



# General Assembly

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## Human Rights Council

### Fortieth session

25 February–22 March 2019

Agenda item 6

### Universal Periodic Review

## **Written statement\* submitted by 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.

[15 January 2019]

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\* Issued as received, in the language(s) of submission only.



## **Lebanon and the recommendations of the UPR and international conventions** **The recommendations of the Universal Periodic Review on Lebanon for 2010 and 2015 have not been implemented**

In 2010, Lebanon presented its first national report to the UPR Working Group at the Human Rights Council in Geneva. The Lebanese government has agreed to implement 65 recommendations submitted by member states and observers in the Council.

In November 2015, the Lebanese government submitted its second national report and approved to the Human Rights Council at its 31st session on March 16, 2016, 130 recommendations and retained 89 and rejected two recommendations.

The most important recommendations adopted by Lebanon in the two reviews were on women, abolition of the death penalty, missing persons, persons with disabilities, accession to the criminal court, ratification of international conventions, criminalization of torture, refugees, dialogue with civil society Protecting human rights defenders, abolishing the sponsorship system, fighting corruption, developing the health and education sector, and amending some articles 522, 534, 488 etc.

In addition to 36 recommendations made by the Committee against Torture during its visit to the Lebanese prisons in 2013 and 2014.

During the past years between the 2010 review and the 2015 review, the Government of Lebanon has not made sufficient efforts to implement the recommendations it has made despite dozens of memos to former and current heads of government and NGO's organized conferences, press and workshops in Lebanon and Geneva.

### **We have demanded the following:**

1. Launch a national workshop to introduce the UPR recommendations
2. Scheduling recommendations and priorities
3. Develop a specific follow-up plan and mechanism
4. Organizing a dialogue with the government and parliament on the basis of the civil society plan and priorities
5. Holding an extended periodic meeting of civil society bodies to follow up implementation

The Lebanese government did not listen to the follow up committee of the recommendations of the periodic review and other bodies and set up an organizational formula to follow up the recommendations, noting the adoption of a number of important laws such as the National Human Rights Institution and the Punishment of Torture Act. The percentage of the recommendations reached 130.

In 2020, Lebanon will submit its third national report and reiterates the acceptance of the same recommendations adopted previously and under unconvincing arguments such as Syrian displacement, political instability and crises in Lebanon.

### **Laws issued and not implemented**

1. National committee for preparing reports and following up recommendations issued by international mechanisms. Issued by a presidential decision based on the decision of the Council of Ministers on 21 May 2018 did not issue a decision naming its members, although the majority of ministries nominated its delegates.
2. The establishment of the National Human Rights Commission, which includes the Committee for the Prevention of Torture, was issued by decree dated on 27/10/2016 and in Official Newsletter No. 55 dated 3/11/2016
3. Despite the adoption of sectarian quotas in the formation of the body and contrary to the principles of Paris, and despite the passage of more than two years, the

Commission is still disabled and did not issue regulatory decisions and secure the financial budget for its inception, reflecting the lack of seriousness in its formation. We note that the preventive mechanism for the prevention of torture should have been formed one year after Lebanon signed the Optional Protocol to the Convention against Torture in 2008 and is independent of the National Human Rights Foundation.

4. The Law on the Punishment of Torture No. 65 was passed by the Lebanese Parliament on 19 September 2017 and published in the Official Newsletter on October 26, 2017. Despite the observations of civil society organizations concerned in terms of the duration of prosecution and the definition of torture (according to the Convention against Torture) Rehabilitation and the importance of the law, it still a law like other laws without a practical mechanism to apply.
  5. Adoption of the National Plan for Human Rights 2014-2019 on the tenth of December 2012, which includes 22 files in a ceremony in the Parliament, but the Council did not approve or put the organizational and practical mechanisms to implement them.
  6. Adoption of Law No. 293 on 2014 on the Protection of Women and Other Family Members from Domestic Violence. Since the adoption of the law, domestic violence and the commission of horrific crimes against women have doubled. This confirms the fragility of the law, the absence of deterrent measures and the persistence of punishing perpetrators of crimes against women.
  - .7 The Law of the Disappeared: After years of struggle and stubborn perseverance of the committees of the missing people and human rights organizations, the Lebanese Parliament approved the law of missing persons and those who were forcibly disappeared on 13/11/2018. A very important law is expected to be implemented and we hope that it will not follow the laws that were previously approved and did not see the light.
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