

LEBANON

CRC A/53/41 (1998)

1. Concluding observations:

14. The Committee considered the initial report of Lebanon (CRC/C/8/Add.23) at its 289th to 291st meetings, on 20 and 21 May 1996 (CRC/C/SR.289-291), and at its 314th meeting, on 7 June 1996, adopted the following concluding observations.

(a) Introduction

15. The Committee notes with appreciation the submission of the initial report of Lebanon and the dialogue held with the State party. While the Committee expresses its appreciation for the supplemental written information provided by the delegation, it regrets that the State party did not submit written replies to the list of issues previously submitted by the Committee to the Government.

(b) Factors and difficulties impeding the implementation of the Convention

16. The Committee notes the severe difficulties facing Lebanon as a result of almost 20 years of war and foreign intervention which has resulted in widespread destruction of its physical infrastructure and public works. The Committee also takes note of the difficulties caused by the fact that Lebanon has hosted a great number of refugees for several decades. The Committee also notes the insufficient international support for coping with the above-mentioned problems and facilitating an effective reconstruction of infrastructure and social services.

(c) Positive aspects

17. The Committee welcomes the establishment of the Higher Council for Childhood, administered by the Ministry of Social Affairs, which serves as an independent intermediary body between relevant government ministries and with non-governmental organizations to initiate and coordinate programmes and policies. The Committee also welcomes the decision of the Higher Council to undertake a study on the legal situation in Lebanon with respect to the Convention on the Rights of the Child, which it regards as a potentially important step in the development of a more comprehensive approach to the implementation of the Convention.

18. The Committee also welcomes the establishment of the Parliamentary Committee for the Protection of Childhood as well as the National Committee for the Disabled, both of which could be important in the endeavours to implement the principles and provisions of the Convention on the Rights of the Child.

19. The Committee notes with satisfaction the decision to establish a system for health inspections in schools and pre-school institutions.

20. The Committee welcomes the adoption in September 1995 of the National Plan of Action for Child Survival, Protection and Development, which focuses on programmes related to health and education.

21. The Committee welcomes the report from the delegation that the stigmatizing label of "illegitimate" will be abolished not only from identity cards but also from the birth registry and all other official documents.

22. The Committee welcomes the round tables and training courses, some of them in cooperation with the United Nations Children's Fund, to educate and train teachers, as well as plans to train police, social workers and other professionals about the rights of the child. The Committee notes with satisfaction the agreement entered into by the State party with the United Nations Development Programme to undertake a statistical overview of 7,000 families representing the different regions of Lebanon on relevant social matters such as education, illiteracy, unemployment and child labour. It further welcomes the planned study on the health of mothers and children, and looks forward to receiving a copy of the results from the two studies once they are completed.

(d) Principal subjects of concern

23. The Committee is concerned at the insufficient measures adopted to ensure a permanent and effective coordinating and monitoring mechanism to ensure implementation of the Convention on the Rights of the Child. The Committee also notes the insufficient measures to systematically gather reliable quantitative and qualitative data on all areas covered by the Convention and in relation to all groups of children, and to evaluate progress achieved and assess the impact of policies adopted on children, in particular in relation to education, health, juvenile justice and children with disabilities.

24. The Committee is concerned about the insufficient measures taken to ensure that the principles and provisions of the Convention are made widely known to children and adults.

25. As regards the implementation of article 4 of the Convention, the Committee notes with concern the inadequacy of measures taken to ensure the implementation of children's economic, social and cultural rights to the maximum extent of available resources. The Committee is also concerned that insufficient resources are allocated to human development projects and by the emerging gaps developing between those who can afford private education and medical care and those who cannot.

26. The Committee notes that despite the fact that the provisions of international treaties to which Lebanon is a party supersede domestic legislation, laws continue to exist which are inconsistent with the provisions of the Convention on the Rights of the Child and of other international treaties.

27. The Committee is also concerned that the basic principles of the Convention, in particular the provisions of articles 2, 3 and 12, have not been adequately reflected in legislation, policies and programmes.

28. The Committee is concerned about the apparent discrimination in the granting of nationality to a child of parents of mixed nationality; nationality may only be obtained by a child from her or his

Lebanese father but not from the mother and, in the case of unmarried parents, only if the Lebanese father acknowledges the child.

