



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Concluding observations on the combined eighteenth to
twenty-second periodic reports of Lebanon**

Addendum

**Information received from Lebanon on follow-up to the
concluding observations***

[Date received: 28 February 2017]

* The present document is being issued without formal editing.



Response from the Ministry of Foreign Affairs and Emigrants

Directorate of International Organizations, Conferences and Cultural Relations

Subject: Response to the observations and recommendations of the Committee on the Elimination of Racial Discrimination concerning the report of Lebanon (combined eighteenth to twenty-second reports on the period from 2004 to 2014), which was discussed in Geneva on 10 and 11 August 2016

Reference: Your letter No. 1210/8/H dated 5 September 2016

With regard to the above-mentioned subject and reference, and the request for an expression of views and a response to paragraphs 33, 34, 41, 42, 46 and 54 of the concluding observations, we wish to state the following:

1. With regard to paragraphs 33 and 34 (the Committee's concern regarding the right of refugees to work in certain sectors), we wish to state the following:

(a) The Committee ought to have drawn a distinction between refugees and displaced persons, inasmuch as displacement from Syria since 2012 has been a source of many problems, including an increase in the unemployment rate among Lebanese citizens to over 30 per cent. This prompted the Ministry of Labour to restrict jobs to Lebanese citizens in order to enable them to make a living, since they are the ones who require assistance rather than the displaced persons.

(b) With regard to Palestinian refugees, who began to enter Lebanon in 1948, the decisions issued each year by the Ministry of Labour concerning occupations restricted to Lebanese citizens gives Palestinians access to employment on an equal basis with Lebanese citizens, without any discrimination and in accordance with the same legal provisions.

It follows that the Committee should draw a distinction between refugees and displaced persons, who currently number more than one third of the population of Lebanon and who can work in the areas of agriculture and construction and in cleaning activities.

(c) Article 18 of Decree No. 17561 of 18 September 1964 (regulating the work of foreigners) authorizes trade unions to present a statement in the month of January each year listing the number of Lebanese workers in each occupation, the names of those who are unemployed, their place of residence and their qualifications. If the trade unions did not exercise this right, the preservation of Lebanese labour, provision of job opportunities to the unemployed and achievement of social stability.¹

2. Migrant domestic workers (paragraphs 41 and 42):

(a) A National Steering Committee on the Situation of Migrant Domestic Workers in Lebanon has been established in the Ministry of Labour. It is composed of representatives of the Government, employers, workers and representatives of civil society organizations and is currently studying:

1. Abolition of the sponsorship system;
2. Action to guarantee a labour contract.

This requires an amendment of domestic legislation and studies to determine the costs. The work is being conducted in cooperation with the International Labour Organization (ILO).

(b) With regard to the amendment of articles 2, 5 and 7 of the standard employment contract for domestic workers, the only conclusion to be inferred from the content of these articles is that employees are required to perform their duties faithfully and with integrity. The contract is based on the principle of *pacta sunt servanda*. Workers are

¹ Translator's note: There's something missing in the Arabic sentence. As it stands, it does not make sense.

therefore free to reject it, stating that those articles violate their rights. It should be noted that the contract was developed through consultations between the Government, businesses, civil society organizations, embassies of the States of origin of domestic workers and the Regional Office of the ILO in Beirut.

(c) A bill concerning decent working conditions for domestic workers has been drafted as well as a bill permitting the Government to accede to the ILO Domestic Workers Convention, 2011 (No. 189). As already noted, serious action is being taken to abolish the sponsorship system, but more time is required to complete this work.

(d) The Ministry of Labour has held meetings with the owners of recruitment offices to offer them guidance on proper relations between employers and employees, humane treatment of employees, and the need to arrange training courses for employers to improve their treatment of workers and for employees to familiarize them with the work and to improve their skills.

3. Drafting of two bills:

(a) A bill concerning decent working conditions for domestic workers that is applicable to both national and foreign domestic workers.

(b) A bill permitting the Government to accede to the ILO Domestic Workers Convention, 2011 (No. 189).

(c) Promulgation of Decree No. 168/1 of 27 January 1925² concerning the regulation of recruitment offices, the need to restrict the scope of their recruitment work and the need to prevent any commercial activities and publicity.

(d) A person's employment and occupation can be changed without any impediment. A group of social welfare assistants were recruited to monitor domestic employment.

(e) Launching of a hotline at the Ministry of Labour to receive complaints from domestic workers.

4. Ratification of international human rights treaties requires more study, especially regarding migrant workers and members of their families, which is linked to the duration and ending of the presence of Syrian displaced persons in Lebanese territory and Lebanese legislation, especially the Labour Code, which protects the rights of both domestic and foreign workers.

5. Consultations with civil society:

Consultations with civil society organizations working in the area of human rights protection is undertaken through committees established by the Ministry of Labour, which are composed of multilateral and specialized representatives of civil society. They include, for example:

(a) The Committee on Sustained Dialogue;

(b) The National Steering Committee on the Situation of Migrant Domestic Workers in Lebanon;

(c) The Committee to Promote the Employment of Persons with Disabilities;

(d) The Committee to Combat the Worst Forms of Child Labour.

In light of the foregoing, action will be taken on the recommendations aimed at serving human interests, promoting their role in an appropriate environment and guaranteeing a decent life.

**The Minister of Labour
Sejaan Azzi**

² Translator's note: It was actually promulgated on 27 November 2015.