



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fourth and fifth periodic report of Lebanon\*

#### I. Introduction

1. The Committee considered the combined fourth and fifth periodic reports of Lebanon (CRC/C/LBN/4-5) at its 2201st and 2202nd meetings (see CRC/C/SR.2201 and 2202), held on 18 and 19 May 2017, and adopted the present concluding observations at its 2221st meeting (see CRC/C/SR.2221), held on 2 June 2017.

2. The Committee welcomes the submission of the combined fourth and fifth periodic report of the State party and the written replies to the list of issues (CRC/C/LBN/Q/4-5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular Law No. 62/16 of 2016 establishing the National Human Rights Commission, Law No. 293 of 2014 on protecting women and family members from domestic violence, Decree No. 8987 of 2012 relating to child labour, Act No. 150 of 2011 relating to mandatory and free basic education, Law No. 162 of 2011, which repealed article 562 of the Penal Code concerning honour crimes, Act No. 164 of 2011 relating to trafficking in persons, the National Plan to Safeguard Children and Women in Lebanon and parts I and II of the "Reaching All Children Through Education" initiative, and the Education National Strategy 2010-2015: Quality Education for Growth. It also welcomes the adoption in 2013 of the National Programme for Local Socioeconomic Development, and in 2012 of the National Human Rights Plan.

#### III. Factors and difficulties impeding the implementation of the Convention

4. The Committee appreciates the efforts of the State party in hosting and supporting the high number of Syrian refugees, including children. It recognizes the impact of the conflict in the Syrian Arab Republic on the State party's sociopolitical and economic situation, the internal tensions within the State party's political system that have negatively

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\* Adopted by the Committee at its seventy-fifth session (15 May-2 June 2017).



affected its ability to provide the public services necessary to all children in the State party, and the decreasing funds being made available by the international community for Syrian refugees.

## **IV. Main areas of concern and recommendations**

5. The Committee reminds the State party of the indivisibility and interdependence of all rights under the Convention and emphasizes the importance of all recommendations contained in the present concluding observations. The Committee would, however, like to draw the State party's attention to the following recommendations that require the adoption of urgent measures: corporal punishment (para. 19) sexual exploitation and abuse (paras. 22 and 24), children with disabilities (para. 29), education, including vocational training and guidance (para. 35), economic exploitation, including child labour (para. 40), sale, trafficking and abduction (para. 43), and administration of juvenile justice (para. 45).

### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

#### **Legislation**

6. **The Committee encourages the State party to take steps expeditiously to adopt the draft laws recommended by the comparative legal study regarding gaps in current domestic legislation and to develop further a comprehensive legislative framework that is fully compatible with the principles and provisions of the Convention, ensuring the effective implementation of child-related laws at the national, district and municipal levels.**

#### **Comprehensive policy and strategy**

7. **The Committee recommends that the State party adopt and implement the action plans prepared by the Higher Council for Childhood covering various aspects of the Convention, and reiterates its recommendation (see CRC/C/LBN/CO/3, para. 12) that the State party as a matter of priority establish and implement a comprehensive policy on children that encompasses all areas covered by the Convention and develop a strategy for its application, supported by sufficient human, technical and financial resources.**

#### **Coordination**

8. **The Committee reiterates its previous recommendation (see CRC/C/LBN/CO/3, para. 14) recommending that the State party provide the Higher Council for Childhood with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at the cross-sectoral, national, regional and local levels. The State party should ensure that the coordinating body is provided with the human, technical and financial resources necessary for its effective operation.**

#### **Allocation of resources**

9. **While noting the tremendous pressure arising from the Syrian crisis on the State party's economy, the Committee, with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, recommends that the State party:**

(a) **Establish a budgeting process that includes a child rights perspective and specifies clear allocations to children in the relevant sectors and agencies, including specific indicators and a tracking system;**

(b) **Define strategic budgetary lines for all children, including those who may require affirmative social measures, and take measures to protect those budgetary lines in the current crisis, especially with respect to health and education;**

(c) Establish mechanisms to monitor and evaluate the efficacy, adequacy and equitability of the distribution of resources allocated to the implementation of the Convention;

(d) Take measures to ensure adequate funding for the Lebanon Crisis Response Plan, including from international partners.