29. The Committee is worried about the widespread practice of early marriage and the related consequence of high child mortality rates and the negative impact on the health of girls bearing children at an early age. It is also concerned about consanguineous marriage.

30. The Committee expresses its concern that the provision of social services appears to be concentrated in Beirut, to the disadvantage of the population living outside the capital. The Committee also notes the apparent shortage in the number of social workers.

31. The Committee notes the need for further reform in the school sector to improve the quality of education and prevent students from dropping out. Specific needs appear to exist in the fields of health education and, as recognized by the delegation, teaching about values and the environment.

32. The Committee notes the need for further reforms in the field of juvenile justice and treatment of young offenders to ensure full implementation of articles 37, 39 and 40 of the Convention. Problems appear to exist in relation to the low age of criminal responsibility, non-separation of children from adult detainees, the lack of available health and educational facilities for young detainees, the existence and length of pre-trial custody and the non-availability of legal assistance.

33. The Committee is concerned by reports about children working on the street or in domestic service, including children from other countries.

34. The Committee notes the need for special efforts to protect the rights of children in especially difficult circumstances, including abandoned and stateless children.

(e) Suggestions and recommendations

35. Though welcoming the establishment of the Higher Council for Childhood, the Committee recommends a review of the various central and local administrative structures in order to ensure the effective coordination of policies and programmes on matters of child rights and child welfare.

36. The Committee welcomes the initiative for a comprehensive review of legislation in the light of the principles and standards of the Convention on the Rights of the Child. In this regard, the Committee recommends that the minimum age of criminal responsibility, for marriage and for child labour be reviewed.

37. The Committee recommends that a permanent and multi disciplinary mechanism be developed for coordination and monitoring of the implementation of the Convention, at both national and local levels, in urban and rural areas. The Committee encourages the State party to give further consideration to the establishment of an ombudsperson for children or any equivalent independent complaint and monitoring mechanism. The Committee further encourages the promotion of closer cooperation for this purpose with Lebanese non-governmental organizations, to which it expresses its appreciation for the valuable work they perform in the field of the rights of the child.

38. The Committee recommends that further steps be taken by the State party to define child-related social indicators and to develop systematic means of gathering data on an ongoing basis to facilitate a comparison of progress with regard to child-related initiatives over a period of time.

39. The Committee recommends that the Government strengthen its efforts aimed at promoting advocacy and creating awareness and understanding of the principles and provisions of the Convention in the light of article 42. In the spirit of the United Nations Decade for Human Rights Education, the Committee further encourages the Government to give consideration to the incorporation of the rights of the child in school curricula. The Committee also suggests that the Government develop public campaigns with a view to addressing effectively the problem of persistent discriminatory attitudes, in particular towards girls.

40. The Committee recommends that further programmes be aimed at training personnel working with children, such as social workers, police, public health workers and legal and judicial officers.

41. The Committee encourages the Government to pursue its efforts to ensure full compliance of its national legislation with the principles and provisions of the Convention, including non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12). In the light of articles 2 and 3, the Committee strongly recommends that legislative measures be adopted with a view to ensuring respect for the rights of girls, especially in relation to preventing early marriage.

42. The Committee recommends that the State party strengthen the existing overall priority which is given in the national budget to child-related programmes in accordance with article 4 of the Convention.

43. Concerning the growing role of private educational and health institutions, the Committee recommends that a stronger emphasis be placed on public education and the social welfare system by the Government with a view to ensuring that all children subject to the jurisdiction of the State party enjoy these fundamental rights, as well as to prevent any risk of discrimination.

44. The Committee recommends the development of a more comprehensive social policy which would include the implementation of the National Plan of Action for Child Survival, Protection and Development. Such a policy would emphasize the importance of human development. The Committee recommends that further steps be taken towards decentralization of social services so as to afford children outside the capital open and easy access to basic social services and education.

45. The Committee welcomes the steps taken to reform the school system and to improve the quality of education, including a thorough review of the curricula. It recommends measures to fully realize the provisions of the Convention relating to free and compulsory primary education for all children.

46. In view of the principles contained in article 29, paragraph 1 (d), of the Convention, which stipulates that the education of the child shall be directed to "the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin",

the teaching of values is an important dimension that should be incorporated in the curricula at all levels of schooling. School curricula materials should be revised accordingly.

