

Right to the City in Greater Beirut: Context Assessment in Light of the Refugee and Displacement Crisis



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مؤسسة عامل الدولية
amelassociationInternational



Housing and Land Rights Network
Habitat International Coalition

Beirut and Cairo

2018



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Title: *Right to the City in Greater Beirut: Context Assessment in Light of the Refugee and Displacement Crisis*

Cover photo: Aerial view of Beirut and harbor with new landfill. Source: Pinterest.

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Made possible with support from:

Cities Alliance

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In cooperation with



UCLG Committee
on Social Inclusion,
Participatory Democracy
and Human Rights

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Abbreviations

3RP/RRR	Regional Refugee and Resilience Plan
A.D.	<i>anno Domini</i> [in the year of the Lord]
AJEM	Association Justice and Mercy
ANND	Arab NGO Network for Development
APSAD	<i>Association pour la Protection des Sites et Anciennes Demeures au Liban</i>
AUB	American University in Beirut
B.C.E.	before the current era
BBC	British Broadcasting Corporation
CaT	Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
CATF	Cities Alliance Catalytic Fund
CCPR	Covenant on Civil and Political Rights
CEDaW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
CLDH	Lebanese Centre for Human Rights
CMW	Convention on the Rights of All Migrant Workers and Their Families
CPPED	Convention on the Prevention and Punishment of Enforced Disappearance
CRC	Convention on the Rights of the Child
CRPD	Convention on the Right of Persons with Disability
CSIPD	Committee on Social Inclusion, Participatory Democracy and Human Rights
CSO	Civil society organization
ESCWA	Economic and Social Council for Western Asia
EU	European Union
FAO	Food and Agriculture Organisation of the UN
FSLC	Food Safety Lebanese Committee
GCSE	General Certificate of Secondary Education
GDP	Gross domestic product
GoL	Government of Lebanon
HIC	Habitat International Coalition
HLRN	Housing and Land Rights Network
HRW	Human Rights Watch
I.C.J.	International Court of Justice
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Committee of the Red Cross
IDAL	Investment Development Authority of Lebanon
IDP	internally displaced people
IGO	inter-governmental organization
IHL	international humanitarian law
ILO	International Labour Organisation
IMAGES	International Men and Gender Equality Survey
IMF	International Monetary Fund
ISF	Internal Security Forces
ISIS	Islamic State in Iraq and al-Sham

LAS	League of Arab States
LERC	Lebanese Emigration Research Center
LIMF	Lebanese Independent Fund
MCM	million cubic meters
MENA	Middle East/North Africa
MoE	Ministry of Environment
MoPH	Ministry of Public Health
MoSA	Ministry of Social Affairs
MoU	Memorandum of Understanding
MP	Member of Parliament
MT	Metric tonne
NCDRR	National Committee for Disaster Risk Reduction
NCLW	National Commission for Lebanese Women
NCoD	National Council on Disability
NGO	nongovernmental organization
NSSF	National Social Security Fund
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPAC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPIC	Optional Protocol to the Convention on the Rights of the Child on individual communications
Opt. Prot.	Optional Protocol
PWD	person with disability
Refugee Conv.	Convention on the Situation of Refugees
SDC	Social Development Center
SDG	Sustainable Development Goal
SME	Small and medium enterprise
UCLG	United Cities and Local Governments
UIS	UNESCO Institute of Statistics
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	UN High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNISDR	United Nations Office for Disaster Risk Reduction
UNODC	United Nations Office on Drugs and Crime
UNRWA	United Nations Relief and Work Agency for Palestine Refugees
UNTS	United Nations Treaty Series
WB	World Bank
WFP	World Food Programme
WHO	World Health Organization

Introduction

In recent years, numerous global policy forums have been engaged in a lively discussion of the role of local spheres of government in the respect, protection and fulfillment of human rights. The discourse has penetrated the United Nations System, as reflected in institutional arrangements and agreements such as the Sustainable Development Goals (SDGs),¹ the New Urban Agenda (NUA),² the Advisory Committee of the Human Rights Council,³ Human Rights Treaty Body reviews,⁴ and various studies, commentaries, international law interpretations and analysis.

This discussion already has pervaded local movements for decades, having seen social movements, academics, city networks and human rights advocates exploring, interpreting, promoting and developing political commitments and legal obligations relating the urban space and administration to human rights. This thinking has been conveyed largely through concepts such as “urban rights,” “right to the city,” “rights of cities,” “human rights cities,” and “human rights in the city,” and “human rights habitat,” among others.

Currently, in front of a historically unprecedented refugee and displacement crisis that constitutes a global responsibility, often locally discharged, these inspiring concepts and corresponding movements linking urban space, public administration to human rights nonetheless have shown a dearth of content concerning refugees, migration and displacement. The exception is found in the articulation of “sanctuary cities,” an age-old concept of contemporary application. With the occlusion of multiple crises in a globalized world, the urgency of the current situation calls for greater convergence of these discourses and greater specificity on the experiences of municipalities in the context of the immediate crisis arising from this unprecedented human movement.

The *Right to the City in Greater Beirut: Context Assessment in Light of the Refugee and Displacement Crisis* and the companion *Greater Beirut Right to the City Charter* (in Annex) ground these issues in the local context near the center of a humanitarian disaster and intend to contribute to its alleviation and to the international discourse by capturing relevant lessons and experience of Greater Beirut. The *City Charter* and *Context Assessment* are outcome documents of the project “Sanctuary in the City: Beirut,” supported by the Cities Alliance Catalytic Fund (CATF) and implemented by Habitat International Coalition - Housing and Land Rights Network and Amel Association.

Sanctuary in the City: Beirut



Figure 1: Front page of the project website. [HIC-HLRN](#).