#### Data collection

10. While noting the efforts of the State party to collect data on children, including the Multiple Indicator Cluster Survey in 2009 and the “Dev Info” programme on child-related indicators, the Committee, in the light of its general comment No. 5 (2003) on general measures of implementation of the Convention, recommends that the State party:

(a) Improve expeditiously its data-collection system, including by establishing a uniform system to document cases of child exploitation, violence and abuse. The data should cover all areas of the Convention and be disaggregated by, inter alia, age, sex, disability, geographic location, ethnic and national origin, migration status and socioeconomic background;

(b) Ensure that the data and indicators are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies and programmes, and strengthen reporting compliance by all relevant ministries and institutions;

(c) Take into account the conceptual and methodological framework contained in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR);<sup>1</sup>

(d) Strengthen its technical cooperation with, among others, the United Nations Children’s Fund (UNICEF).

#### Independent monitoring

11. While welcoming the adoption in 2016 of Act No. 62/16 establishing the National Human Rights Commission, the Committee, with reference to its general comment No. 2 (2002) on the role of independent national human rights institutions in the promotion and protection of the rights of the child, recommends that the State party:

(a) Complete expeditiously the process for the nomination and election of the members of the governing body of the Commission;

(b) Ensure the Commission’s independence, including with regard to its funding, mandate and immunities in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(c) Ensure that the Commission is adequately resourced and staffed to effectively discharge its mandate;

(d) Consider establishing a specific mechanism for monitoring children’s rights that is able to receive complaints, including by children;

(e) Seek technical assistance from OHCHR.

#### Dissemination, awareness-raising and training

12. The Committee recommends that the State party:

(a) Strengthen efforts to ensure systematic and ongoing children’s rights education, including as part of the school curricula, as well as awareness-raising

<sup>1</sup> OHCHR, *Human Rights Indicators: A Guide to Measurement and Implementation* (Geneva, 2012). Available from [http://www.ohchr.org/Documents/Publications/Human\\_rights\\_indicators\\_en.pdf](http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf).

programmes and campaigns, among children, families and the general public, including refugee families;

(b) Further develop training to professionals working with and/or for children, particularly teachers, early childhood workers, social workers, health service personnel, the legal profession and law enforcement officials;

(c) Provide the Higher Council for Childhood with the support and resources necessary to step up training efforts and dissemination of publications on the rights of the child, including the Convention.

## **B. Definition of the child (art. 1)**

13. The Committee continues to be seriously concerned that the minimum age of marriage is 14 years for girls and 16 years for boys and even younger in certain circumstances, according to the personal status laws of the different religious communities. The Committee, while reiterating its previous recommendations (see CRC/C/LBN/CO/3, para. 26), urges the State party to adopt expeditiously legislation setting at 18 years the minimum age for girls and boys, and to engage with the religious authorities to prohibit child marriages.

## **C. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

14. The Committee recommends that the State party:

(a) Ensure that all children enjoy equal rights under the Convention, in law and practice, without discrimination;

(b) Intensify efforts to eliminate all forms of discrimination against children of migrant workers, refugee children and children in marginalized situations, including Dom and Bedouin children and children with disabilities, by reviewing relevant laws, including the 1951 Registration of Personal Status Law, and by conducting awareness-raising campaigns at the community level and in schools;

(c) Undertake a national dialogue with the relevant religious communities and civil society organizations with a view to establishing a common civil code regarding personal status and inheritance applicable to all children regardless of religious affiliation.

### **Best interests of the child**

15. In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is integrated appropriately and interpreted and applied consistently in all legislative, administrative and judicial proceedings and decisions, and in all relevant policies, programmes and projects that have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance and training to all relevant persons in authority for determining the best interests of the child in every area and for giving it due weight as a primary consideration.