47. The Committee recommends that the ban on the commercial marketing of infant formula be implemented and that breastfeeding be promoted among mothers in health facilities. It further suggests that a health insurance card be issued for children whose parents are not entitled to social security benefits.

48. The Committee suggests that the State party undertake a comprehensive study to examine the implications of the principle of the "best interests of the child" in relation to laws and their implementation as well as to administrative practice in all relevant fields.

49. The Committee believes that opportunities for the cultural development of children are critical and recommends that measures be taken to give children access to child literature and media. The need for playgrounds and child-friendly parks should be considered in city planning.

50. The Committee welcomes the policy of not allowing corporal punishment in schools or other official institutions and recommends a thorough review of the problem of domestic violence, including the possibility of stricter legislation against all forms of abuse against children in the spirit of article 19 of the Convention, as well as supportive social measures to assist families in crisis.

51. The Committee suggests that further efforts should be undertaken to disseminate information about the risks of consanguineous marriages, including through the media and health education programmes.

52. The Committee suggests that special programmes be developed for children with disabilities in order to define social, psychological, physical and other needs, as well as to educate parents about ways of dealing with them. Further efforts are recommended to encourage schools to ensure the participation of these children in all activities.

53. The Committee suggests that the State party, in cooperation with the United Nations Relief and Works Agency for Palestine Refugees in the Near East, seek ways of addressing the socio-economic problems among Palestinian refugees that affect children negatively.

54. The Committee recommends that the State party consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

55. The Committee recommends that the State party give careful consideration to placing greater emphasis on psycho-social recovery and reintegration of "passive victims" of violence and the armed conflict in Lebanon.

56. The Committee recommends that in the light of article 32 of the Convention on the Rights of the Child, further steps be taken to protect children from hazardous work, including through the adoption of stricter legislation, ratification of all relevant International Labour Organization conventions and the appointment of a sufficient number of child labour inspectors.

57. The Committee recommends that the State party envisage undertaking a comprehensive reform of the juvenile justice system in the spirit of the Convention, in particular articles 37, 39 and 40, and relevant United Nations standards in this field such as the "Beijing Rules", the "Riyadh Guidelines" and the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty. Particular attention should be given to the consideration of deprivation of liberty only as a measure of last resort and for the shortest period of time, to the protection of the rights of children deprived of liberty, to due process of law, and to the full independence and impartiality of the judiciary. Training programmes on the relevant international standards should be organized for all those professionals involved with the system of juvenile justice. The Committee would like to suggest that the Government of Lebanon consider seeking international assistance in the area of the administration of juvenile justice from the Centre for Human Rights and the Crime Prevention and Criminal Justice Division of the United Nations Office at Vienna.

58. The Committee recommends that relevant international agencies and institutions, as well as other Governments, develop cooperation with Lebanese authorities and voluntary organizations in the reconstruction effort after the many years of war devastation. Displaced persons and refugees should be given priority in such international cooperation.

59. The Committee recommends that the report submitted by the State party, the summary records of its consideration and the concluding observations of the Committee be disseminated as widely as possible within the country.

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30. At its 751st and 752nd meetings (CRC/C/SR.751-752), held on 15 January 2002, the Committee on the Rights of the Child considered the second periodic report of Lebanon (CRC/C/70/Add.8), which was received on 4 December 1998, and adopted, at its 777th meeting, (CRC/C/SR.777) held on 1 February 2002, the following concluding observations.

A. Introduction

31. The Committee welcomes the submission of the State party's second periodic report, which contained interesting information about the theoretical background of the approach to the implementation of the rights of the child. Although the response to the list of issues was received very late, the Committee welcomes the additional updated statistical information it contained. The Committee notes with appreciation that the well-informed delegation contributed to a frank, informative and constructive dialogue.

B. Positive aspects

32. The Committee notes the State party's commitment to the issue of child rights and the efforts made to collect reliable information on the situation of children as well as to disseminate and create awareness of the Convention, notably by integrating the Convention into school curricula. It further notes the preparation by the Higher Council for Childhood of a legal comparative study of the legislation and of the Convention, resulting in a series of proposals for legislative reform.

33. In light of its previous recommendations (CRC/C/15/Add.54, para. 23), the Committee notes with satisfaction the legislative changes and the adoption of several new laws, including the law making education until the age of 12 free and compulsory, the amendment of the Labour Law raising the minimum age for employment and the adoption of stricter legislation on child labour, and the extensive legislative changes addressing the rights of children with disabilities.

