality of services.
 - Civil Rights and Freedoms: identifying the extent to which children lack registration and citizenship, child involvement in elections, children's right to establish or being involved in NGOs, the right to freedom of expression, the right to nationality, and torture in relation to Law No. 422.

- Child Protection: looking at the national strategy for the protection of children from all forms of violence and its enforcement plan, the domestic violence law and the protection systems at the MOSA and the role of the HCC in relation to Child Protection; in addition to alternative care, corporal punishment, Law No. 422 and administration of juvenile justice, case management, children in armed conflict, refugee children and access to protection services (Syrian, Palestinians residing in Lebanon and coming from Syria, and Iraqis), children of migrant workers, street children, economic exploitation and child labour, sexual exploitation and trafficking, and children in orphanages and without support including unaccompanied refugee children.

Analysis of crosscutting factors and actors

- Key factors important to the realisation of rights:
 - Investment in children: identifying to what extent national budgets are child-focused, the tax system, anti-corruption with regard to the ministries related to children: MOSA, including the HCC, Ministry of Labour, MOJ, Ministry of Education, Ministry of Health and the Ministry of Interior and Municipalities.
 - Describe environmental issues and their impact on the children's situation: environment and climate change's impact on children, the use of pesticides where children are working, child labour's impact on the health of the children, looking at the 182 convention on the worst forms of labour, child resilience, and disaster risk reduction.

III. Key actors in rights

- Duty Bearers and other stakeholders
 - Assess duty bearers' capacity to implement children's rights at different levels: government institutions, local, regional and national decision-makers, communities, host communities of refugees, and families,
 - Describe the obstacles or barriers limiting the capacity of duty-bearers,
 - Identify and describe other actors/stakeholders that exist and their impact on the implementation of the Rights of the Child,
 - What international organisations exist and how does their work impact the rights of the child? The sustainability of the work of international organisations? To what extent do they build capacity of state/local actors, or do they merely direct implementation?
 - Describe and assess the political rights environment for civil society and the role/potential of civil society in promoting the rights of the child,
 - Identify gaps for stakeholders to channel their resources,
 - The role of the private sector on children's rights,
 - Assess the UN and EU as supporters for the implementation of children's rights,
 - Describe and analyse the relevance of support to the Lebanon CO from SCI and other Save the Children members,
 - Nature of and relationships between state, INGOs, civil society, religious actors, and private sectors. Assessing potentials and actors for the promotion of the UNCRC.

Civil Society:

- Describe the types of organisations in the country and the social groups they represent, the level and substance of coordination and cooperation between the organisations.
- What roles do they play in society: service providers, monitoring the implementation of CRC, advocacy, humanitarian or development focus? How do civil society organisations view their role in society? How prepared is civil society with regard to man-made and natural disasters?
- How does the government view the role of civil society with specific focus on child rights organisations?
- Assess the capacity of civil society actors to monitor, promote children's rights, and to hold the government accountable.
- Are there child-lead initiatives? If so, describe their role and how they function.
- Assess SC core partners and their national and local networks in their work to promoting child rights, holding the state accountable and assessing current opportunities to strengthen them and their work.

4) Process

I. General Guidelines

- SC CRSA Guidelines from 2013
- SC's International Global Strategic Issues
- Gender policy and toolkit
- SC Non-Discrimination Handbook
- Guidelines for Children's Participation in Humanitarian Programming
- SPHERE Standards Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response
- INEE Minimum Standards for Education
- Child Protection in Emergencies Minimum Standards
- Child rights programming handbook
- A 'How to' note, incorporating children's rights governance into your generic children's rights situation analysis
- Child Rights Governance before, during and after Emergencies: Making the Case.
- Reducing Risks, Enhancing Resilience – Save the Children's approach to DRR and CCA
- Framework for Child Centred DRR Strategy in the Arab Region (SCI 2013)

II. Methodology

CRSA Management

A **CRSA Steering Committee** will oversee the overall CRSA process. The Committee will have general responsibility for the successful completion of the CRSA exercise. It will inter alia provide strategic direction and guidance during implementation, further develop and approve Terms of Reference (ToRs) and plans, ensure sufficient resources are committed and resources are used efficiently, and oversee the exercise once started, including the completion of key stages or deliverables.

SCL's Country Director will chair the Steering Committee, which will be composed of the Director of Programme Development and Quality (PDQ), Head of Partnerships and the Communication and Advocacy Manager. An ethics advisor might be part of it later on.

For the day-to-day management of the CRSA exercise, a project team will be put together, composed of the Director of Operations, CRG Coordinator, Monitoring, Evaluation, Accountability and Learning (MEAL) Technical Advisor (TA), Child Protection (CP) TA, Education Technical Advisor and the CRSA process management Consultant (see below). The project team will be responsible for the implementation of the CRSA, ensuring work plan implementation and budget compliance. The CRG coordinator will supervise the technical work, specifically with the process management consultant and will have a managing and coordination role on the project team.

