



UPR LEBANON SIDE EVENT

STATEMENT DELIVERED BY THE ARAB NGO NETWORK FOR DEVELOPMENT

This statement aims at bringing attention to economic and social rights deprivation in Lebanon.

During the first cycle review in 2010 much of the regress and persistent violations in economic and social rights have not been addressed. The national delegation of Lebanon to the review session stressed in 2010 the long history of political instability and violence, combined with the frequent wars, as factors limiting the capacities of the country to deliver on the rights front.

Unfortunately after around a 5 years implementation period we receive the same “excuse” from the Lebanese government in advancing human rights. In the national report, unstable political and security situation in Lebanon and the Middle East region, the fight against terrorism and the Syria crisis are put forward as largely responsible for the current situation of human rights in the country.

ANND realizes the pressure put on Lebanon within the current regional context but stresses that the root causes of the violations of economic and social rights in Lebanon reflect principally the failure of economic and social policies adopted by successive governments in addressing national developmental challenges. Indeed, the rentier economic approaches, weakly managed privatization and overall economic liberalization policies favored by governments, coupled with weak regulatory infrastructure and capacities, have limited the ability of the state to ensure the full realization of these rights. Furthermore, the progressive achievement of these rights has been hindered given that Lebanon remains without an official budget since 2005 and is based on a political system entrenched by confessionalism; encouraging nepotism, abuse of power and structural corruption.

The right to adequate standard of living

While addressing inequalities and poverty in Lebanon remain as a core challenge, in relation National Report presents an achievement namely the implementation of the



National Programme to Support the Poorest Families. This exercise can actually be beneficial in 'mapping' the poverty in the country but Lebanon should rather adopt a new and comprehensive approach to poverty reduction reducing inequalities at various levels. In the end, intergenerational transfer of poverty cannot be addressed by targeting only specific segments of the society and improving the income of the poorest families. Poverty can best be addressed by ensuring the full enjoyment of the economic and social rights including clean water, adequate waste management strategy, energy, public transportation and housing as well as health and education including free schooling, and the accessibility and availability of these rights to all without any discrimination. Addressing poverty in Lebanon requires as well adoption of a fair taxation policy.

Furthermore one should take into consideration that Lebanon does not lack financial resources as much as it lacks equitable distribution of wealth and capacity. Geographic and social disparities are well entrenched in the country and the policies implemented reproduce this disparity. Global Wealth Databook 2014 reveal that 64.3% of Lebanese adults have a total wealth of less than \$10,000 while 32.4% have a wealth ranging between \$10,000 and \$100,000, 3% have a total wealth of more than \$100,000 and only 0.3% have a wealth of above \$1 million.

The right to education

While the national report highlights intensified human rights education as an achievement and focuses on the Palestinian refugees and Syrian students' enjoyment of the right to education as a challenge, we hope the second cycle review will be also an occasion to stress on the role of the State as the main duty holder for the realization of the right to education.

This is critical given the continuing mistrust in public education that put the burden of the primary education costs on Lebanese families who in their majority enroll their children in private sector education schools. Indeed, Lebanon is known to be the 'school of the Middle East' owing to the private sector schooling mainly.

The public spending on education is in constant decrease in Lebanon, from 2% in 2008 to 1.6% in 2011¹; nothing that 85% of this budget is spent on wages and salaries². This adds to the disparities in the quality of the public system and private education and creates further inequalities in the enjoyment of the right to education. In this context, reforming the public education in Lebanon should enhance the quality of public education, developing a new unified curriculum, establishing and implementing quality-oriented strategies especially for public schools in rural areas and adapting the school environment to the basic needs of children and people with disabilities. In addition reform efforts should focus on increasing and maintaining enrolment rates, reducing and reinserting dropouts, giving incentive premiums for teachers to serve in poor areas, establishing continuing education programs for teachers, and expanding maintenance of the existing educational infrastructure.

The right to health

The national report admits the persistent problems in the Lebanese health-care system (for instance, the high cost of health-care services, the disparate quality of the health-care services market in Lebanon, or its subjection to the principles of a free and unregulated economic system on account of the lack of a health map). It then notes that the aim of the government is to guarantee fair and just access to health-care services at the lowest possible rates, while maintaining their reliability and quality in accordance with international standards.

In fact, recent efforts of the MoPH and the various health syndicates to regulate prices and set standards for service providers and enhanced audit role focusing on food safety cannot be underestimated. But their efforts still fall short and needs to be institutionalized through the adoption of regulatory laws, reactivation of the role of regulatory bodies, and filling the vacancies in health inspector positions.

¹ BankMed, "Analysis of Lebanon's education sector", p.4, available at: <http://www.bankmed.com.lb/LinkClick.aspx?fileticket=VZqIkH-7-s%3D&portalid=0>.