34. The Committee notes with satisfaction that the State party ratified in 2001 the ILO Convention (No. 182) on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, and acceded in the year 2000 to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

C. Factors and difficulties impeding the implementation of the Convention

35. The Committee acknowledges that the difficulties resulting from the destruction of much of the infrastructure during the conflict in Lebanon from 1975 to 1990, the substantial reconstruction requirements, particularly in southern Lebanon, as well as political instability and economic difficulties are factors impeding the implementation of the provisions of the Convention.

D. Principal subjects of concern and recommendations of the Committee

1. General measures of implementation

Previous recommendations of the Committee

36. The Committee regrets that many of the concerns expressed and recommendations made in the concluding observations (CRC/C/15/Add.54) adopted following its consideration of the State party's initial report (CRC/C/8/Add.23) have been insufficiently addressed. The Committee notes that many of the same concerns are expressed and recommendations made in the present document.

37. The Committee urges the State party to make every effort to address the recommendations contained in the concluding observations on the initial report that have not yet been implemented and to address the list of concerns contained in the present concluding observations on the second periodic report.

Legislation

38. While noting that part of the national legislation has been amended, and continues to be reviewed, in line with the previous recommendations (*ibid.*, para. 13), the Committee remains concerned about continuing inconsistencies between domestic legislation and the Convention, particularly in the areas of right to nationality, age of marriage, custody, guardianship, inheritance and the rights of refugee children, among others.

39. The Committee recommends that the State party reinforce its efforts towards legal reform, particularly regarding the different confessional justice systems, in cooperation with the confessional groups concerned, with a view to ensuring full conformity of domestic legislation with the principles and provisions of the Convention on the Rights of the Child.

Coordination

40. While noting the completion of the National Plan of Action for Survival, Protection and Development of Children in Lebanon, the Committee observes that this plan falls short of a comprehensive social policy and national strategy for implementing the Convention in line with the Committee's recommendation, as acknowledged by the State party (CRC/C/15/Add.54, para. 22). The Committee is furthermore concerned that the role of the Higher Council for Children as a mechanism for coordination remains unclear and undefined in practice.

41. The Committee recommends that the State party develop a comprehensive and holistic social and economic strategy, including budget implications and a time frame for the implementation of the rights stipulated in the Convention, and continue its cooperation with UNICEF in this respect. It furthermore reiterates its recommendation to the State party to undertake a review of the present central administrative structures in order to ensure effective coordination of policies and programmes on matters of child rights and child welfare (*ibid.*, para. 22).

Data collection

42. While noting the significant efforts of the State party to collect reliable data on the situation of children, the Committee is concerned that a specific list of indicators has not yet been adopted to effectively assess progress and design policies to implement the Convention.

43. The Committee recommends that the State party:

(a) Develop child-related indicators in line with the Convention, disaggregated by gender, ethnicity, religion, region and other indicators to assess implementation of the Convention;

(b) Seek technical assistance from, among others, UNICEF in this regard.

Independent monitoring structures

44. The Committee regrets that its previous recommendation to the State party to develop a permanent and multidisciplinary mechanism for monitoring the implementation of the Convention has not been followed up (ibid., para. 24). The Committee notes the information that the Higher Council for Childhood is dealing with complaints about the violations of the rights of children in an informal way, but is concerned that the combination of a coordinating and a monitoring role would hamper effective and independent monitoring of the implementation of the Convention.

45. The Committee encourages the State party:

(a) To reinitiate the process of establishing an independent national human rights institution, in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), to monitor and evaluate progress in the implementation of the Convention at the national and, if appropriate, at the local level, including implementation by the private sector and NGOs as providers of services to children. This institution should be empowered to receive and investigate individual complaints of violations of child rights in a child-sensitive manner and address them effectively; and

(b) To seek technical assistance from, among others, OHCHR and UNICEF.

Allocation of budgetary resources

46. The Committee regrets that the data provided by the State party lack specificity with regard to the amounts allocated to children from the budget. While noting that an increased proportion of GNP has been allocated to social services as compared with 1993, the practical impact of this increase on the situation of children is not clear.