SCL plans to recruit a **CRSA process management Consultant** (either local or international depending on availability, competencies, and experience) to steer the day-to-day management of the CRSA process, and ensure quality data review and collection phases, as well as analysis and final reporting. It is envisaged that the Consultant will be required in-country during the inception and secondary data review phases, and subsequently during the primary data review, analysis, and final reporting.

Finally, SCL intends to sub-contract the primary data collection tasks to a **research or consultancy firm** in Lebanon, to benefit from the firm's knowledge of - and contacts with - Lebanon's government institutions and civil society organisations in all Lebanese governorates and districts, as the CRSA will be conducted throughout Lebanon, including in areas where SCL might not be currently present.

Sources of Information

The CRSA will be conducted using two main sources of information: A secondary data review will be performed, during which available secondary information will be scrutinised in order to prepare for primary data collection and feed into the overall analysis report.

Secondary data may be extracted from below sources of information (depending on the availability of below resources):

- CRC-State party reports and respective concluding observations (when available)
- CRC alternative reports issued by civil society
- National legislation pertaining to children
- Governmental reports about policy and programmes related to/affecting children (such as government sector plans e.g. strategic plans, poverty reduction strategy papers, sector-wide plans e.g. education and health), RACE, LCRP, MOSA, National Statistics Institution, youth assessments, case management systems, street children assessment
- Policy materials, guidelines and research reports produced by SC members
- Reports produced by UNICEF, UNHCR, WHO and any other relevant UN agencies
- Special attention should be paid to reports produced in the context of the UN Study on Violence Against Children
- MRM reports - UN Office of the Special Rep. of Secretary General for Children in Armed Conflict
- Reports produced by international organisations
- Reports produced by local, national, or regional human and children's rights organisations and academic/research institutions
- Budget analyses related to public expenditures on children
- Civil society partners' reports and consultation
- Child-led reports
- The Child Rights Situation Analysis published by Save the Children Sweden in Lebanon in 2011
- The Arab Strategy for DRR 2020
- Lebanon National Progress Report on the Implementation of the Hyogo Framework for Action (2013-2015)
- Disaster Risk Assessment – Lebanon (UNDP 2010)

Interviews might be conducted with key informants and experts to determine the best sources of secondary data.

Following secondary data review, the requirements for primary data collection will be identified by the project team, in order for the research firm to be able to devise the most appropriate primary data collection methodology and design the more relevant data collection tools.

As mentioned above, primary data collection will be performed by the contracted research firm, which will be tasked with hiring and training Assessment Officers, with support from the CRSA project team and participation of relevant SCL programme staff and specifically when reaching out to children and beneficiaries.

The third key CRSA implementation process will involve primary data entry, cleaning, validation, and aggregation and will be performed by the research firm. The CRSA process management Consultant will then take over from the research team, analysing secondary and primary data obtained before convening a four-day analysis workshop, during which all CRC rights will be reviewed and key findings related to their fulfilment or violations will be analysed. The workshop will gather a wide range of SC staff, from the Steering Committee members to SCS CRSA Consultants to the CRSA project team.

The process Consultant will then initiate the drafting of the CRSA report, including recommendations for SCL's CO related to a potential programmatic focus to enhance the realisation of children's rights in Lebanon and increase children's rights programming in humanitarian and development responses.

A final verification workshop will be convened with key informants, constituencies, key SCL staff, partners and rights' holders (in particular children), to confirm key findings and recommendations, before the final report is produced (see detailed work plan for more details).

Save the Children Sweden CRG technical advisors team will provide technical support throughout the entire process of the CRSA, and the grants manager will have a coordination role with the Awards Management Unit at the SCL country office.

Expected Outputs

The following outputs are expected during the CRSA exercise:

- Detailed CRSA methodology document and work plan
- Matrix of secondary sources of CRSA information, including identified gaps
- Primary data collection methodology document
- Primary data collection tools
- List of interviews with brief summary of interviews
- Matrix presenting key findings of secondary and primary data
- Analysis workshop agenda
- Final CRSA report of maximum 70 pages in English, including a summary of maximum 10 pages in English and Arabic if possible, and a child-friendly summary, including the following annexes:
 - i. Matrix presenting consulted materials and resources, including identified gaps
 - ii. List of interviewees with brief summary of interviews (if applicable)
 - iii. Matrix presenting key findings of secondary and primary data
 - iv. Bibliography

Timeframe

The process management Consultant is expected to start during the third week of April 2015. A first draft for comments should be ready by mid-June 2015 and comments forwarded to the consultant no later than June 19, 2015. The verification workshop is to be conducted before the submission of the final version. The final document is expected to be delivered to SCL CO by June 30, 2015. The printing and the child friendly version are expected by the end of September 2015.