¹ United Nations General Assembly (UNGA), *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, 21 October 2015, at: <https://sustainabledevelopment.un.org/index.php?page=view&type=111&nr=8496&menu=35>.

² UNGA, *New Urban Agenda (NUA)*, A/RES/71/256, 25 January 2017, at: http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_71_256.pdf

³ Human Rights Council Advisory Committee, *Role of local government in the promotion and protection of human rights – Final report*, A/HRC/30/49, 7 August 2015, at: http://www.hlrn.org/img/documents/A_HRC_AC_13_L4_EN.pdf.

⁴ Office of High Commissioner for Human Rights (OHCHR), *Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific targeted documents*, HRI/MC/2005/3, 1 June 2005, para. 50, at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G04/421/61/PDF/G0442161.pdf?OpenElement>.

The main objective of the project has been to conduct participatory consultations with refugee communities, local host communities and civic authorities to develop a human rights framework for protection of refugees and people in vulnerable situations at local level. The project also sought to strengthen interaction between the local community and local authorities, as well as garner their specialized knowledge on human rights and refugee and migrant protection, applying the complement of international legislation, implementation mechanisms and local governance measures.

The *City Charter* and the *Context Assessment* have been developed jointly through learning events, consultation workshops and face-to-face meetings, resulting in what are now two coherent and interlinked documents. To what, the *Charter* expresses a set of principles, basic needs and rights derived from the most pressing demands and challenges facing local host and refugee communities, as well as local authorities. The *Assessment* is developed to reflect the *Charter's* structure, covering the local context, gaps and challenges to implement right-to-the-city principles. Reviewing the findings against needs and rights present in the *Charter*, this *Assessment* proposes a set of recommendations for the current implementation of human rights and right-to-the-city principles in a prodigious sanctuary city: Greater Beirut.

The How: Methodology

The methodology followed to elaborate these documents involved a series of consultations supported by desk review by both implementing organizations. The project developed four workshops series, composed of three sessions for local authorities, civil society organizations and refugee communities, respectively, an online questionnaire to survey each constituency group and interviews with civil society organizations and local authorities. The documents were developed at their drafting stages with participants and relevant organizations for contributions and comments to the final version.

The territorial scope of the project and its outcome documents covers the area of Greater Beirut, which, even though it does not have officially defined borders nor common administration, includes all of the metropolitan area of Beirut's urban conurbation, which has similar characteristics and challenges. As regards the Charter and the Assessment, Greater Beirut includes the City of Beirut and its bordering urban municipalities of Matn and Baabda Districts of the Mount Lebanon Governorate. Concerning the conceptual sphere, the background and discourse of the documents derive from internationally agreed terms and definitions provided in international humanitarian, refugee and human rights law and related norms.

The What: Right to the City?

For the purposes of this project, the right to the city is understood as a rallying slogan and claim of urban social movements to guide policies to be more equitable and inclusive, as an alternative to current policies and planning practices that lead to segregation, privatization and inequitable distribution of public goods and services. The French sociologist Henri Lefebvre is generally attributed as having developed the notion of a "right to the city" in his book, *Le droit à la ville* (Paris: Anthropos, 1968). More recently, the right to the city was elaborated in a Global Charter on the Right to the City, which evolved out of urban social movements in Latin America and spread through the World Social Forum.⁵



For our right to the city

Figure 2: Logo of the Mexico City Charter for the Right to the City.

⁵ For more information, refer to "The Right to the City," at Habitat International Coalition, at: <http://www.hic-net.org/activitythemn.php?thematic=theme82#.WmSohISWbIU>.

Currently, the “right to the city” argument rests on a bundle of codified human rights exercised in the context of the city or other human settlement, in addition to specific claims of emerging rights, not yet enshrined in human rights law, including equitable use of land, sanitation, transport and public space, as well as the concept of the “social function” of land, housing and related infrastructure and public goods and services, as well as the concept of the social production of habitat (i.e., the right of communities to self-organized construction of their housing and habitat solutions in the urban space).

Among the various concepts for operating human rights locally through urban social and political transformation (noted above), the right to the city is the most-assertive concept among those expressions and the one chosen by project participants and, hence, forms the title of this Assessment.

The right to the city also has assumed a quasi-juridical character. It forms the subject of the first Charter-Agenda for Human Rights in the City, a human rights-based governance instrument drafted by and for cities of the United Cities and Local Government (UCLG) Committee on Social Inclusion, Participatory Democracy and Human Rights (CSIPD). The Charter-Agenda’s first operative section reflects the recognition that:

- (a) All city inhabitants have the right to a city constituted as a local political community that ensures adequate living conditions for all the people, and provides good coexistence among all its inhabitants, and between them and the local authority.
- (b) Every man and woman benefit from all rights enunciated in the present Charter-Agenda and are full-fledged actors of the life of the city.
- (c) All city inhabitants have the right to participate in the configuration and coordination of territory as a basic space and foundation for peaceful life and coexistence.
- (d) All city inhabitants have the right to available spaces and resources allowing them to be active citizens. The working and common spaces shall be respectful of everyone else’s values and of the value of pluralism.

According to the Charter-Agenda, the city offers its inhabitants all available means to exercise their human rights. It also asserts that city inhabitants have the duty to respect the rights and dignity of others. As an instrument by and for cities and local governments, the Charter-Agenda encourages its municipal signatories to develop relations with neighboring cities and territories with the aim of building caring communities and regional capitals.

Through its serial iterations since the turn of the 21st Century, civil society’s Global Charter has emphasized that the essential elements of the right to the city involve:

- Full exercise of citizenship,
- Democratic management and
- The social function of urban property and the city.