47. In light of articles 2, 3 and 4 of the Convention, the Committee recommends that the State party:

(a) Strengthen its efforts to reduce poverty among children and identify clearly its priorities with respect to child-rights issues in order to ensure that funds are allocated “to the maximum extent of

available resources” for the full implementation of the economic, social and cultural rights of children, in particular for children belonging to the most vulnerable groups in society;

(b) Identify the amount and proportion of the State budget spent on children in the public, private and NGO sectors in order to evaluate the impact and effect of the expenditures and also, in view of the costs, the accessibility, quality and effectiveness of the services for children in the various sectors;

(c) Strengthen the overall priority given in the national budget to child-related programmes, in accordance with the Committee’s previous recommendation (ibid., para. 29).

Training/dissemination of the Convention

48. While noting with appreciation the efforts undertaken by the State party to publicize the principles and provisions of the Convention widely, including the convening of a Children’s Parliament and press conference and integration of the Convention in school curricula, as well as the interest of the media, the Committee is of the opinion that the measures to create widespread awareness and understanding of the principles and provisions of the Convention need to be further strengthened and implemented in an ongoing, systematic basis.

49. The Committee reiterates its recommendation (ibid., para. 26) that the State party strengthen its awareness-raising efforts and encourages the State party to undertake systematic education and training on the rights in the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, social workers, religious leaders, as well as children and their parents. Technical assistance from, among others, OHCHR and UNICEF could be requested in this regard.

2. Definition of the child

50. Noting the average age at which a marriage is concluded (31 years for men and 28 years for women), the Committee is nevertheless concerned that there are many different minimum ages for marriage owing to the existence of 15 personal status laws administered by different confessional groups, and above all that some confessional groups permit marriage to be entered into by boys as young as 14 and girls as young as 9. The Committee is concerned in particular that its previous recommendations to review the minimum age for marriage and to adopt legislative measures with a view to ensuring respect for the rights of girls, especially in relation to preventing early marriage, have not been followed up (ibid., para. 28). Furthermore, in light of its previous concluding observations, the Committee is concerned at the very low age of criminal responsibility, which is set at 7 years (ibid., para. 23). Finally, while noting the very positive steps taken to raise the minimum age for the completion of compulsory education (12 years) and the plans to raise the age further to 15 and to increase the minimum age of employment to the end of the thirteenth year, the Committee is concerned about the gap between the two ages.

51. The Committee recommends that the State party:

- (a) Take all necessary steps to increase awareness among the confessional groups - e.g. via information campaigns highlighting the de facto average age of marriage - about the need to harmonize the minimum age for marriage, to raise it and to make it the same for boys as for girls;
- (b) Raise the minimum age for criminal responsibility and other minimum age requirements in accordance with the principles and provisions of the Convention, and ensure that they are gender neutral and are enforced by law; and
- (c) Pursue its plans to erase the gap between the school-leaving age and the minimum age for employment by increasing both to 15, in conformity with ILO Convention No. 138.

3. General principles

Non-discrimination

52. The Committee welcomes the information on regional policies to eliminate social disparities and promote equal opportunities. However, it is concerned that the principle of non-discrimination (article 2 of the Convention) is not fully implemented for girls, refugee and asylum-seeking children, Palestinian children, children with disabilities, and children living in less advantaged regions and rural areas, especially with regard to their access to health and adequate educational facilities.

53. In accordance with article 2 of the Convention, the Committee recommends that the State party:

- (a) Make concerted efforts at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic, or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups;
- (b) Ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination; and
- (c) In line with the previous recommendation regarding gender discrimination (ibid., para. 28), ensure respect for the rights of girls, especially in relation to the prevention of early marriage.

54. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of general comment No. 1 on article 29 (1) of the Convention (aims of education).

Best interests of the child

55. The Committee is concerned that the comparative studies regarding the compatibility between the Convention and domestic legislation have not examined the implications of the general principle of the best interests of the child in relation to the State party's laws, as previously recommended

(CRC/C/15/Add.54, para. 35), its policies on issues such as institutionalization and imprisonment, and its practices with regard to children with disabilities.

56. The Committee reiterates its recommendation to the State party to take all appropriate measures to ensure that the general principle of the best interests of the child is appropriately integrated in all legislation, as well as in judicial and administrative decisions and in policies, programmes and services which have an impact on children.