Annex 2: The Consulting Company and CV of the CRSA consultant.

ITASC was founded in 2010. ITASC is a Lebanese private consulting company, registered at the Trade Register under No: 1012536.

The founding partners have Lebanese, European, and Canadian nationalities and accordingly ITASC has local, regional and international outreach. As a consulting firm, ITASC offers a range of services and consultancies targeting various private and public sectors in the not for profit and for profit sectors. ITASC has special expertise concentrating particularly but not exclusively in developing countries especially in the MENA region and in the development aid, human rights and social fields. ITASC provides effective fundraising, technical assistance, monitoring and evaluation, research and training services that promote gender equality principles, a rights-based approach, equity perspectives, and human rights principles.

ITASC works closely with donors, governments, and civil society to develop capacity and improve aid effectiveness through a results-oriented approach.

ITASC had standing clients even prior to registration and was able to pursue and undertake various projects since its registration. ITASC projects in Lebanon include: project design and technical assistance for the implementation and monitoring and evaluation of UNDEF funded project DEEP, Evaluation of the RWI Human Rights MENA Programme for INDEVELOP Sweden funded by SIDA, regional component (Lebanon, OPT, Jordan, Iraq), final evaluation for the active learning project for the Welfare Association Lebanon Office (UK based NGO), and a mapping study for the purpose of strategic planning for Diakonia Lebanon Office (Swedish NGO).

ITASC executed in 2014 the final evaluation of ANERA's programme in Lebanon "Enhancing Non-Formal Education for Palestinian Youth in the North of Lebanon (ENFE II)," as well as UNFPA/UNICEF evaluation of the project "Adolescent and Youth Friendly Services," encompassing a child protection component, and an EU-funded final evaluation of Handicap International Project focusing on strengthening the disability movement in Lebanon.

Outside Lebanon ITASC undertook **the Situation Analysis of Women and Children in Kuwait** for UNICEF's Gulf Area Office and was recently contracted by the UNICEF-Oman country office to undertake the elaboration of **Oman's national childhood strategy** and related action plan, and contribute to Oman's national social action plan with respect to the childhood thematic component.

Please refer to www.itasc-lb.com for further details.

The Consultant CV

Lina Hamaoui is a prominent consultant in Lebanon and the MENA region and has over 24 years of advanced experience in human rights, gender related issues and empowerment, peace-building and community development, having assumed senior management positions in the public sector in Lebanon and as a freelance consultant for various international, UN, and EU organisations as well as local NGOs.

Lina is a holder of a Master's degree in Public Health-Health Services Management from the American University of Beirut and continued her studies in Canada and the USA in both formal and informal degrees and certificates.

She conducted a multitude of consultancies where her duties encompassed planning, monitoring, and evaluation and frequently capacity development of national stakeholders, advocacy, and production of materials and resources and report writing.

Lina elaborated various human rights training manuals, conducted research and baseline surveys, and was the national survey manager on Human Trafficking in Lebanon.

Right from the beginning of her career until the present date her work entailed working with the MOPH and MOSA and NGOs. She became familiar with the various service delivery centres in Lebanon. Presently and through the UNDEF-funded Democratic Empowerment Processes (DEEP) project she is in touch with the HCC's various MOSA SDCs.

Lina had the opportunity to be involved directly in human rights, children's rights, and development related issues, having assumed the responsibility of Acting Secretary General of the HCC in Lebanon at the MOSA, and as a freelance consultant for various international and UN organisations as well as local NGOs.

Lina is a strong advocate of human rights-based approaches and delivered several trainings on children's rights-based programming. Lina was the technical advisor for the ACCESS project which is a regional programme aiming at preventing and addressing the issue of child labour as well as the worst form of child labour, including a policy component.

Lina was involved in various projects relating to the prevention of the worst forms of child labour including the issue of child soldiers in Lebanon and Sudan. Lina was the technical advisor for Farah Lebanon Project (Un Ponte Per, Italian NGO- UNICEF Italy and UNICEF Lebanon), where she was responsible for the project design as well as for monitoring and evaluation. She also designed the UNDEF-funded DEEP project and is providing technical assistance for its implementation including monitoring and evaluation tasks.

Lina undertook a final evaluation for the Welfare Association and a mapping study for Diakonia for the purpose of strategic planning.

Lina had executed a midterm evaluation with IDEVELOP Sweden for the Raoul Wallenberg Institute's MENA Programme on Human Rights, funded by SIDA, where she was the Regional Evaluator for Lebanon, Jordan, OPT and partially Iraq. Lina was the lead Evaluator for the final e-evaluation of Handicap International's EU-funded project "Strengthening the Role of the Disability Movement in Promoting the Rights of Marginalised Persons with Disabilities in Lebanon." She executed the final evaluation and up-scaling of UNFPA/UNICEF's "Adolescent and Youth Friendly Services," a pilot project in 11 Service Delivery Points in Lebanon. She also executed the final external evaluation of the project Enhancing Non-Formal Education for Palestinian Youth in the North of Lebanon (ENFE II) for ANERA Lebanon office.

