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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[08 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



Lebanese Human Rights Organizations: Call the Lebanese Government to implement the UPR recommendations

Khiam Rehabilitation Center for Victims of Torture on behalf of the Lebanese non-governmental organizations (NGOs) and the follow up committee would like to bring to the attention of the Human Rights Council (HRC) specific concerns with regard to Lebanon's commitment under the Universal Periodic Report (UPR). The written statement hereby would aim to remind the HRC on the current human rights situation in Lebanon and the need to implement recommendations submitted by member states of this honorary Council.

Regarding **delays in reporting to the UN treaty bodies**, our organizations regret that Lebanon's representative to the review session did not present valid justifications for such delays. We believe that it is not a good practice for the Ministry of Foreign Affairs to continue due responsibility for reporting to UN mechanisms. A clear division of responsibilities within the government could contribute to improving the reporting practice to UN. Such practices need also to incorporate the need for national consultations with national stakeholders to increase the participation of civil society. The undersigned organizations urge the Lebanese government to accept the recommendations submitted during the 23rd session of the Universal Periodic Review on Lebanon. The Lebanese government should increase its commitment to international human rights principles by taking part to international human rights conventions, in particular the International Convention for the Protection of People from Enforced Disappearances, and the International Convention with regard to People with Disabilities.

With respect to the **situation of torture** in Lebanon and the progress with regard to torture prevention in Lebanon, our organizations would like to point out of the increase in trends of torture in Lebanon during 2015 and the stagnation at the level of the progress with regarding to the criminalization of torture. Our organizations acknowledge the progress at the level of the Lebanese parliament with regard to the criminalization of torture and the different committees established aiming at the prevention of torture. We would like to point out that the creation of bodies with a monitoring mandate within the Ministries of Justice and Interior are welcomed steps but we highly encourage transparency in their operations and outputs. Nonetheless, the creation of these committees such as the Committee against Torture within the Internal Security Forces (ISF) or others, should not justify the delay in establishing a National Prevention Mechanism (NPM) in accordance with obligations under the Optional Protocol of the CAT. Our organizations emphasize that the NPM is an independent monitoring body and a necessary complement to internal monitoring mechanisms. We highly urge the government to commit to a timetable for the establishment of the NPM.

On the **capital punishment**, our organizations regret that the Lebanese delegation has rejected all recommendations. We urge the government of Lebanon to reconsider and sign the Optional Protocol to the International Covenant on Civil and Political Rights. Lebanon has been adopting an informal moratorium since 2004; the adoption of General Assembly Resolution on the Moratorium on the Death Penalty would be a positive step to formally enforce the steps taken by Lebanon. We are particularly concerned about death penalties issued by the Military Tribunal, which does not adhere to international fair trial standards. The Lebanese government is in breach of international human rights law for allowing the Military Court to continue adopting non-military tasks and try civilians.

The Lebanese government needs to promote systems insuring the respect for the **guarantees of fair trial** such systems ought to include the access to lawyers during investigations, the access to medical care and translation. Lebanon should amend legislations with regard to Judicial Council, reforming the process of referral to the tribunal but most importantly insuring that the tribunal incorporates the right to appeal the right to multi-level procedures.

Our organizations are in particular concerned about the recent excessive use of force against demonstrators, that undermined the **right to peaceful assembly**, and would call the Lebanese government and the HRC to establish an independent inquiry commission to investigate police practices and hold perpetrators accountable in front of a fair and impartial tribunal.

With respect to the **rights of women**, our organizations would like to reflect to the Lebanese government the need to amend current constitutional texts allowing equality between men and women on issues related to nationality and the

transfer of nationality. Protection of women against domestic violence should remain on the prime agenda of the Lebanese government especially as current legislations still lack protective elements such as the criminalization of marital rape and child custody. Such changes would be better enforced following the promulgation of personal status law that satisfies the principles of equality and non-discrimination among women and men and among individuals from different religious affiliations.

The submitting organizations would like to point on the need to develop better frameworks for the fulfilment of the rights of victims of **enforced disappearances**. Such framework should guarantee the right to know to families of the disappeared and other people of concerns. Although the Lebanese judiciary has provided families with the access to investigations completed in the past, the Lebanese authorities should employ all available measures to guarantee the right to know and to discover the whereabouts and the fate of disappeared persons. The Lebanese government should provide a timeframe with regard to the establishment of bio-data bank in coordination with the families of the disappeared and the ICRC. The government and the Lebanese parliament should provide a timeframe with regard to the establishment of the National Commission for Protection of People from Enforced Disappearance.

The **freedom of association** has witnessed great challenges in the past years, our organizations would like to remind the HRC of the right of public sector employees, migrant workers, and refugees to establish unions and syndicates in line with ILO conventions and standards.

Our organizations would like to point out that current measures adopted on **refugees** in particular Palestinian refugees and refugees from Syria result in shrinking space for protection. It is important to mention that the Lebanese society is surely overwhelmed by the strength of the humanitarian crisis unfolding on Lebanon and would like to remind the international community through the HRC of the need to develop more efficient measures ensuring proper solidarity with Lebanon. On the other hand the Lebanese government should apply and reform policies aiming to increase the protection of refugees on its territory. We call on the Lebanese government to accept the recommendations given with regard to refugees in particular recommendations related to the right to work by amending regulations of the ministry of labour on the work of refugees in Lebanon and make sure that restrictions are not imposed on systematic and discriminatory fashion but on scientific evidence supported by the need of the Lebanese job market.

Finally our organizations are confident that with the current situation Lebanon faces multi-faced tensions and challenges particularly affecting its stability and security situation. Our organizations would like to emphasise on the need to develop strong human rights frameworks insuring Lebanon's ability to respect, and fulfil its human rights obligations as the best strategy to counter such pressures and insure stronger cohesion.

ALEF - act for human rights, an NGO without consultative status, also shares the views expressed in this statement.