Meanwhile, the “strategic foundations” of the right to the city pursue:

1. Full exercise of human rights in the urban context;
2. Operationalizing the social function of land, property and the city;
3. Democratic management of the city; Social production of habitat and the right to a productive habitat, including through social and solidarity economy;
4. Responsible and sustainable management and use of the commons, including natural resources and cultural heritage;
5. Democratic enjoyment of the city, especially linked with the use of public spaces and community facilities.

While recognizing the imperative of coexistence based on peace, solidarity and multiculturalism, the Global Charter and Charter-Agenda have inspired the draft *Greater Beirut Right to the City Charter*. The

Beirut Charter also celebrates the diversity found in most cities, not least in Greater Beirut, and gives practical and local meaning to the over-riding principles of human rights implementation as indispensable to enjoyment of the right to the city. Throughout the time and space of its coverage, the *Sanctuary in the City: Beirut* project has proffered both lessons and further questions for governance, displace people and local communities alike throughout the region's protracted crises.

By taking stock of the project's outcomes, this *Assessment* finds a need to continue the short *Sanctuary* project's efforts. It poses a series of recommendations for all stakeholders, but a coordinated right-to-the-city project effort is still needed to grow, channel and link these catalytic efforts.

Overview of Displacement in Lebanon

Migration, flight, refuge and sanctuary are concepts well known in the experience of the Middle East and North Africa not only for their current expressions as a consequence of modern colonization and the conduct of war, but owing also to deeper traditions of human movement. The concept of a sanctuary city dates back thousands of years and covers the globe. Sanctuary cities have been associated with Christianity, Islam and Judaism, as well as Buddhism, Baha'i, Sikhism, and Hinduism.

At the origins of civilization, sanctuary cities can be traced back to the earliest writings in Semitic traditions, well predating the Old Testament. The Book of Numbers invokes an older tradition and commands the selection of six cities of refuge in which the perpetrators of accidental manslaughter could claim the right of asylum, where blood vengeance against such perpetrators was otherwise allowed by law. In diverse ancient traditions, for example, Greek, Canaanite and Roman practice considered certain cities sacred as hosting the sanctuaries used for various forms of religious worship. In early Christian writings, the historic Jesus is said to have ordered his followers to seek refuge from persecution in 13 designated "sanctuary cities."

Historically, sanctuary cities also were considered market centers in which travelers and traders could circulate without threat of violence or crime committed against them, or in which acts of violence and injustice generally were prohibited. In 392 A.D., Christian Roman emperor Theodosius I set up sanctuaries under church control. Borrowing from this practice, too, in 600 A.D., medieval England's Royal Charter gave churches a general right of sanctuary, and some cities were set up as sanctuaries.

Mecca, in Arabia, was long considered such a city, as well as being the site of the Ka`ba and its surrounding sanctuary where multiple faiths were practiced. With the coming of Islam, both Mecca and Medina became Noble Sanctuaries in the new religion.

In the land of modern Lebanon, its earliest cities were established by seafaring people in regular pursuit of safe harbor. The Phoenicians are said to be the earliest ancestors of the modern Lebanese, who traveled and set up their own sanctuary cities as trading centers as far afield as Portugal and the Atlantic Coast of Africa, until Macedon gradually ousted the remnants of Phoenicia's former dominance over the Eastern Mediterranean trade routes.

The first cities to emerge in Lebanon were built by the maritime Phoenicians, who indelibly stamped their cultural influence on the country from about 2,500 until about 400 B.C.E. Known best as the inventors of the alphabet, the Phoenicians are celebrated today in official history as a cultural symbol of Lebanon's primordial past. They and their successors also absorbed aspects of the many other cultures around them.

Ethnic groups that have formed Lebanon's social fabric over the millennia encompasses a great mix of cultures and ethnic groups. Most Lebanese are estimated to descend from the Phoenicians, Canaanites

and/or West Aramaic (50–70%) peoples. The second largest ethnic group in Lebanon descends from Arabs (20–30%). Armenians, Greeks, Assyrians, Hebrews, Kurds, Persians and others form about (10–20%).⁶

One distinctly Lebanese group, the Maronites, first arrived in the valley of the Orontes River in Syria as a fugitive Christian Arab tribe from the Najran region of Yemen during the last decades of the sixth century. There they were organized as a church by their paramount priest-chief John Marūn of Sarum, who became their special patron and namesake. Because they had arrived in Syria from South Arabia with a special Christology, the Maronites clashed with dominant Byzantine orthodoxy in early Christian Syria. The Muslim conquest of Syria between 634 and 641 spared them direct conflict with the Byzantines for more than three centuries. When the Byzantines returned to northern Syria in 969, they failed to establish a permanent foothold in Mount Lebanon, earning Lebanon the status of the refuge that saved the Maronites from the fate of near disappearance, as was the case of their coreligionists back in the Orontes Valley.

In the medieval period, Christian minorities often helped the Crusaders, establishing a close relationship between Lebanese Christians, particularly the Maronites, and Catholic Europe, especially France. These ties persisted so that, in the 18th Century, they were beneficiaries of European protectionist policies toward Christian minorities in the Ottoman East (which, however, did not extend to the Armenians), and the Maronites became a major factor in the creation of the modern Lebanon.