Lina assumed the position of team leader in all above mentioned evaluations as well as the Situation Analysis of Women and Children in Kuwait for the UNICEF Gulf Area Office. Recently, she also assumed a leadership role for the elaboration of Oman's national childhood strategy and related action plan.

Lina is a professional fundraiser and trainer and is a member and founder of several regional and international human rights networks. She is also currently the President of IDEA-NGO, specialised in children's rights.

Annex 3: Planned data collection methods and key informants

General Measures of Implementation (Articles 4, 42, 44.6)

Topic	How	Key Informants	UNCRC Articles
Child Rights Governance			Articles 4, 41 to 54
General Measures of Implementation	Desk Review and interview	HCC Secretariat- Rita Karam and Alice Keyrouz and MOSA advisor Fehmi Karameh	
Law reform and enforcement	Desk Review	USJ Study & other	
National plan of action for the advancement of children in Lebanon	Desk Review and interview	HCC Secretariat- Rita Karam and MOSA advisor Fehmi Karameh	
National coordination role in relation to the various governmental bodies and non-governmental organisations involved in the implementation of the rights of the child at national and local levels	Desk Review and interview	HCC Secretariat- Rita Karam and MOSA advisor Fehmi Karameh	
Independent monitoring (Children's ombudsman)	Desk Review and interview	HCC Secretariat- Rita Karam and MOSA advisor Fehmi Karameh	
Allocation of national resources to children (mentioned in the investment in children section). Investment in children: Identifying to what extent national budgets are child focused, tax systems, anti-corruption in regards to the ministries related to children: MOSA including the HCC, Ministry of Labor, MOJ, Ministry of Education, Ministry of Health and the Ministry of Interior and Municipalities	Desk Review and interview	HCC Secretariat- Rita Karam and MOSA advisor Fehmi Karameh and HCC member Ministry of Finance Rana Bou Karoum	
Disaggregated data collection	Desk Review and interview	HCC Secretariat- Rita Karam and Alice Keyrouz and MOSA advisor Fehmi Karameh	
Cooperation with national civil society	Desk Review and interview	HCC Secretariat- Rita Karam and Alice Keyrouz and MOSA advisor Fehmi Karameh	

Dissemination of the CRC and training activities among national staff	Desk Review and interview	HCC Secretariat- Rita Karam and Alice Keyrouz and MOSA advisor Fehmi Karameh	
Ensure awareness among children and adults on CRC and dissemination of UNCRC reports.	Desk Review and interview	HCC Secretariat- Rita Karam and Alice Keyrouz and MOSA advisor Fehmi Karameh	
SCI Emergency Preparedness Plan and SCI engagement with the municipalities	Interviews with field staff	SCI- Rana Kharrat and field teams engaging with the municipalities	
Identify and describe informal parallel service systems and assess the extent of outsourcing to NGOs, the private sector, and faith-based institutions.	Desk Review		
Present the International legal documents and protocols that the country has ratified with relevance for the fulfilment of the Rights of the Child. Assess to which extent they have been implemented. Highlight the gaps. Inform on possible reservations to the CRC.	Desk Review		
Governance decentralisation/Effect on CRC	Desk Review and interview	HCC secretariat-Ghada Mansour	
Describe the political and public climate towards human rights and the Rights of the Child in particular.	Desk Review		
The legal framework for refugee children and its consequences on the realisation of children's rights, considering that Lebanon did not ratify the Refugee Convention.	Desk Review		
Disaster Risk Management	Semi structured interviews	UNDP-Ministry of Interior and Municipalities HCC member- MOSA (Maria Brounian or Hala Helou)	
Availability, effectiveness and gaps of governance mechanisms directed towards Lebanese children as well as refugee children in the country	Semi structured interviews	Selected HCC members and INGOs and UN-MOSA- Minister Advisor Fehmi Karameh	

General Principles (Articles 2, 3, 6, 12)

Definition of Child (Article 1)

Articles establishing cross cutting principles:			
Topic	How	Key Informants	UNCRC Articles
Right to life, survival and development, mortality rate under 5 years old of each group of children, honour crimes.	Desk Review		Article 6
Best interest of the child: looking at the root causes and the consequences of current legislation on the best interest of the child.	Desk Review and interview	Children and relevant duty bearers including parents and community consultations with children and focus groups	Article 3
Non-discrimination including gender analysis: heritage in regards to boys and girls, discrimination against people with disabilities in law and in practice, racism against migrant workers children.	Desk Review		Article 2
Participation	Desk Review		Article 12
Definition of the Child: law review including child minimum age for marriage, labour, criminal responsibility. The different communities' perspectives in regards to the definition of a child and to their evolving capacities.	Desk Review		Article 1