² ANND, Arab watch report on right to work and education, available in Arabic at: <http://www.annd.org/arabic/data/publications/pdf/39.pdf>, p.305.

On the other hand, private sector engagement in the health sector is increasing, by 2011 Lebanon had 164 hospitals in total, including 135 private hospitals, 28 public hospital and one military hospital³. Clear discrepancies exist between regions in terms of number of beds, availability and quality of services, and % of people covered, with higher ratios concentrated in Beirut and Mount Lebanon.

Therefore a comprehensive reform of the health sector is needed in order to establish a health policy that prioritizes protection of the citizen in need of health services, preserves the right to adequate information in the health sector. This reform should ensure a strengthened regulatory role for the State in the health sector in defining the role of the different public and private stakeholders, monitoring their performance thus rooting out corruption and waste, and enhancing the effectiveness of the administrations.

Last but not least with regard to the right to health, the current 'garbage crisis' in Lebanon should be tackled including its risks to the environment that as well threaten the right to physical and mental health. The lack of a solid waste treatment with a safe environmental treatment method based on minimization and sorting from the source in Lebanon coupled with a corrupted privatization of the services is key to understand the current situation. Nevertheless, the UPR session should be an occasion to concentrate what this current crisis reveals: the need to ensure accountability for the government and the private sector.

The right to work

With regard to the right to work, national report limits itself to the issues tackled during the 2010 review namely the child labor, Palestinian refugees and the domestic workers. Acknowledging the importance of these issues in Lebanon, we would like to highlight that the next UPR session should be an opportunity to address a core problem with regard to the right to work in Lebanon: the lack of a comprehensive employment policy in Lebanon and in relation the need to enhance productive sectors to generate employment.

³<http://www.igsp.usj.edu.lb/docs/recherche/recueil12en.pdf>

The economic policies implemented in Lebanon although generated growth did not contribute necessarily to job creation reflecting the problematic of the rentier-economy model. While between 1997 and 2009, the gross domestic product expanded at an average rate of 3.7 percent per year, employment grew by only 1.1 percent.⁴ Thus unemployment rate is high, stands at 24 percent with youth unemployment exceeding 35 percent⁵ and women accounting for only 24 percent of the work force.

In relation to this, the jobs that the economy has created have been concentrated in low productivity sectors that employed mainly low skilled workers. As noted by World Bank report, another important issue to address is the high prevalence of informal employment and relatively low transitions into formal employment. Around 20 percent of the labor force is informal wage employment lacking access to social insurance and labor regulations.

In addition Lebanon fails to meet its obligation to ensure employment with remuneration that enables workers and their families to enjoy an adequate standard of living---as stipulated in article 7 of the Covenant---the minimum wage in Lebanon is low, now settled at 675,000 Lebanese pounds only.⁶

As far as labor standards concerned ILO Convention 87 on the Freedom of Association and Protection of the Right to organize remains not ratified⁷. Furthermore, the mechanisms enforcing labor law in Lebanon are weak and inefficient indeed, Labor Arbitration Councils remained suspended for a complete year (2011-2012) due to a disagreement over who should represent workers and employers.

⁴ <http://www.worldbank.org/en/news/press-release/2013/04/11/world-bank-lebanon-needs-to-create-23-000-jobs-per-year>

⁵ <http://www.dailystar.com.lb/Business/Local/2014/Dec-24/282123-youth-and-unemployment-in-lebanon.ashx>

⁶ Political, commercial and financial authorities refused the proposal submitted to fix a minimum wage amounting to 890,000 Lebanese pounds including the transportation allowance⁶. The last amendment to the minimum wage was made in 2012, and the cost of living indicator committee has not held enough meetings in the last few years to assess the inflation in prices. According to the General Confederation of Labor, the inflation rate for 2015 is estimated at 38%.

⁷ The Lebanese law distinguishes between the freedom to form associations and political parties and the formation of syndicates and unions; as the former require only a notification, the latter requires authorization. Accordingly, the application to form a union is submitted to the Ministry of Labor which consults with the Ministry of Interior. Moreover, laws in force require that unions' activities remain under permanent monitoring and supervision of the Ministry of Labor.



In this context the violations on the full enjoyment of the right to work should be addressed during the Working Group session and Lebanon must be called to adopt a national strategy that includes macroeconomic and fiscal policies towards enhancing productive sectors, adoption of policies on exchange rate, interest rate, Intellectual property rights, government procurement, an adequate national framework for PPP and relevant trade and investment policies. Lebanon should also ratify ILO Agreement N°87 and amend the labor law and its regulatory decrees to ensure the effective work of mechanisms enforcing labor law.