### **Respect for the views of the child**

16. While noting the various initiatives of the High Council for Childhood in this regard, including the institutionalization of the National Youth Parliament, the Committee, in line with its general comment No. 12 (2009) on the right of the child to be heard, recommends that the State party:

(a) Continue to take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal and

administrative proceedings, including by establishing systems and/or procedures for social workers and courts to comply with the principle;

(b) Conduct research to identify the issues that are most important to children, to hear their views on those issues and to find out how effectively their voices are heard in family decisions affecting them;

(c) Develop toolkits for public consultation on national policy development to standardize such consultation ensuring inclusiveness and participation, including consulting with children on issues that affect them;

(d) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children within the family, community and schools, including within student council bodies, with particular attention to girls and children in vulnerable situations;

(e) Promote inclusive participation in the Lebanese National Youth Parliament by ensuring that eligible children from all communities, children in situations of poverty, refugee children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children are able to participate fully, and provide the Lebanese National Youth Parliament with adequate support and resources.

#### **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

##### **Birth registration/Name and nationality**

17. Notwithstanding the commendable efforts to ensure that all children in the State party are registered, the Committee, noting the existence of discrimination and administrative obstacles that preclude some children from being registered, in particular Palestinian and Syrian refugee children, and Dom and Bedouin children, recommends that the State party undertake the following measures:

(a) Intensify discussions with the relevant religious authorities and other relevant stakeholders with a view to amending Decree No. 15 on Lebanese Nationality of 1925 to grant Lebanese women equal rights with Lebanese men with regard to transmission of their nationality to their children and to provide adequate safeguards to ensure the conferral of citizenship to children who would otherwise be stateless;

(b) Further strengthen efforts to ensure that all births of children in the State party are registered, in particular, children of refugees and asylum seekers, migrant workers and historically stateless communities, including by streamlining documentation requirements and other barriers to obtaining an official birth certificate in cooperation with the States concerned, and to provide statistics to assess this issue in its next periodic report;

(c) Ensure that residency permits are made available to foreign spouses and children of Lebanese women, in law and in practice, to ensure access to basic services, such as education and health care;

(d) In the absence of formal registration, ensure that valid special identity cards are provided to children of Palestinian fathers who are neither registered as refugees by United Nations Relief and Works Agency for Palestine Refugees in the Near East in Lebanon nor recognized as such by the Lebanese authorities. Streamline the application and renewal processes, and ensure that such special identity cards are recognized as having the same status as formal registration by the Lebanese authorities;

(e) Amend the 1951 Personal Status Law to facilitate birth registration for children over the age of one year, and amend article 12 of the Registration of Personal Status Documents Act to allow the mother or the juvenile court judge to request the registration of such children in addition to the Public Prosecutor or father of the child;

(f) Ensure that article 1.3 of Decree No. 15 of the Lebanese nationality law, which provides for granting Lebanese nationality to children born in Lebanon of

unknown parents or parents of unknown nationality, is implemented in practice, and amend article 25 of Act No. 422 on the Protection of Minors in Conflict with the Law or at Risk so that an unregistered minor is not considered at risk in accordance with this law;

(g) Consider becoming a party to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

## **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Corporal punishment**

18. The Committee remains concerned that corporal punishment as a means of discipline continues to be widespread and culturally acceptable and is not legally sanctioned in the State party.

19. Taking into account its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, and general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee reiterates its previous recommendations (see CRC/C/LBN/CO/3, para. 42) and recommends that the State party:

(a) Amend its legislation, including article 186 of the Penal Code, to prohibit explicitly corporal punishment, however light, in all settings, including the family, day-care and after school care facilities, all schools, whether public or private, alternative care settings and residential care;

(b) Adopt and implement the protection policy on children in school;

(c) Conduct awareness-raising programmes to promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment, and expand parenting education programmes and training for principals, teachers and other professionals working with and for children.