Education and culture (Articles 28, 29, 31)

Education and Culture	How	Key Informants	UNCRC Articles
Early childhood development	Desk Review and interview	MEHE & HCC- Ghada Mansour	Articles 28, 29 & 31
The role of the MEHE and the governance structure and capacity of the national education system	Desk Review		
Care institutions providing education services (including semi-free schools)	Desk Review and interview	MEHE	
Girls and boys enrolment	Desk Review		
Capacity of the national education system	Desk Review and interview	Ministry of Education including HCC member	
Access of all refugee and Lebanese children to quality education: formal education (public, semi-private, private schools) and non-formal education: catch-up programmes for out of school children, remedial classes, basic literacy and numeracy / dropout rates	Desk Review	UNRWA for Palestinians, MEHE, UNICEF & UNHCR for Lebanese & Syrians	
Children with disabilities	Desk Review and interview	MEHE & UNRWA	
Children with special learning needs	Desk Review and interview	MEHE & UNRWA	
UNRWA schools	Desk Review and interview	UNRWA	

Survival	How	Key Informants	UNCRC Articles	
Children with special needs	Desk Review		Article 23	
Children with disabilities			Article 24	
Adolescents' sexual and reproductive health rights			Articles 18 (part 3), 24 & 26	
The difference of the quality of services between public and private hospitals			Article 24, 26 (part 1)	
The reforms within the health sector			Article 24, 26 (part 1)	
The law reforms			Article 27	
Resources allocated by the Ministry of Health to ensure equality and quality of services			Articles 24, 26, 18 (part 3)	
Social security services and access to health services at hospitals and dispensaries in relation to the standard of living, vaccination, equal access to primary health care			Article 6	
Environmental issues with impacts on the situation of children: Environment and climate change's impact on children, Use of pesticides with children, looking at the 182 convention of the worst forms of labour, child resilience and disaster risk reduction.				

Civil Rights and Freedoms	How	Key Informants	UNCRC Articles
Civil rights and freedoms (Articles 7, 8, 13-17, 37)			
Children lacking registration and citizenship	Desk Review and interview	Alice Keyrouz - HCC Member Forum of NGOs on the rights of the child and HCC Sana Awada	Article 7
The right to freedom of expression	Desk Review		Article 13
Torture in relation to Law No. 422	Desk Review and interview	HCC secretariat Sana Awada	Article 37 (part a)
Children's involvement in elections	Desk review		Article 15
Children's right to establish or being involved in NGOs			
The right to nationality			Article 7

Child Protection	How	Key Informants	UNCRC Articles
Special protection measures (Articles 22, 37-40)			
The national strategy for the protection of children from all forms of violence and its enforcement plan	Desk Review and interview	HCC secretariat –Sana Awada and Fehmi Karame at MOSA	Article 19 (Articles 22, 37-40)
The role of the HCC in relation to Child Protection	Desk Review and interview	HCC secretariat-Rita Karam – Sanaa Awada	Article 19 (Articles 22, 37-40)
The domestic violence law and the protection systems at the MOSA	Desk Review and interview	HCC secretariat-Rita Karam, UNICEF: Anthony McDonald Anthony.mcdonald@unicef.org Salam at UNICEF (ex MOSA) schreim@unicef.org	Article 19 (Articles 22, 37-40)
Sexual exploitation and trafficking	Desk Review and interview	HCC secretariat – Sana Awada, World Vision, Dar El Amal NGO	Articles 34 & 35
Law No. 422 and administration of juvenile justice	Desk Review	Luca Travagnin luca.travagnin@unicef.org	Article 37 (part b, c & d) & 40
Case Management	Desk Review and interview	UNICEF & Marta Passerini SCL CPTA	Article 19 (part 2)
Street children	Desk Review		Article 36
Economic exploitation and child labour	Desk Review		Article 32
Corporal punishment	Desk Review		Article 19
Alternative care (children in orphanages and others) • Family environment (Articles 5, 9, 10, 11, 18, 19, 20, 21, 25, 27)	Interview	MOSA- Nada Fawaz + Marta Passerini (SCL CP TA)	5, 9, 10, 11, 18 (parts 1 & 2), 19, 20, 21, 25, 27 (part 4) & 39
Children of migrant workers	Desk Review		Articles 30
Children in armed conflict	Desk Review and interview	HCC secretariat - UNICEF Luca Travagnin luca.travagnin@unicef.org	Articles 38 & 39
Refugee children and access to protection services	Desk Review and interview	UNHCR Carol El Sayed elsayed@unhcr.org	Articles 22, 30, 32, 36, 37 (b, c, d), 39 & 40
Children without support including unaccompanied refugee children	Interview	UNHCR Protection Department & Marta Passerini SCL CPTA	Article 22 & 39