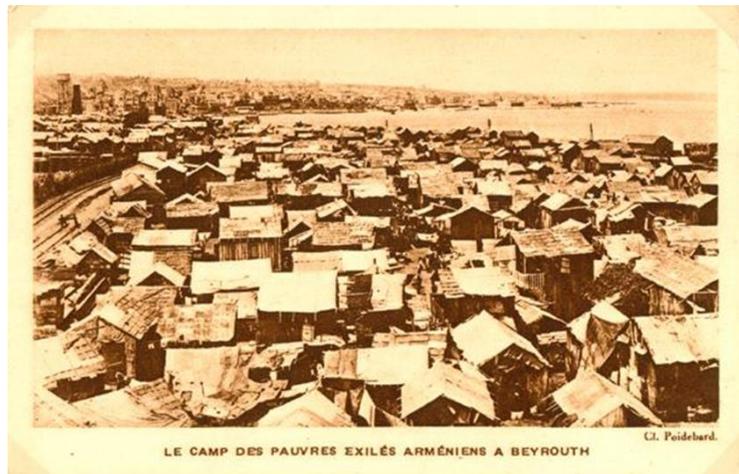


Figure 3: Photograph of Armenian refugee camp at Burj al-Hammūd, northern Beirut, ca. 1915. Source: [Wikiwand](#).

In the modern period also, Lebanon has acted as a safe haven for many refugees, and nearly a third of its population are now refugees from Syria and Palestine. The Beirut neighborhood of Burj Hammūd is home to over 150,000 residents, most of them Armenian, who fled the genocide that afflicted their community during the wartime decline of the Ottoman Empire. Today, Burj Hammūd is a positive example of integration. The refugees, many originally arriving into quarantine at Karantina and then living in shacks on the marshy bank of the Beirut River, literally have built themselves up from the ground into a municipality within Greater Beirut. Here, Armenian language, culture, food and traditions are preserved, contributing to the multiculturalism for which Beirut is renowned. Lebanese Armenians are known across the country for being hardworking, and many have become successful and moved out of this densely populated area.

The experience of the Palestinians in Lebanon has been less harmonious since their arrival in waves during the Israeli ethnic cleansing of their native Palestine in 1947–48. They are estimated to number a population of some 450,000 today in 12 remaining refugee camps. While not all Palestinian refugees in Lebanon live in refugee camps, and not all refugee camps today are exclusively Palestinian, the main camps in Greater Beirut are Mar Elias, Burj al-Barajneh and Shatila. In addition to their forced exile, the Palestinian refugees suffer serious challenges imposed by the Government of Lebanon (GoL), including

⁶ Lebanese Global Information Center, *General Information*, at: http://www.lgic.org/en/lebanon_info.php.

derogation of their civil, economic, social and civil human rights, right to movement and right to work, in order to discourage their permanent settlement in the country.

Established in 1949 for just 3,000 people, Shatila still occupies the same space of less than one square kilometer in size, despite the considerable increase in its population. In February 2016, the camp's population had swollen from 10,000 to 16,000 since the start of the Syrian war in 2011.⁷

Lebanon has undergone its own internal crises in recent decades. The Lebanese Civil War of 1975–1990 and Israeli invasions in 1978 and 1982 displaced a total of almost one million people. When the Civil War ended in 1990, some 500,000 people remained internally displaced, and Israeli attacks, particularly on South Lebanon, caused further displacement as late as 1996. Again, in 2006, Israel's Summer War on Lebanon led to some 750,000 internally displaced, with another 250,000 crossing the border to safety, primarily to Syria.⁸ As of 2012, approximately 76,000 people remained displaced within Lebanon, in addition to the temporary exodus of almost one million people from Lebanon as a result of the Civil War.

In recent years, Greater Beirut has received tens of thousands of refugees from other crises in the region. The number of Iraqis taking refuge in Lebanon since the U.S.-led invasion of their country in 2003 has varied, with estimates ranging from 30,000 to 100,000 at any given time.

The Syrian crisis has displaced nearly half of the country's population, with over 6.5 million internally displaced and 4.8 million becoming refugees, in what has quickly become the world's single-largest driver of displacement, according to the UN High Commissioner for Refugees (UNHCR).⁹ The vast majority of Syrian refugees have moved to neighboring Lebanon, Turkey, Jordan and, to a lesser extent, Iraq. Relative to its population, Lebanon has taken in the largest number of Syrian refugees. As of October 2016, Lebanon hosted 1.5 million Syrian refugees according to Government of Lebanon estimates, including 1 million registered with UNHCR, out of a total Lebanese population of around 4 million.¹⁰ This makes Lebanon the country with the largest refugee population per capita in the world.

The Current Crisis of Displacement and Lebanon's Municipalities

Since the beginning of the Syria conflict, the GoL estimates that 1,600,000 Syrian refugees are currently in Lebanon, increasing the estimated indigenous Lebanese population of 4.4 million by over 36%. At the beginning of the Syria crisis, the Republic of Lebanon remained open to the arrival of Syrian refugees, opting at the same time for a "no camp" policy. Lebanese officials stated that Lebanon would not close its borders even if they estimated that, in case of majeure event in Syria, 1 million Syrian could flee to Lebanon in one night.¹¹

⁷ As reported by the International Federation of Red Cross and Red Crescent Societies, cited in Laura Mackenzie, *Shatila's population unknown as Palestinian refugee camp bursts at seams*, for The National, 14 January 2016, at: <https://www.thenational.ae/world/shatila-s-population-unknown-as-palestinian-refugee-camp-bursts-at-seams-1.178993>.

⁸ Kirin Kalia, *Crisis in Lebanon Displaces Lebanese, Foreign Workers, and Refugees*, for Migration Policy Institute, December 2006, at: <https://www.migrationpolicy.org/article/top-10-2006-issue-7-crisis-lebanon-displaces-lebanese-foreign-workers-and-refugees>.

⁹ UNHCR, *Worldwide displacement hits all-time high as war and persecution increase*, 18 June 2015, at: <http://www.unhcr.org/afr/news/latest/2015/6/558193896/worldwide-displacement-hits-all-time-high-war-persecution-increase.html>.