### **Abuse and neglect**

20. Notwithstanding various initiatives to address child abuse in the State party, the Committee, considering the high percentage of children subject to abuse and neglect, and taking note of target 16.2 of the Sustainable Development Goals on ending abuse, exploitation, trafficking and all forms of violence and torture of children, recommends that the State party:

(a) Ensure that Law No. 293 of 2014 on Protecting Women and Family Members from Domestic Violence is implemented in practice and that the adequate human, technical and financial resources are provided to the specialized domestic violence units to carry out their functions;

(b) Step-up implementation of the national strategy for the prevention and protection of children from all forms of violence in all settings and further strengthen awareness-raising campaigns and education programmes, with the involvement of children, including among families in situations of poverty, marginalized families and in particular Palestinian and Syrian refugee families;

(c) Establish a national database on all cases of domestic violence against children, undertake a comprehensive assessment of the extent, causes and nature of such violence and provide disaggregated data in its next periodic report on the number of complaints received and investigated, disposition and sanctions;

(d) Continue to take all appropriate measures to ensure that reporting of child abuse and neglect is mandatory for all persons working with and for children and provide an accessible mechanism for children and others to report cases of abuse and neglect, in particular within the Palestinian refugee camps, ensuring the necessary protection for such victims, and to monitor, prevent and take action on behalf of children at risk;

(e) **Establish a free child telephone hotline and ensure that it is adequately staffed and resourced, increase the number of shelters for child victims of abuse and neglect and facilitate the physical and psychological rehabilitation of the child victims;**

(f) **Adopt standard operating procedures and tools for managing cases of child protection and continue to provide systematic training to all professionals and staff working with and for children, including judges, prosecutors, police and other law enforcement officers, on the prevention and monitoring of domestic violence;**

(g) **Encourage community-based programmes aimed at preventing and addressing domestic violence, child abuse and neglect, including by involving former victims, volunteers and community members and providing training support to them.**

#### **Sexual exploitation and abuse**

21. The Committee is seriously concerned that article 522 of the Penal Code provides for the exoneration of perpetrators of rape if they marry their victims.

22. **The Committee urges the State party to revoke expeditiously article 522 of the Penal Code and all legal provisions that exempt rapists from prosecution upon marriage to the victim to help end the revictimization of girl victims of rape who may be pressured into marrying the perpetrator.**

23. The Committee is seriously concerned about the risk of sexual abuse and exploitation of children in the State party, in particular refugee children. It is also concerned about the lack of shelters and assistance for child victims and the lack of data on the prevalence of child sexual abuse in the State party.

24. **The Committee urges the State party to:**

(a) **Adopt and implement the National Plan of Action to combat sexual exploitation and abuse;**

(b) **Establish mechanisms, procedures and guidelines to ensure mandatory reporting of child sexual abuse and exploitation and ensure that acts of sexual abuse and exploitation are effectively investigated and that the perpetrators are brought to justice;**

(c) **Conduct awareness-raising and education programmes, including among children, to combat sexual exploitation and abuse, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;**

(d) **Ensure that all professionals working with and for children, including social workers, judges and other law enforcement officials, are provided with the training necessary on how to receive, monitor, investigate and prosecute complaints in a child and gender sensitive manner that respects the privacy of the victim, and ensure that child protection agencies are adequately staffed and funded;**

(e) **Establish shelters for victims of sexual abuse and ensure that they are adequately staffed with appropriately trained personnel and resourced to provide comprehensive services effectively;**

(f) **Ensure the development of programmes and policies for the prevention, recovery and social reintegration of child victims.**

#### **Harmful practices**

25. **The Committee recommends that the State party adopt a national strategy on child marriages and continue to provide comprehensive awareness-raising programmes on the negative consequences of child marriage on children, in particular refugee girls, targeting parents, teachers and religious leaders. It also recommends that the State party ensure the prosecution of perpetrators of so-called honour killings and conduct campaigns aiming at combating violence against women and girls.**

**F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Children deprived of a family environment**

26. While noting the issuance in 2016 of the Standard Child Protection Policy by the Ministry of Social Affairs, the Committee draws the State party's attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex) and emphasizes that financial and material poverty should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In this regard, the Committee recommends that the State party:

(a) Support and facilitate family-based care for children wherever possible, including by increasing financial support to families in situations of poverty, with a view to reducing the institutionalization of children;

(b) Ensure adequate safeguards and clear criteria, based on the needs and best interests of the child, for determining whether a child should be placed in alternative care, including placement with relatives, foster care, *kafalah* and institutions;

(c) Establish and implement standards of care for children in alternative care and ensure adequate government oversight, including the periodic review of the placement of children in foster care, *kafalah* and institutions, and monitor the quality of care therein, in particular by providing accessible channels for reporting, monitoring and remedying maltreatment of children;

(d) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services;

(e) Ensure that staff dealing with children in alternative care are provided with ongoing training, including the relevant tools regarding child abuse prevention in residential care facilities.