Name	Institution	Date
Fehmi Karameh	MOSA	6/7/2015
Rita Karam	HCC	11/7/2015
Ghada Mansour	HCC	11/7/2015
Sanaa Awada	HCC	11/7/2015
Alice Keyrouz	Forum of NGOs on the Rights of the Child	13/7/2015
Nada Fawaz	MOSA (Group Meeting)	12/8/2015
Khadija Ibrahim		
Joumana El Kadi		
Amira Nasreddine		
Mary El Hajj		
Abir Kassis		
Suheir El Ghali		
Hilda El Houry	MEHE	10/7/2010
Rita Kevorkian	UNHCR	23/7/2013
Taghrid Awad	UNRWA	22/7/2015
Oliver Bridge	UNRWA	22/7/2015
Abeer Abi Khalil	UNICEF	4/9/2015
Ian Rodgers	SCL	

Annex 5: Participant List

External Stakeholders Validation Workshop
Thursday 6 August 2015
Crown Plaza Hotel – Hamra

#	Name	Position	Agency
1	Hiam Loutfi	Associate Professor	Rafik Hariri University
2	Doaa El Awad	Community Development Social Worker / children & youth programme/relief and social services	UNRWA
3	Widad Hijazi	Professional Development Coordinator	UNRWA
4	Taghrid Awad	Disability Programme Officer	UNRWA
5	Rania Hokayem	National Project Coordinator	ILO
6	Zeinab Ismail	External relations, immigrants	Ministry of information
7	Nadine Ayoub	Project and Centre Coordinator	Mouvement Social NGO
8	Sara Valerio		War Child Holland
9	Nareg Krouzian	Project Coordinator	ALEF NGO
10	Fatima Safa	Education Coordinator	UNHCR
11	Hanadi Oweis	Project Manager	BWZ
12	Khoulood Al Ali	Project Coordinator	Renee Moawad Foundation NGO
13	Hasnaa Moawad	CRSA Team	ITASC
14	Ghada Mansour	ECD Coordinator	HCC
15	Katia Haddad	Education Coordinator	HCC
16	Sanaa Awada	Child Protection	HCC
17	Carine Khawaja		HCC
18	Zeina El Houry	Child Protection Specialist	World Vision Lebanon
#	Name	Position	Agency

19	Wael Fathallah	Coordinator	PWHO
20	Delphine Compaign	Country Representative	IECD
21	Nada Fawaz	Chief of Department of Social Care	MOSA
22	Maria Brounian	Child Protection Coordinator	MOSA
23	Soha Bou Chabke	Education Specialist	UNICEF
24	Hrayr Wannis	M&E Specialist	UNICEF
25	Yasser Dawoud	Executive Director	Nabaa NGO
26	Raed Ataya	Programme Coordinator	Nabaa NGO
27	Fadi Abi Allam	Director	Permanent Peace Movement
28	Ghida Anani	Director	Abaad NGO

Annex 6 - Methodology Children Validation Workshops

Children Workshops

It was agreed in consultation with SCI to undertake validation workshops with children regarding the draft CRSA, building on existing consultations with Lebanese, Palestinian, and Syrian children which will be extracted through secondary data review.

ITASC will mobilise Lebanese children for the validation workshops in cooperation with affiliated NGOs, and SCI will mobilise Palestinian children through its partners. SCI will undertake validation with Syrian children through its relevant programmes.

Interactive and participatory methods will be used for the validation workshops with children. A group of 20 to 25 children would attend the validation, coming from the six governorates and from the age group 14-18, both males and females.

(Methodology below).

Time (Minutes)	Activities
10	<p>Introduction Exercise</p> <p>Name Game</p> <p>Form a circle with everyone standing up. The first person says their name and makes a motion or symbol to represent him/herself. The next person repeats the name and symbol of the person before them, then says their names and adds their symbol. The next person repeats the name and symbol of everyone before them and then adds their own. Repeat until everyone in the circle has gone.</p>
5	<p>Objectives and Ground Rules</p> <ul style="list-style-type: none"> • Give information on what will be done with the children's contribution. • Explain that the same process is carried out with other children all over Lebanon. • Explain that the process is confidential. • Participation is voluntary despite the fact that all children are encouraged to say "their words." • There is no right or wrong answer and all views are important. • Ask the children to agree on rules to be kept throughout the meetings in order to make them feel safe and willing to participate. • Children could suggest these rules which can be written up or drawn on a poster stuck on the wall. • Children have to agree on these rules. This enables the children to participate in a pleasant atmosphere.
15	<p>Introduction to the CRC</p> <p>Children are asked to cite rights they know about, the facilitator writes them on the flipchart paper. Then children are given copies of the CRC child friendly version produced by HCC, and they are asked to group the rights they know into 4 categories (Education-Development, Health Survival, Protection, and Participation and add to them from the CRC copies). The facilitator informs the children about the main principles of the CRC and the definition of the child.</p>