Right to life

57. Noting the statement by the delegation that the problem of crimes committed in the name of honour do not exist in the State party, the Committee is nevertheless concerned that the provisions relating to “honour crimes” remain in the Penal Code. It is deeply concerned at the statement by the delegation that in some cases such crimes are not punished at all.

58. The Committee recommends that the State party:

- (a) Rapidly review its legislation with a view to eliminating all provisions allowing sentences to be reduced if the crime in question is committed in the name of honour;
- (b) Amend the law in accordance with international standards and ensure prompt and thorough investigations and prosecutions; and
- (c) Undertake awareness-raising activities to make such practices socially and morally unacceptable.

Respect for the views of the child

59. Taking note of the efforts by the State party, including the convening of a children’s parliament, the Committee is concerned that respect for the views of the child remains limited owing to traditional societal attitudes towards children in the schools, civil courts, administrative decisions, and especially within the family.

60. The Committee recommends that the State party:

- (a) Promote and facilitate, within the family, the schools, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;
- (b) Develop skills-training programmes in community settings for teachers, social workers, local officials and confessional leaders to enable them to assist children to express their informed views and opinions and to have them taken into consideration; and
- (c) Seek assistance from UNICEF, among others.

4. Civil rights and freedoms

Right to a nationality

61. The Committee notes with concern that the law does not grant equal citizenship status to children of Lebanese women married to non-nationals, as it does where the father is Lebanese; this may result in statelessness.

62. The Committee recommends that the State party ensure the right of the child to a nationality without discrimination on the basis of the gender of the parent(s), in accordance with articles 2 and 7 of the Convention.

Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

63. The Committee is concerned at allegations that children as young as 15 have been subjected to torture and ill-treatment during incommunicado detention.

64. In light of article 37 (a) of the Convention, the Committee strongly recommends that the State party:

(a) Enforce, or, when appropriate, review existing legislation with a view to preventing children being held incommunicado, and investigate in an effective way reported cases of ill-treatment of children;

(b) Ensure that alleged perpetrators are transferred from active duty or suspended while they are under investigation, that they are dismissed and punished if convicted, and that court proceedings and sentences are publicized;

(c) Train law enforcement personnel on child rights issues;

(d) In the light of article 39, take all appropriate measures to ensure the physical and psychological recovery and social integration of child victims of torture and/or ill-treatment.

5. Family environment and alternative care

Children deprived of a family environment

65. The Committee is deeply concerned at the large number of children placed in institutions, a significant majority of whom are placed there because of socio-economic problems affecting their families and without judicial procedure. It notes with concern that the institutions, which are often run by non-governmental organizations, are contracted by the Ministry of Social Affairs and are not at present subject to monitoring. The Committee notes the information provided by the delegation that legislation and procedures regarding alternative care are in place.

66. The Committee recommends that in the light of article 9, the State party:

(a) Take effective measures to implement fully the legislation relating to alternative care of children

to ensure that a child is not separated from his or her parents against its will, except when competent authorities subject to judicial review and procedures determine that such separation is necessary for the best interests of the child; and

(b) Pursue its plans to review its policies resulting in a large number of children being placed in institutions and improve the monitoring and evaluation of services provided by non- governmental organizations in this regard.

Violence/abuse/neglect/maltreatment

67. The Committee is concerned that violence used as a means of discipline in the home and at school is culturally and legally acceptable in the State party, and regrets that no follow-up to the Committee's previous recommendation (ibid., para. 37) has been initiated. The Committee is furthermore concerned that there is insufficient information and awareness of domestic violence and its harmful impact on children. Finally, the Committee is concerned that despite its prohibition by ministerial decision, corporal punishment is still practised in schools.

68. The Committee urges the State party urgently to take all legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse, against children in the family and the schools, and furthermore recommends that the State party:

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address it;

(b) Carry out public education campaigns about the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(c) Establish effective procedures and mechanisms to receive, monitor and investigate complaints, including intervening where necessary;

(d) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not victimized in legal proceedings and that his/her privacy is protected;

(e) Provide care, recovery and reintegration for victims;

(f) Train teachers, law enforcement officials, care workers, judges and health professionals in the identification, reporting and management of ill-treatment cases;

(g) Take into consideration the recommendations of the Committee adopted at its days of general discussion on children and violence (see CRC/C/100, para. 688 and CRC/C/111, paras. 701-745);

(h) Seek assistance from, among others, UNICEF and WHO.