**Adoption**

27. The Committee recommends that the State party ensure that adoption within the State party and intercountry adoption are regulated and monitored by a central authority within the State party to ensure that adoption practices are in line with the Convention. It further recommends that the State party consider ratifying the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)**

**Children with disabilities**

28. While noting legislative initiatives to further protect the rights of children with disabilities and efforts to integrate them into mainstream education, the Committee is concerned about:

(a) Children with disabilities continuing to face discrimination and not being integrated effectively into all areas of social life, including the education system, in particular Palestinian and Syrian refugee children;

(b) Inadequate health-care services, in particular in public hospitals, and inadequate and insufficient rehabilitation services, in particular for Syrian refugee children;

(c) Lack of financial assistance and other support services to families of children with disabilities;



(d) The high rate of institutionalization of children with disabilities, inadequate care in residential care institutions and abuse and violence by service providers, including sexual abuse.

29. **Taking into account its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability and finalize the national plan of action in line with the State party's strategy on the rights of the child with disabilities. It specifically recommends that it:**

(a) **Strengthen efforts to implement the requisite legislative framework and policies for the effective protection of the rights of children with disabilities on the basis of a human rights-based approach to disability, in particular children in situations of poverty, including Palestinian and Syrian refugee children, and take all the necessary measures to ensure that children with disabilities are integrated fully into all areas of social life;**

(b) **Ensure that public and private schools provide inclusive education and that all schools and care facilities are accessible, including by stepping up the implementation of Law No. 220 of 2000;**

(c) **Continue to strengthen measures to ensure that children with disabilities have access to health care, including early detection and intervention programmes;**

(d) **Continue to strengthen support to caregivers of children with disabilities, including by increasing social benefits and other services, with a view to deinstitutionalizing such children;**

(e) **Ensure periodic review of the placement of children with disabilities in alternative care settings and monitor the quality of care therein, especially in relation to children with psychosocial or intellectual impairments, including by providing accessible channels for reporting, monitoring and remedying maltreatment;**

(f) **Continue to undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities;**

(g) **Consider ratifying the Convention on the Rights of Persons with Disabilities.**

#### **Health and health services**

30. **While commending the efforts of the Ministry of Public Health to upgrade and expand the primary health-care system, including the response of the health sector to the Syrian refugee crisis, the Committee, with reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, and taking note of targets 3.1, 3.2 and 3.3 of the Sustainable Development Goals, recommends that the State party:**

(a) **Continue to strengthen efforts to ensure access to quality health care, in particular for stateless, refugee and asylum-seeking children, children of migrant workers and families in situations of poverty, by expanding the national network of primary health centres to cover all primary health centres in the State party and the accreditation programme established by the Ministry of Public Health;**

(b) **Ensure adequate provision of prenatal and postnatal care in all governorates of the State party, and address the high rate of mortality of infants born to Syrian refugees;**

(c) **Strengthen the national immunization programme in order to address emerging needs stemming from the crisis in the Syrian Arab Republic, and continue to improve access to clean water and sanitation for disadvantaged communities, in particular refugees, and address risks of communicable diseases and other health concerns;**

(d) Increase access to affordable health care for all families in situations of poverty, address discrepancies in quality of care and coverage in areas outside of Beirut and Mount Lebanon and strengthen the regulation of pharmaceutical sector and all health-care service providers in terms of quality and pricing;

(e) Continue to promote exclusive breastfeeding for the first six months, including through legislation expanding maternity leave for the public and private sectors, awareness-raising measures and campaigns, providing information and training to relevant officials, particularly staff working in maternity units and parents, and work with UNICEF to implement and expand the child-friendly hospital project.