60	<p>The Government and the Parliament</p> <p>Children are given a summarised simplified version of the CRSA as well as a summary of the child-led reports. They are divided into four groups, the latter representing Parliamentary groups. They are informed that the government presented a CRSA in order to plan a children's rights strategy to the parliamentary committees for approval. The role of the parliamentary groups (being the representatives of all children in Lebanon) is to assess whether the CRSA is correct and addresses children's rights. They need to comment on it and present later to the Parliamentary committee on the rights of the child their comments and discuss their arguments and indicate what reflects the realities and concerns of children. They can use any tools to see appropriate to express their views like a role play, campaign etc.</p>
15	Break
30	Presentations
15	<p>Evaluation Exercise- Street Lights</p> <p>Children are given coloured Canson paper in three colours representing street lights (Red, Orange, Green), they are asked to choose a colour representing their evaluation of the day whereby Green=Very Good, Orange=Good and Red=Weak, they are also asked to write the reason for their choice. The facilitator asks the participants to share their evaluations.</p>

Annex 7: Interview Guides

- Duty bearers and other stakeholders: specific interviews with SCL CD, UNICEF, UNHCR, UNRWA.
- - Describe the obstacles or barriers limiting the capacity of duty-bearers.
 - Identify and describe other actors/stakeholders that exist with impact on the implementation of the Rights of the Child.
 - What international organisations exist and how does their work impact on the rights of the child? The sustainability of the work of international organisations? To what extent do they build capacity of state/local actors, or merely direct implementation?
 - Describe and assess the political rights environment for civil society and the role/potential of civil society in promoting the rights of the child.
 - Identify gaps for stakeholders to channel their resources.
 - The role of the private sector on Children's Rights.
 - Nature of and relationships between state, INGOs, civil society, religious actors and private sectors. Assessing potentials and actors for the promotion of the UNCRC.

Civil Society: Interviews with HCC members' representatives of civil society organisations.

- What roles do they play in society: service providers, monitoring the implementation of CRC, advocacy, humanitarian or development focus? How do civil society organisations view their role in society? How prepared is civil society with regard to man-made and natural disasters?
- How does the government view the role of civil society, with a specific focus on children's rights organisations?
- Assess the capacity of civil society actors to monitor, promote children's rights, and to hold the government accountable.
- Are there child lead initiatives? If so, describe their role and how they function.

Annex P: Key Factors in Protection-Family environment (Articles 5, 9, 10, 11, 18, 19, 20, 21, 25, 27)

- Special protection measures (Articles 22, 37-40)

	How much is this a factor in preventing children from realising their rights?	What is the trend? Trend	How many children does this impact?	Is this an issue for particular groups of children (e.g., gender, location, ethnicity, religion, ability, age)?	Is this being worked on by anyone? Is there progress? Who and what?
	<ul style="list-style-type: none"> • Not at all • Small impact • Significant impact • Major impact 	<ul style="list-style-type: none"> • Getting worse • No change • Improving slowly • Improving quickly 	<ul style="list-style-type: none"> • None • A few - less than 25% • A lot - 25-50% • A majority - 50%+ 		
The national strategy for the protection of children from all forms of violence and its enforcement plan					
The role of the HCC in relation to Child Protection					
The domestic violence law and the protection systems at the MOSA					
Sexual exploitation and trafficking					
Law No. 422 and administration of juvenile justice					

Case Management					
Street children					
Economic exploitation and child labour					
Corporal punishment					
Alternative care- Children in orphanages					
Children of migrant workers					
Children in armed conflict					
Refugee children and access to protection services					

Annex E-Interview Guide Education

Question	Answer
What is the role of the MEHE in securing early childhood education? What is the Ministry's policy in that regard?	
What is the current system? (Private/Public...)	
What are the most recent enrolment rates?	
What's the Ministry's involvement in the draft national strategy with the HCC, and what would be its involvement once it is endorsed?	
Is there a standard curriculum for Early Childhood Education for public and private schools?	
Are there quality standards for ECE that regulate the public and private sector schools? Are they monitored, and how frequently and by whom?	
What is the role of MEHE in contributing to achieve free and compulsory education?	
What's the progress in raising the age of free and compulsory education to 15?	
What is the role of the MEHE in contributing to achieve the Right to Education including equitable access, quality, and non-discrimination. (How well is this actor fulfilling its potential as a key player in children achieving their rights?)	
To what extent is education in Lebanon directed towards the full development of the human personality, and strengthening respect for human rights?	