¹⁰ UNHCR, UNICEF and World Food Programme (WFP), *Vulnerability Assessment of Syrian Refugees in Lebanon*, 2016, 16 December 2016, at: <http://data.unhcr.org/syrianrefugees/download.php?id=12482>. At the time of the survey, 92% of the sample population was registered with UNHCR. However, this does not reflect the registration prevalence of Syrian refugees in Lebanon, as the sample was drawn from a population of registered households. Since GoL notified UNHCR in May 2015 that registration of Syrians should be suspended, the exact number of unregistered refugees in Lebanon is unknown.

¹¹ For example, officials from Kab Elias Municipalities stated that these approaches are related to the political affiliation. See: United Cities and Local Governments, *Municipalities on the Frontline, the effects of the Syrian Crisis on Local Government in*

Syrian refugees are now spread all around the six governorates of Lebanon in 980 localities. Despite the initial positive humanitarian posture of the Lebanese authorities, municipalities and local authorities in Greater Beirut do not share a common policy toward the Syrian residents. Some have attributed differences in dealing with the crisis and the newly arrived Syrian inhabitants in front of the country's diverse political affiliations.¹² Displaced Syrians fleeing to Lebanon arrive in a difficult context, not least because of the sometimes-contentious relationship with Palestinian refugees, as well as the negative experience of recent Syrian occupation of Lebanon.



- | | | |
|----|--------------------|----------------------|
| 1 | Khaldah | خَلْدَة |
| 2 | Shwaifāt | الشّويفات |
| 3 | Kfar Shīma | كُفْر شَيْمَة |
| 4 | Hayy al-Sillam | حَيّ السِّلْم |
| 5 | Tahwītat al-Ghadīr | تَحْوَيْطَة الغَدِير |
| 6 | al-Laylakī | اللَّيْلَكِي |
| 7 | al-Mraijah | المَرْجِجَة |
| 8 | Burj al-Burājnah | بُورْج البُرَاجْنَة |
| 9 | al-Ūza`ī | الأوزاعي |
| 10 | Harat Hraik | حارة حريك |
| 11 | Bi`r al-`Abid | بئر العبد |
| 12 | Riwais | الريّوس |
| 13 | Hadath | الحدّث |
| 14 | Hazmīyyah | الحازميّة |
| 15 | Jināh | الجناح |
| 16 | al-Ghubairi | الغُبَيْرِي |
| 17 | Bi`r Hasan | بئر حسن |
| 18 | Shatīla | شاتيلا |
| 19 | Shiyāh | الشّياح |
| 20 | `Ain al-Rummānah | عين الرّمّانية |
| 21 | Furn al-Shubbāk | فُرن الشُّبّاك |
| 22 | Mkallas | المكّلس |
| 23 | Tell al-Za`tar | تَلّ الزّعتَر |
| 24 | Sinn al-Fil | سِنّ الفيل |
| 25 | Dikwanah | الدّكوانة |
| 26 | Salūmi | الصّالومي |
| 27 | al-Naba`a | النّبعة |
| 28 | Sadd al-Būchriyyah | سدّ البوشريّة |
| 29 | al-Fanār | الفنار |
| 30 | Burj Hammūd | بُورْج حمّود |
| 31 | Dawra | الدّورة |
| 32 | al-Judaidah | الجديدة |
| 33 | Zalqa | الزّلقا |
| 34 | Jal al-Dīb | جَلّ الدّيب |
| 35 | Antilyas | أنطليّاس |
| 36 | Naqqāsh | النّقّاش |
| 37 | Dhbayyah | الدّهبّيّه |

Figure 4: Satellite view of Greater Beirut, comprised of Municipal Beirut and its immediate suburbs corresponding to the numbered list below. Source: [Lebanese Arabic Institute](#).

Most Syrians were already displaced in their own country, so they arrived exhausted and without resources. Lebanese officials' promised financial support has not fully materialized yet, amounting to only 32% of the US\$1.6 billion committed. Systematic registration and coordination formally exists among municipalities, nongovernmental organizations (NGOs) and UN agencies is lacking, while UNHCR

bordering countries (Turkey, Jordan, Lebanon), May 2013, p. 27, at: https://www.uclg.org/sites/default/files/Final%20-%20Report%20municipalities%20on%20the%20frontline%20version%20230513_1.pdf.

¹² United Cities and Local Governments (UCLG), *Municipalities on the Frontline, the effects of the Syrian Crisis on Local Government in bordering countries (Turkey, Jordan, Lebanon)*, May 2013, p. 28, at: https://www.uclg.org/sites/default/files/Final%20-%20Report%20municipalities%20on%20the%20frontline%20version%20230513_1.pdf.

delivers aid to registered refugees through their own offices and NGO agencies. All authorities emphasized that refugees are reluctant to register because they fear repression.¹³

The Syrian crisis is not limited to the humanitarian dimensions resulting from the flight of 4 million refugees to several countries, but also has had severe repercussions on the economic and social level of the host countries. Its effects on Greater Beirut's municipalities, local authorities and communities are manifold.

A million and a half Syrian refugees fleeing westward have made Lebanon proportionately the largest refugee shelter country, with refugees forming 25% of Lebanon's population.¹⁴ Poverty and marginalized groups have increased from 49% to 71% of Lebanon's population,¹⁵ while GoL is unable to manage the crisis and its consequences.

In Lebanon, weaknesses of information appear as the first problem to estimate the number of refugees in urban areas. Without systematic refugee registration and sufficient coordination between municipalities and other service providers makes registration on a voluntary basis the only way to establish information about the refugees. At the same time, refugees' decision to register is most often motivated by the necessity to receive assistance, and interlocutors have cited cases of multiple registration. In this context numbers of urban refugees should be taken as estimates.