#### **Mental health**

31. Noting the limited availability of mental health services outside Beirut and Mount Lebanon, the Committee recommends that the State party strengthen the quality and availability of mental health services and programmes, increase the number of specialists in children's mental health, ensure adequate facilities and strengthen outpatient services for psychosocial care and rehabilitation in all governorates, in particular for Palestinian and Syrian refugee children.

#### **Adolescent health**

32. Taking into account its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, and taking note of targets 3.5 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, as a basis for future health policies and programmes, including with respect to tobacco use, alcohol and substance abuse, sexual and reproductive health and suicide.

#### **Standard of living**

33. While noting the national programme for families in situations of poverty and various initiatives in cooperation with the United Nations Development Programme to provide employment opportunities for Palestinian and Syrian refugees, the Committee draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party:

(a) Intensify its efforts to address the high level of child poverty and food insecurity, in particular among refugee children;

(b) Continue to strengthen all social protection programmes, including the National Programme to Support the Poorest Families, to further improve outcomes for children and poverty reduction strategies, with a view towards establishing a coherent framework identifying priority action against the exclusion of children, in particular those from disadvantaged communities.

## **H. Education, leisure and cultural activities (arts. 28-31)**

#### **Education, including vocational training and guidance**

34. The Committee commends the State party for its overall high net enrolment rates, for raising the age of compulsory education to 15 years, for expanding early childhood education and for adopting numerous initiatives to ensure Syrian refugee children have access to education, including through the implementation of the "Reaching All Children Through Education" initiative. However, it is seriously concerned about:

(a) Inadequate funding for public schools, relatively low educational achievements of children from economically disadvantaged communities, low retention and high dropout rates, in particular among Palestinian and Syrian refugee children;

(b) Insufficient access to education by non-Lebanese children, including children of migrant workers, and children from low-income families, as well as barriers to education, including costs for uniforms, books, supplies and transportation;

(c) Insufficient access to early childhood care and education, in particular within the public school system;

(d) The insufficient number of professionally trained teaching staff at all levels and insufficient number of specialized teachers for children with disabilities, inadequate teacher training and materials, and poor infrastructure in the public school system.

**35. Taking note of targets 4.1, 4.2, 4.5 and 4.a of the Sustainable Development Goals, the Committee urges the State party to:**

(a) **Ensure the right to compulsory and free education for all and continue efforts aimed at improving access to education by refugee, asylum-seeking and stateless children by addressing barriers to access to education, including inadequate facilities and funding;**

(b) **Strengthen efforts to improve the retention and reduce the premature dropout rate and develop and promote quality vocational training to enhance the skills of children, especially those who drop out of school;**

(c) **Take measures to increase the overall quality of education, in particular with respect to the public schools, and increase the number of qualified teachers, including teachers working with children with disabilities, and enforce quality standards for non-formal programmes;**

(d) **Update the school curricula, ensuring that it is broad, relevant and inclusive, develops rights-based learning and assessment and ensures children's participation;**

(e) **Implement its policy on early childhood care and education and allocate sufficient financial resources for its implementation, in particular in areas outside of Beirut and Mount Lebanon;**

(f) **Ensure access to safe play areas, green spaces and cultural facilities for all children, in particular those from marginalized backgrounds.**

## **I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)**

### **Asylum-seeking and refugee children**

36. Noting the commendable role that the State party has played in ensuring the protection of the overwhelming number of refugees in its territory, the Committee recommends that the State party:

(a) **Further improve security, housing, access to clean water and sanitation facilities and access to education and health care;**

(b) **Ensure that border governance measures address and combat all forms of ill-treatment by State actors and are in accordance with the principle of non-refoulement and the prohibition of arbitrary and collective expulsions;**

(c) **Consider acceding to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness.**

### **Children in situations of migration**

37. Noting with deep concern the reports of mass expulsion of children of migrant workers and their parents and delays in issuing residency permits and reports that those children have difficulty in gaining access to services, such as education and health care, the Committee recommends that the State party:

(a) Ensure that the best interests of the child are a primary consideration in all administrative and judicial proceedings involving children of migrant workers, including expulsion proceedings;

(b) Ensure that migrant workers and members of their families, particularly those in an irregular situation, are guaranteed due process before all courts and tribunals in administrative and judicial proceedings, and are provided with the necessary guarantees, including individualized protection assessments, access to legal representation, interpretation services and the right to appeal the decisions of the General Security;

(c) Ensure access to education and other services to children of migrant workers regardless of the status of their parents.