6. Basic health and welfare

Children with disabilities

69. While welcoming the extensive legislation adopted for children with disabilities, the Committee remains concerned that children with disabilities continue to be subject to discrimination in the areas of health coverage, access to specialized services, family support and education.

70. The Committee urges the State party:

(a) To review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on children with disabilities (see CRC/C/69);

(b) To make greater efforts to provide the necessary resources (financial and professional);

(c) To make greater efforts to promote community-based rehabilitation programmes and inclusive education;

(d) To make greater efforts in the area of prevention by reviewing, inter alia, health programmes and policies relating to pregnancy, birth and child health; and

(e) To seek assistance from, among others, UNICEF, WHO and relevant NGOs.

Right to health and health care

71. The Committee notes the achievements by the State party in the area of health care, notably the downward long-term trend in infant and child mortality and the improvements in the area of immunization. It further notes the large increase in the percentage of the budget allocated to this sector. Nevertheless, the Committee is concerned about the unequal enjoyment of the right to access primary health-care services by children in different parts of the country, resulting in wide regional and social variations in infant and child mortality and the quality of care. The Committee is deeply concerned that children do not enjoy equal access to quality health care owing to the high cost of health care and the failure of insurance schemes to provide full coverage, and in part to the domination of the health sector by the private sector and significant differences between the quality of the care provided by the public versus the private sector. The Committee regrets that any follow-up to its previous recommendation (*ibid.*, para. 30) has had little impact on the realization of the right to health for children.

72. The Committee urges the State party:

(a) To reinforce its efforts to allocate appropriate resources and develop and adopt policies and programmes to improve and protect the health situation of children, particularly in the regions with the highest mortality rates;

(b) To ensure equal access to and quality of health care for all children, independent of socio-

economic factors, and encourages the State party to provide health insurance for all children, irrespective of whether their parents are working;

(c) To initiate effective follow-up to its previous recommendation and in view of the high budgetary expenditures in the health sector in particular, to examine the impact on the practical realization of the right to health for all children irrespective of socio-economic factors;

(d) To consider adopting and implementing the integrated management of childhood illness strategy to combat the most common childhood illnesses and malnutrition; and

(e) To seek technical assistance from, among others, WHO and UNICEF.

73. With reference to its previous recommendation (*ibid.*, paras. 34, 38) the Committee notes the difficulties acknowledged by the State party in enforcing a law prohibiting the free distribution of milk substitutes and notes that the commercial marketing of infant formula is still widespread. It also notes with deep concern that one in every five married women is married to her maternal or paternal cousin or another relative, and that 30 per cent of disabled children are born to consanguineous marriages.

74. The Committee recommends that the State party:

(a) Strengthen its efforts to promote breastfeeding and encourage the introduction of adequate maternity leave for all working mothers in the spirit of article 18 (2); and

(b) To disseminate information on the risks to the health of children born to consanguineous marriages and encourage premarital testing.

Standard of living

75. The Committee is concerned that the overall standard of living of many children is very low, as measured by income-related indicators such as access to housing, water, sanitation and education. In particular, it expresses concern at the large regional disparities in living standards, particularly with regard to children living in the governorates of the north, Nabatiyah and Bekaa, and Palestinian children.

76. The Committee recommends that the State party take steps to improve the standard of living of children, giving particular attention to housing, water and sanitation, as well as education. The Committee further recommends the adoption of measures to reduce regional disparities.

7. Education, leisure and cultural activities

Education

77. While noting with appreciation the number of initiatives undertaken, in particular the law making basic education free and compulsory until the age of 12 and the intention to raise it further to 15, the Committee is nevertheless concerned about the implementation of the law, including that public

education is not entirely free. The Committee is furthermore concerned at the lack of public structures in early childhood education, regional disparities, the differences in cost and quality between State and private schools, which create inequality, the high drop-out rates after primary education, the low number of trained teachers, as well as reports of family preference for male over female children when fees are charged.