To what extent is secondary education, including technical and vocational education, made generally available and accessible to all by every appropriate means, in particular by the progressive introduction of free education?	
Does the MEHE have any fundamental education for those children who have not received or completed the whole period of their primary education?	
To what extent is the continuous teachers' training programme compulsory for improving the quality of teaching?	
How does the MEHE count the drop-out rate and how often are these numbers are updated?	
What is the capacity of MEHE to reduce dropout rate?	
How does MEHE deal with child labour?	
How does MEHE deal with early marriage?	
How does MEHE deal with children with educational difficulties?	
What is the percentage of Lebanese children accessing education with respect to geographical regions, gender, vulnerable children....?	
What is the percentage of Syrian children accessing education with respect to geographical regions, gender, vulnerable children....?	
How is MEHE emphasising children's rights through the curricula?	
Does MEHE have the physical capacity (enough classrooms/teachers...) to integrate Syrian refugee children into the educational system?	
Normally MEHE measures its capacity through child versus cost. What is the estimated budget allocated for integrating Syrian refugee children?	
Who guarantees the quality of education regarding private, public, and semi-private schools? How and what is their role if available? (DOPS role in public schools)	
Are there any joint/common quality standards for private, semi-private, public schools? What are they? Can the public have access to that? How is quality measured (evaluations, assessments)	
How and to what extent does MEHE control the quality of education offered by local and international NGOs?	
What is the number of Lebanese enrolled in public schools now, as opposed to before 2011/ Syrian crisis?	
How many teachers joined the public schools as a result of the Syrian influx? What is MEHE's capacity to train those teachers properly and ensure that they can deliver quality education?	
What other shortages are there in public schools due to the influx of Syrians that affects quality (e.g. lack of sufficient textbooks)?	
What is MEHE's role in providing education in care institutions and orphanages?	
How well is MEHE engaging with INGOs and NGOs for absorbing the refugees' impact on education?	
Does the ALP facilitate the integration of Syrian children in the Lebanese education system? Is it considered as a pre-requisite?	
Practically, to what extent do children with special needs easily access formal education?	
To what extent are teachers trained on integrating children with special needs into the formal system?	

To what extent does the public school system's infrastructure facilitate the integration of children with special needs in the formal system?	
Could the engagement of the MEHE with children's rights or with other actors be improved? If yes, please specify.	
How does MEHE guarantee the enforcement of ministerial decisions?	
What about corporal punishment in schools? How is it monitored and reported?	
Are there any child protection units at the school level?	
Are teachers trained on positive discipline or any others alternatives for eradicating punishment in schools? If yes, is this training obligatory for all public schools teachers?	
Are extracurricular activities available in public schools like sports, arts, recreational activities? If yes are they available equally in all regions and schools?	

Interview Guide – Education -UNRWA

Question	Answer
Does UNRWA have an early childhood education programme?	
Is basic education at UNRWA schools free?	
To what extent is education at UNRWA schools directed towards the full development of the human personality and strengthens respect for human rights?	
To what extent is secondary education, including technical and vocational education, made generally available and accessible to all Palestinian children?	
Does UNRWA offer any fundamental education for those children who have not received or completed the whole period of their primary education?	
Does UNRWA have a teachers' training programme for improving the quality of teachers?	
What is the capacity (facilities/ trained teachers) of UNRWA in achieving education for all Palestinians?	
How does UNRWA count the dropout rate and how often are these numbers are updated in Palestinian camps?	
What is the capacity of UNRWA to reduce the dropout rate?	
How does UNRWA deal with child labour?	
How does UNRWA deal with early marriage?	
How does UNRWA deal with children with educational difficulties?	
Do UNRWA schools follow the curricula set by the MEHE? If not, what are the curricular differences?	

Do UNRWA schools enroll Syrian Palestinian children?	
Does UNRWA have the physical capacity (enough classrooms/teachers...) to integrate the Syrian refugee children within the educational system?	
What is the percentage of Syrian children accessing education with respect to geographical regions, gender, vulnerable children....?	
Who guarantees the quality of education regarding UNRWA schools? How and what is its role if available?	
What about the ALP that the MEHE disseminated specifically for the Syrian students? Do UNRWA schools follow it as a means for facilitating the integration of Syrian Palestinian children in its schools?	
Does UNRWA have any educational support classes for at-risk Palestinian children? If yes, please specify.	
What are the initiatives conducted by UNRWA regarding disabled children and children with additional and special needs?	
Practically, to what extent do children with special needs easily access formal education?	
To what extent are teachers trained on integrating children with special needs in the formal system?	
To what extent do the public school system's infrastructure facilitate the integration of children with special needs in the formal system?	
What regulates the protection of children from all forms of violence in schools?	
Are there any child protection units at the school level?	
Is there any complaint mechanism available for children?	
Are teachers trained on positive discipline or any other alternatives for eradicating punishment in schools? If yes, is this training obligatory for all public schools teachers?	
Are there cases of corporal punishment at UNRWA schools? How is it monitored and reported?	
Are extracurricular activities available in UNRWA schools like sports, arts, and recreational activities? If yes are they available equally in all regions and schools?	