#### **Children in situations of armed conflict**

38. Noting with deep concern reports of cases of recruitment and use of children by local and foreign armed groups, as referred to in the 2016 report of the Secretary-General on children and armed conflict (A/70/836-S/2016/360), the Committee urges the State party to:

(a) Strengthen implementation of the national plan of action to prevent and address the involvement of children with armed violence in Lebanon and undertake and ensure other awareness raising initiatives; and ensure the demobilization of children involved in armed conflicts and their psychological and social rehabilitation;

(b) Take all measures necessary to ensure that children in the State party are not recruited by non-State armed groups operating within or outside the territory of the State party;

(c) Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

#### **Economic exploitation, including child labour**

39. While noting that the Ministry of Labour established in 2010 the National Committee to Combat Child Labour and launched in 2016 a national plan of action to combat the worst forms of child labour in cooperation with the International Labour Organization (ILO), the Committee is nevertheless seriously concerned about the persistence of child labour in the State party, in particular in the North and in the Beqaa Valley, and among Palestinian and Syrian refugee children.

40. **The Committee urges the State party to:**

(a) Take measures to prevent children from being economically exploited by ensuring that the relevant provisions of the Labour Code and Penal Code, and other legislation related to child labour, including Decree No. 8987, are enforced, in particular with respect to the minimum age for hazardous work, and harmonize the minimum age of 14 for work with the age of 15 for compulsory education;

(b) Amend the Labour Code to include domestic workers, workers in the agricultural sector and family businesses and adopt policies to address child labour in the formal and informal sectors, ensuring compliance with article 32 of the Convention and relevant ILO standards;

(c) Implement the national action plan on combating the worst forms of child labour and provide data in its next periodic report on specific measures taken to address child labour in the State party;

(d) Strengthen labour inspectorates and monitoring mechanisms in the formal and informal sectors and make available data on the number of inspections and violations publicly;

(e) Continue to raise awareness on the negative consequences of child labour through public educational programmes, including campaigns organized in

cooperation with political, religious, labour and business leaders, families and the media, in particular among refugee populations;

(f) Continue cooperation with ILO with a view to establishing programmes to move children out of the worst forms of child labour and strengthen vocational programmes for children dropping out of school and older children to serve as alternatives to underage labour, and continue with social reintegration initiatives.

#### **Children in street situations**

41. Noting with concern the increase in the number of children in street situations in the State party, including Syrian and Palestinian refugee children, and Dom and Bedouin children, the Committee, with reference to its general comment No. 21 (2017) on children in street situations, recommends that the State party develop a comprehensive strategy for the protection of children in street situations with the aim of preventing and reducing this phenomenon on the basis of the study conducted in 2014; and provide adequate protection and assistance for recovery and reintegration to children in street situations, including shelter, education and vocational training, adequate access to health care and other social services, including substance abuse programmes and mental health counselling.

#### **Sale, trafficking and abduction**

42. While noting the various initiatives to combat trafficking in persons, including the establishment in 2016 of a special unit to combat human trafficking within the Directorate General of Public Security and the approval of the sectoral plan on trafficking by the Ministry of Social Affairs, the Committee is concerned that:

(a) The State party is a source, transit and destination country for children subjected to forced labour and sex trafficking, in particular girls from South and South-East Asia and East and West Africa who experience domestic servitude in the State party through recruitment agencies that reportedly engage in fraudulent practices;

(b) Children in the State party, and in particular Syrian refugee children, are reportedly victims of forced labour, including street begging, and commercial sexual exploitation, at times through the guise of early marriage, and in the agricultural sector in the Beqaa valley, including in the illicit drug sector;

(c) There is insufficient capacity for enforcement of laws and policies, lack of training, inadequate victim identification procedures, lack of shelters and services for child victims and inadequate interministerial coordination.

