

ADVANCE QUESTIONS TO LEBANON – Add.2

IRELAND

- Could the Government of Lebanon provide information on the draft law which will allow women to pass on their nationality to their children which was submitted to cabinet in 2009 but has not yet become law? This is an important and welcome proposal to reform existing nationality law which we hope can be implemented shortly.
- Ireland welcomes the Government of Lebanon's decision in August 2010 to grant Palestinians greater access to the labour market. What other measures are planned by the Lebanese government to make further progress in this regard?
- Ireland is concerned about cases of mistreatment and abuse of foreign domestic workers. What measures is the Government of Lebanon taking to ensure that its labour code affords standard protections to foreign domestic workers?

NETHERLANDS

Palestinian refugees

- The Netherlands welcomes the newly amended national legislation from August 2010 on registered Palestinian refugees. Could the government of Lebanon indicate when this new legislation and regulations will come into effect?
- While acknowledging the housing crisis in Lebanon, as mentioned in paragraph 80, the right to own real property was not permitted in August 2010. Because of this, Palestinians cannot, for example, inherit real property already in their family's possession. Would the government of Lebanon consider finding a solution for this issue in due time?
- In relation to the refugee situation in Lebanon, does the government of Lebanon intend to meet the needs of non-registered refugees, seeing that paragraph 124 of the national report states that it is not able to absorb more refugees under current economic and political circumstances?

Women's rights and non-discrimination

- In paragraph 82 of the national report it is stated that all citizens are equal before the law and enjoy the same civil and political rights. In spite of this, in paragraph 83 it continues that all Lebanese are not subject to one personal status law. Furthermore, in reference to paragraph 20 of the OHCHR compilation, it is mentioned that Lebanese citizenship is derived exclusively from the father, but women are also indirectly discriminated due to the legal absence of a civil marriage. Would the government of Lebanon, in light of these paragraphs intend to change the nationality-legislation in order for the difference between men and women to disappear?
- With regard to women's rights in Lebanon, could the government of Lebanon elaborate on measures taken to improve the situation of mainly female

“domestic migrant workers” as referred to in paragraph 26 of the OHCHR compilation?

Enforced disappearances

- With a view to enforced disappearances, as amongst others mentioned in paragraph 25 of the OHCHR compilation, could the government of Lebanon elaborate on measures to be taken to end the suffering of families with missing relatives? Furthermore, would the government of Lebanon be willing to set up a database of the DNA-material of missing persons and their relatives?

Prevention of torture

- In reference to paragraph 26 of the national report, which state that the Director General of the Internal Security Forces has issued numerous memorandums emphasizing that abuse of prisoners and detainees, during interrogations is prohibited and that those who violate this rule are liable to prosecution or disciplinary measures, Could the government of Lebanon further elaborate on the measures taken to improve the conditions in Lebanese detention-centres? Furthermore, the Netherlands welcomes the establishment of the committee drafting legislation on the establishment of an independent national mechanism for the prevention of torture; will the issue of strengthening human rights contact points within the security services be included?

Impunity gap

- Bearing in mind paragraph five of the national report which states that the war that broke out in Lebanon in 1975 and ended in 1989 left the country in a state of political, economic and social instability and furthermore that this period had a catastrophic impact on Lebanon and hindered the development necessary for human rights, the Netherlands notes that there has not been an independent system of truth-finding in Lebanon to address the possible feeling of impunity. We understand that this could be seen in the light of the general amnesty, does the government of Lebanon however plans additional measures to address the possible feeling of impunity?

Obligation under (international) human rights law

- In reference to paragraph 13 and 14 of the national report submitted by Lebanon, it is written that Lebanon has been involved and is party to many treaties related to respecting human rights. In addition, paragraph 15 of the same report states that international treaties and conventions have a higher authority than domestic law and are applied accordingly. However, paragraph 6 of the OHCHR compilation states that gaps remain in the fulfilment of legal obligations under international human rights treaties, including due to the insufficient incorporation of procedural safeguards in existing laws and practices. Could the government of Lebanon elaborate on the intentions to catch up with the back-log in the conversion of human rights treaties to national legislation? In this regard, what measures will be taken to improve the implementation of and compliance with national legislation?

NORWAY

- Domestic workers are especially vulnerable to abuse since they are excluded from the protection of the Lebanese Labour Law (art. 7). Consequently, migrant workers face poor working conditions and violations of their basic rights. Would Lebanon consider extending the labour law in order to protect the rights of domestic workers?
- What other concrete steps will Lebanon take in order to eliminate discrimination and ensure that the human rights of all domestic workers in Lebanon are protected?
- Lebanon has taken an important step to combat violence against women by drafting a law on the protection of women from domestic violence. When can we expect the draft law to be approved and enter into force?
- The national report points to remaining challenges with regard to women's rights. What steps will Lebanon take in order to end gender discrimination in the national legislation, specifically in regards to personal status laws and nationality laws? In this regard, would Lebanon consider granting Lebanese women the right to pass on their nationality to their husbands and children?
- What steps will Lebanon take in order to protect the right to association and the personal security of LGBT persons? Specifically, will Lebanon consider amending art. 534 in the Penal Code which criminalizes homosexuality?
- Norway commends the amendments to the Lebanese Labour Law and the Lebanese Social Security Law, which give Palestinian refugees the right to work and the right to end of service indemnities in Lebanon. When can we expect the issuing of regulations which are necessary for the amendments to become effective?
- The access to basic rights for Palestinian refugees remains an issue of great concern, such as the right to own property. How will the government of Lebanon address the issue of property rights for Palestinian refugees, and what steps will it take in order to ensure greater freedom of movement for all Palestinian refugees in Lebanon, especially to the Nahr el Bared camp?

SLOVENIA

- What progress has been made in terms of an imposition of limits on the jurisdiction of the Military Court and a possible transfer of certain competencies of the Military Court to ordinary courts, particularly in cases concerning alleged violations of human rights by military staff?

SWEDEN

- In its national report to the UPR, the Government of Lebanon outlined measures that it is taking towards eliminating legal discrimination against women. However, Sweden is concerned that such legislation still remains in place. The Lebanese nationality law has been criticised by a number of civil society organisations. According to their reports, the children of Lebanese women married to foreign nationals, cannot obtain Lebanese nationality. Non-Lebanese men married to Lebanese women are not able to obtain Lebanese citizenship either, whereas non-Lebanese women married to Lebanese men can acquire Lebanese nationality after one year of marriage. Hence, the nationality law does not allow Lebanese women to pass on their nationality to their spouse or children. Moreover, legislation relating to the personal status of individuals seems to retain discriminatory provisions against women, including with regard to inheritance and divorce.

Could the Government of Lebanon elaborate on its measures to combat discrimination and violence against women, in particular with regard to the nationality law and personal status laws?

- The enjoyment of human rights by the over 400,000 Palestinian refugees within the jurisdiction of Lebanon remains a source of concern, including with regard to laws and regulations relating to property, housing, social security and education. Furthermore, several reports indicate continuing inadequacies in terms of the conditions in the Palestinian refugee camps. The United Nations Country Team has reported that a decent standard of living often remains absent in all 12 Palestinian refugee camps.

Could the Government of Lebanon elaborate on its measures to improve conditions in the Palestinian refugee camps, with a view to ensuring the enjoyment of human rights by the refugees?