The situation of urban refugees varies according to several factors, including their location in Lebanon, their economic situation and the size of the city or town in which they are living. In the north of Lebanon refugees have been well received by local communities, even if attitudes among local people differ.¹⁶ The regions of Akkar, Hermel and the majority of northern and western Biqa', where most of the refugees are concentrated, already suffer economically with low income and high unemployment indicators, weak physical health services and education infrastructure.

Local services have been deeply affected by the crisis. Local governments and local authorities can register and provide services to refugees, but authorities are severely constrained partly because of a lack of fiscal transfers from the national government budget over the past three years. Consequently, local governments and authorities need significant financial assistance, as well as technical and material support to manage basic services and improve coordination, and partnerships with NGOs and UN agencies and material support that includes ambulances, garbage trucks, garbage containers, water pumps and the means for electricity production.¹⁷

National budgets, laws and policy frameworks do not empower municipalities, nor do they meet the human rights promise due to the absence of treaty guarantees (in cases of Lebanon's nonratification) and notable legal lacunae (in the case of insufficient Lebanese legislation), providing loopholes for harmful practices to continue, especially affecting women and girls (inequitable inheritance, forced early marriage, polygamy).

¹³ See workshop reports of *Sanctuary in the City: Beirut*, at: <http://hic-mena.org/spage.php?id=qG8=#.WVxdg4iGPIX>.

¹⁴ UNHCR, UNICEF, WFP, *Vulnerability Assessment of Syrian Refugees (VASyR) in Lebanon*, July 2015, at: http://documents.wfp.org/stellent/groups/public/documents/ena/wfp280798.pdf?_ga=2.122096843.1540717112.1515405360-1056014703.1512619108.

¹⁵ Republic of Lebanon and United Nations, *Lebanon Crisis Response Plan 2017–2020*, January 2017, at: https://reliefweb.int/sites/reliefweb.int/files/resources/2017_2020_LCRP_ENG-1.pdf.

¹⁶ Hala Naufal, *Syrian Refugees in Lebanon: The Humanitarian Approach under Political Divisions*, MPC RR 2012/13, for Robert Schuman Center for Advanced Studies of the European University Institute, San Domenico di Fiesole, 2012, p. 9, at: <http://www.migrationpolicycentre.eu/docs/MPC%202012%2013.pdf>.

¹⁷ United Cities and Local Governments (UCLG), *Municipalities on the Frontline, the effects of the Syrian Crisis on Local Government in bordering countries (Turkey, Jordan, Lebanon)*, May 2013, p. 5–6, at: https://www.uclg.org/sites/default/files/Final%20-%20Report%20municipalities%20on%20the%20frontline%20version%20230513_1.pdf.

The crisis continues to have an enormous social and economic impact on the host communities, with many local, municipal and national services such as health, education and water under severe strain. Vulnerable host community populations have reported decreases in wages and deteriorating working conditions due to increased competition for low- and unskilled jobs.

In 2016, the Regional Refugee & Resilience Plan (3RP) appeal was for US\$45.78 billion to meet the total programmatic response of governments, United Nations agencies, inter-governmental organizations (IGOs), and NGOs. This represents an overall increase of 10% in the appeal compared to the corresponding 2015 figure, reflecting a rise in the number of refugees in the region, their increased vulnerabilities, an increase in host government requirements and a greater focus on service delivery through local and municipal resilience.

With the 3RP only 50% funded in 2015, the shortfall in funding for humanitarian and resilience-building activities is exacerbating these problems for all concerned and is among the triggers for the large-scale movement of refugees further afield, including those joining the more than 440,000 Syrians who have arrived in Europe by sea in 2015.¹⁸

The 3RP sets out the measures and resources needed for protection and assistance to refugees fleeing the conflict in Syria and other vulnerable communities (the Refugee Component), while building the capability of individuals, families, communities and institutions in host countries to withstand and recover from the crisis (the Resilience Component).¹⁹

The Resilience Development Forum was held in November 2015, resulting in the Dead Sea Resilience Agenda with two principal objectives: (i) to ensure that the long-term development needs and priorities of countries impacted by the Syria crisis are accounted for; and (ii) to establish a lasting and strong partnership between all stakeholders including the private and public sectors, international organizations, civil society, think tanks and donor countries. The Agenda rested on five principles of operation:

1. Increase synergies between humanitarian and development investments and approaches²⁰;
2. Prioritize the dignity and self-sufficiency of affected populations;
3. Reinforce, not replace, local capacities;
4. Generate new and inclusive partnerships to build resilience, foster innovation and promote relevance, effectiveness and efficiency;
5. Safeguard social cohesion to foster resilience and cooperation.²¹

The Ministry of Social Affairs (MoSA), in collaboration with UNHCR is in charge of the coordination of Response Plan for Lebanon. Implementation of the plan involves UNHCR delivering aid to registered refugees through UN agencies and NGO offices.

¹⁸ Regional Refugee and Resilience Plan (3RP), *3RP 2016–2017 Regional Strategic Overview*, 2015, p. 6, at: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/12/3RP-Regional-Overview-2016-2017.pdf>.

¹⁹ *Ibid.*, p. 7.

²⁰ Notably, the first operating principle did not include synergy with the preventive and remedial approaches of human rights, as other contemporary policy outputs have made standard. See, for example, Committee on World Food Security, Framework for Action for Food Security and Nutrition in Protracted Crises, 13 October 2015, at: <http://www.fao.org/3/a-bc852e.pdf>.

²¹ UNDP, *The Dead Sea Resilience Agenda*, November 2015, at: http://www.undp.org/content/dam/rbas/doc/SyriaResponse/RDF/DeadSeaResilience%20Agenda_05Nov2015.pdf.