43. **The Committee urges the State party to:**

(a) **Adopt and implement the legislative and policy measures necessary to combat effectively all forms of child trafficking, including for purposes of sexual exploitation, forced labour, street begging and the illicit drug trade, through the development of a comprehensive anti-trafficking strategy and plan of action, and amend Law 164 on Punishment for the Crime of Trafficking in Persons to ensure that children trafficked for purposes of sexual exploitation or other illegal activity are not detained or punished for unlawful acts committed as a direct result of being subjected to trafficking;**

(b) **Increase investigations, prosecutions and convictions of offenders under the anti-trafficking law, including officials and recruitment agents complicit in human trafficking;**

(c) **Strengthen the implementation of appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, ensuring that education and training, as well as counselling, health-care and other social services, are provided to them;**

(d) **Increase training for judges, prosecutors, law enforcement officials and diplomatic personnel about the crime of trafficking and the anti-trafficking law;**

(e) **Continue to implement standard procedures to identify child victims of trafficking among vulnerable populations, such as undocumented migrants, refugees and domestic workers, and ensure that they receive appropriate social services and shelter and are not placed in juvenile detention facilities;**

(f) **Reconvene the national anti-trafficking committee and increase efforts to effectively coordinate interministerial anti-trafficking activities, and continue to conduct anti-trafficking public awareness campaigns.**

#### **Administration of juvenile justice**

44. While welcoming various legislative and policy initiatives to assist children in conflict with the law, the introduction of alternative measures to detention by the Ministry of Justice, and rehabilitation and vocational programmes launched by the Ministry of Social Affairs, the Committee is still concerned about the extremely low age of criminal responsibility of 7 years of age, lack of due process, including access to legal aid, conditions of detention facilities and reports of torture and ill-treatment of children in detention, in particular at the Roumieh and Moubadara prisons.

45. **The Committee, with reference to its general comment No. 10 (2007) on children's rights in juvenile justice, urges the State party to bring its juvenile justice system into line with the Convention and, in particular, recommends that the State party:**

(a) **Amend Act No. 422/2002 to raise the age of criminal responsibility as a matter of priority to an acceptable international standard, and ensure that all children under 18 years of age are protected by the juvenile justice system, including children arrested for terrorism charges;**

(b) **Ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings;**

(c) **Promote alternative measures to detention, taking into consideration gender differentiated programmes for boys and girls, such as diversion, probation, mediation, counselling and community service, with a view to progressively ceasing all detention of children;**

(d) **In cases where detention is unavoidable, ensure that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it, and that children are not detained together with adults and that detention conditions are compliant with international standards, including with regard to access to education and health services, with a particular focus on the Roumieh and Moubadara prisons;**

(e) **Ensure monitoring of conditions of detention and access to complaint procedures, in particular for children detained by military and intelligence services under terrorist charges;**

(f) **Strengthen the capacity, quality and availability of specialized juvenile courts and judges, law enforcement personnel, lawyers, prosecutors and social workers, and ensure sufficient resources in the social welfare and justice sectors, in particular regarding the Union for the Protection of Children in Lebanon.**

## **J. Ratification of the Optional Protocols to the Convention**

46. **The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.**

## **K. Ratification of international human rights instruments**

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the core human rights instruments to which it is not yet a party, namely, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance.

48. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, the initial report of which is overdue as at 8 December 2006.

## **V. Implementation and reporting**

### **A. Follow-up and dissemination**

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present recommendations are fully implemented. The Committee also recommends that the combined fourth and fifth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. National mechanism for reporting and follow-up**

50. The Committee recommends that the State party establish a national mechanism for reporting and follow-up, as a standing government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up and implementation of the treaty obligations and recommendations/decisions emanating from those mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national Human Rights Institution and civil society.

#### **Next report**

51. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 12 June 2023 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (See General Assembly resolution 68/268, para. 16). In the event a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purpose of its consideration by the treaty body cannot be guaranteed.

52. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.