78. The Committee recommends that the State party:

(a) Take all appropriate measures, including the allocation of adequate financial, human and technical resources, to improve the situation and aims of education, taking into account general comment No. 1 on article 29 (1) of the Convention (aims of education), both with regard to quality as well as relevance, and to ensure that all children enjoy the right to education;

(b) Take the necessary steps to achieve its goal of making education free and compulsory until the age of 15;

(c) Seek to implement additional measures to promote early childhood education and encourage children to stay in school, and adopt effective measures to reduce illiteracy;

(d) Place stronger emphasis on public education, with a view to ensuring that all children subject to the jurisdiction of the State enjoy this fundamental right, and prevent any risk of discrimination, in accordance with the Committee's previous recommendation (*ibid.*, para. 30) regarding the growing role of private educational institutions;

(e) Continue cooperation with UNESCO and UNICEF in improving and activating the education sector.

8. Special measures of protection

Children affected by armed conflict

79. The Committee notes with concern the negative impact of the past armed conflict on children, including increasing vulnerability to socio-economic deprivation, displacement and injury from landmines, as well as of past practices of recruitment of children by armed groups during the civil war.

80. The Committee reiterates its previous recommendation (*ibid.*, para. 42) and urges the State party to continue and strengthen its efforts to provide for adequate psychosocial recovery and reintegration of victims of violence and the armed conflict in Lebanon. It also encourages the State party to continue and strengthen its demining activities and to seek the necessary technical and financial support from the international community.

Refugees

81. The Committee is concerned at the absence of legislative or administrative provisions to protect

refugee children. Issues of concern include the fact that only men may confer citizenship upon their children, instances of separation of children from their asylum-seeking parents during detention, as well as difficulties regarding full access to education.

82. The Committee reiterates its previous recommendation (*ibid.*, para. 41) that the State party accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It further encourages the State party to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Furthermore, it encourages the State party to ensure that refugee children are provided with proper documentation, refrain from separating refugee children from their parents, facilitate family reunification and ensure the right to education for all refugee children.

Palestinian children

83. The Committee is concerned about the high rate of Palestinian children living below the poverty line, as well as the lack of adequate access by Palestinian children to many basic rights, including health, education and an adequate standard of living, and about the quality of services provided.

84. The Committee reiterates its recommendation (*ibid.*, para. 40) that the State party, in cooperation with United Nations Relief and Works Agency for Palestine Refugees in the Near East, seek ways of addressing the socio-economic problems among Palestinian children that affect children negatively, including teaching about the Convention in the school and include children in development programmes.

Child labour

85. While noting the measures taken by the State party in this sector, including raising the minimum age for employment, the Committee is concerned that despite stricter laws on child labour, a high percentage of working children are involved in activities which represent a danger to their health and development. The Committee welcomes the collaboration with ILO/IPEC in combating and preventing child labour.

86. The Committee recommends that the State party:

(a) Continue and strengthen its cooperation with ILO/IPEC and carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards, as well as strengthen labour inspections and law enforcement; and

(b) Make every effort to ratify and implement ILO Convention (No. 138) on the Minimum Age for Admission to Employment and seek assistance from ILO in this regard.

Sexual exploitation

87. The Committee is concerned at the insufficient data on and awareness of the phenomenon of sexual exploitation of children in Lebanon.

88. In light of article 34 and other related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the scope of commercial sexual exploitation of children, including prostitution and pornography, and implement appropriate policies and programmes for preventing such exploitation and for the rehabilitation and recovery of child victims in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children.

Administration of juvenile justice

89. While welcoming the initiation of a process of reform of the law on juvenile justice in line with the previous recommendation (CRC/C/15/Add.54, para. 44), the Committee is concerned about reports that the draft does not comply with several provisions of the Convention. The Committee notes that the draft is still under consideration and that necessary amendments or other changes can still be made. The Committee is furthermore concerned about the failure to separate juveniles, particularly girls, in conflict with the law from adults, and that juveniles are often held in adult prisons.

90. The Committee recommends that the State party expedite the review of the draft legislation in order to:

(a) Establish as soon as possible a system of juvenile justice, fully integrating into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Ensure that deprivation of liberty is only used as a measure of last resort, that children have access to legal aid and independent and effective complaints mechanisms, and that persons under 18 are not detained with adults;

(c) Treat children or juveniles in conflict with the law and children or juveniles at risk in a different and distinct manner so that they are not placed in the same institutions with the same regimes or restrictions; and

(d) Seek assistance from, among others, OHCHR, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols to the Convention

91. The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

10. Dissemination of documentation

92. Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the second periodic report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the parliament and the general public, including concerned non-governmental organizations.