The Promise of Human Rights in Greater Beirut

“Right to the City” and “Urban Rights” Movements

In Lebanon, all types of NGOs are organized under the Ottoman Law on Association of 1909,²² which is considered one of the best laws in the region in that it provides an enabling legal and regulatory environment for civil society organizations (CSOs). Therefore, the Lebanese CSOs and NGOs historically have had an appropriate environment to develop themselves and grow, resulting in a very active civil society. In fact, Lebanese CSOs and NGOs have contributed significantly to public policies and often filled the gaps in the implementation capacity of the state, specifically by providing assistance, emergency relief and services to the displaced people and victims of war living in very vulnerable conditions in the context of the Lebanese Civil War, its aftermath and the Syrian refugee crisis. Moreover, the NGOs in Lebanon also are playing an essential role in addressing structural poverty and improving the living conditions of poor communities, especially in informal settlements, frequently in lieu of the Lebanese government and the state institutions.²³

The Lebanese social movements have intensified their political action and protests over the last decade, particularly in urban areas, often channeling and leading widespread social demands and grievances resulting from the lack of participation in local and national decision making, often concerning urban development and planning and basic service management, as well as service delivery. This has been particularly the case in Beirut, where often the sectarian political approach has not been able to protect and fulfill the public interests in the management of urban areas and services.

These factors have led to the creation of diverse formations and coalitions that prioritize the urban issues in their claims, such as basic utilities during the long-standing Beirut garbage crisis,²⁴ water and electricity management complaints due to privatization and/or dysfunctional management, public transportation, reclaiming public space and the long-simmering opposition to the Beirut coastal line sell-off that rose in 2015 across the City of Beirut and, since then, placed urban issues as a priority in the public debate.²⁵ These public responses to local governance have converged in the form of social movements and enabled the NGOs to question neoliberal policies and practices toward urban planning and development, and called for community empowerment and greater participation in public issues. The movements have activated the concept of full citizenship, expressed through rights and responsibilities, reclaiming public property and the use of the public spaces and the commons as a locus for municipal politics and a tool to eliminate political and social injustice. The shift of the priorities and the context promoted among the social movements and NGOs the use of new concepts such as spatial justice and the right to the city.²⁶

²² International Center for Not-for-profit Law, *Civic Freedom Monitor: Lebanon*, July 2017, at: <http://www.icnl.org/research/monitor/lebanon.html>.

²³ Mona Harb, *Power 2 Youth: Cities and Political Changes: How Young Activities in Beirut Bred and Urban Social Movement*, Working Paper No. 20 (Beirut: American University in Beirut (AUB), September 2016), at: http://www.power2youth.eu/system/resources/W1siZiIsIjIwMTYvMTAvMTQvMTNfMTZfMzVfMjk4X3AyeV8yMC5wZGYiXV0/p2y_20.pdf.

²⁴ Martin Jay and Ruby Russell, “Lebanon garbage crisis pollutes Mediterranean,” *Deutsche Welle* (14 June 2017), at: <http://www.dw.com/en/lebanon-garbage-crisis-pollutes-mediterranean/a-36234663>.

²⁵ Habib Battah, “A city without a shore: Rem Koolhaas, Dalieh and the paving of Beirut's coast,” *The Guardian* (17 March 2015), at: <https://www.theguardian.com/cities/2015/mar/17/rem-koolhaas-dalieh-beirut-shore-coast> and Nadine Alfa, “Don’t sell off our coastal assets, demand protesters,” *The Daily Star* (26 January 1998), at: <http://www.dailystar.com.lb/News/Lebanon-News/1998/Jan-26/19247-dont-sell-off-our-coastal-assets-demand-protesters.ashx>.

²⁶ Harb, *op. cit.*

Lebanese activists and social movements are well aware of, and influenced by analogous social movements across the world, which also have a strong urban component and the same urge to reclaim cities and urban spaces. The recent Arab uprisings, Turkey's Gezi Park protests and even mass public demonstrations in São Paulo had significant spatial and urban components in their claims that reverberated across cities of the world, including Beirut.²⁷

Furthermore, academic programs also have contributed to forming a new generation of urbanists critically aware of the neoliberal urban policies and practices resulting in the benefit to specific private interests at the expense of the public interest. Urban thinkers have been reviewing cases and their policy context to elaborate alternative interventions with a focus on social justice, inclusion, equity and sustainability.²⁸ In this vein, several urban planners and academics have mobilized against the projects developed by Solidère, the Lebanese Company for the Development and Reconstruction of Beirut Central District, and the reconstruction of the city based on a neoliberal and exclusively market-driven model. They have called upon both local and central governments to protect the common interest and public sphere by reformulating adequate public policies to improve inhabitants' livelihoods and social inclusion in the city.²⁹

These Lebanese social movements emerging in the city of Beirut are expressing themselves as a political movement. In November 2015, a group of urban activists created a volunteer and civil society-based municipal list, *Bayrūt Madīnatī* (Beirut, My City), to run for the council at the municipal elections of May 2016. The movement considers the traditional political leadership as having failed to manage urban affairs adequately and proposes a new collective people-centered model to solve urban challenges, such as affordability, mobility, waste management, air quality, public spaces, basic services and municipal governance. The *Bayrūt Madīnatī* campaign has issued a call to liberate the municipal work from the sectarian political interests and to create a council of independent experts with the objective to improve lives of all inhabitants of Beirut through the primacy of the public good, social justice and transparency.³⁰

As mentioned, NGOs have taken the initial lead in response to the mass influx of Syrian refugees and managed the provision of humanitarian aid, often despite a lack of capacity and resources. Nevertheless, the NGOs' support is not stable and lacks a long-term strategy and sustained commitment, often due to the shortage of funds and the lack of expertise in international fundraising.

The lack of, or weak coordination among local NGOs, local authorities, central government and international organizations has been identified as a challenge to adequately manage the crisis context,³¹ since resources are not deployed where they are most needed, but where the social and institutional relations are established. Even though the participation of the local NGOs in response of the crisis is important and often essential to ensure the optimal implementation and the local knowledge, further engagement from the public authorities would be crucial to grant a long-term strategy and better coordination.³²

²⁷ Francesca Perry, "Right to the City" Movement Goes Global," *The Guardian* (19 April 2016), at: http://www.hlrn.org/news.php?id=pm9paQ==#.WsDGWNKYP_U.

²⁸ Harb, *op. cit.*

²⁹ Éric Verdeil, *The Reconstruction between Urban Planning Policies and Cultures: Beirut-Based Reflections*, Workshop on the reconstruction of the southern suburb of Beirut after the Israeli aggression in 2006, April 2015, at: <https://halshs.archives-ouvertes.fr/halshs-01145794/document>.

³⁰ *Ibid.*

³¹ See workshop reports of the *Sanctuary in the City: Beirut*, at: <http://hic-mena.org/spage.php?id=qG8=#.WVxdg4iGPIX>.

³² Shelly Culbertson, Olga Oliker, Ben Baruch and Ilana Blum, *Rethinking Coordination of Services to Refugees in Urban Areas, Managing the Crisis in Lebanon and Jordan*, for RAND Corporation, Santa Monica, 2016, at: https://www.rand.org/content/dam/rand/pubs/research_reports/RR1400/RR1485/RAND_RR1485.pdf.

Human Rights Law Context

Lebanon is one of founding member states of the UN system, as one of only two independent Arab states in 1945 (with Egypt), having a comprehensive legal framework and having ratified six out of the nine major human rights treaties, and two of the corresponding 13 optional protocols and declarations.³³ Lebanon's commitment to respect, protect and fulfill human rights is expressed by the ratification of international treaties and their consequent reflection in its national legislation and domestic laws by their publication in the official gazette. The preamble of the Lebanese Constitution mentions the compliance of Lebanon with the international treaties and the Universal Declaration of Human Rights, reaffirming its constitutional obligation to human rights. The Lebanese Constitution also provides for specific fundamental human rights such as freedom of expression, freedom of assembly and movement, conscience, religion and property to be legislated in its domestic laws to guarantee those rights in practice.³⁴

In 2016, Lebanon adopted Law No. 62 mandating the establishment of the National Commission for Human Rights. Moreover, Lebanon has adopted a National Action Plan for Human Rights (currently running for 2014–2019) elaborated by the Parliamentary Committee on Human Rights with the contribution of relevant stakeholders, in order to develop effective mechanisms to ensure human rights application and monitoring:

- National Commission for Human Rights, a national human rights institution encompassing a national preventive mechanism for the prevention of torture, as required under the Optional Protocol to the Convention;
- Office of Human Rights under the Ministry of Interior and Municipalities;
- Directorate General of Human Rights and Public Liberties under the Ministry of Justice;
- Development of the relation with OHCHR and the UN's human rights mechanisms,³⁵ including a standing invitation to the Human Rights Council's Special Rapporteurs.³⁶

Some of the main elements that can be used to evaluate the level of human rights in the countries are poverty and inequality level. Concerning Lebanon, in 2014, less than 5% of the population controlled 48% of the wealth of the country. The wealth inequality is also geographic, in this case Beirut benefits more than the rest of the country.

Poverty in the country also raises concerns and reflects regional disparities. Nearly 30% of the population was considered poor or extreme poor before the refugee crisis, with high concentrations of poverty in North governorate, South Governorate and Biqa` Valley. The Public Security system, under the responsibility of the Ministry of Social Affairs, can be improved and is considered weak, fragmented and not particularly efficient or effective due breaches to the non-poor.

Municipalities and around 200 Social Development Centers (SDC) are the permanent state presence at the local level that provides social services. Nevertheless, the SDCs are not distributed according to poverty rates. NGOs, private social welfare institutions can also provide social services under contacts

³³ United Nations Human Rights Office of the High Commissioner (OHCHR), *Status of Ratification Interactive Dashboard*, at: <http://indicators.ohchr.org/>.

³⁴ Republic of Lebanon, *The Lebanese Constitution*, promulgated 23 May 1926 with its amendments, 1995, at: <http://www.presidency.gov.lb/English/LebaneseSystem/Documents/Lebanese%20Constitution.pdf>.

³⁵ Human Rights Council, *Draft report of the Working Group on the Universal Periodic Review Lebanon*, A/HRC/WG.6/9/L.16, 9th Session, November 2010, at: <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G10/176/02/PDF/G1017602.pdf?OpenElement>.

³⁶ OHCHR, *Standing Invitations*, at: <http://spinternet.ohchr.org/Layouts/SpecialProceduresInternet/StandingInvitations.aspx>.

with public authorities. In this sense, also private sectarian-based welfare institutions meet some social needs, but might reinforce sectarian divisions and inequalities.³⁷

Concerning refugees, even though Lebanon did not ratify the 1951 Refugee Convention, it did ratify the League of Arab States (LAS) Arab Convention on Regulating Status of Refugees in the Arab Countries.³⁸ Nevertheless, the LAS Convention omits the specific human rights, protections and assistance of the international Convention and focuses rather on the State regulation of refugees and displaced.³⁹ In fact, officially, Lebanon considers Syrian refugees as “displaced population,” and it defers to UNHCR to provide refugee status determination and assistance mainly in the areas of health and education. The term “refugee” is also loaded, since refugees have a particular status in international law, mainly established through the Refugee Convention of 1951 and its 1967 Protocol and probably at the level of peremptory norms. However, displaced people do not benefit from the protection of any specific international legal regime, except from certain clauses of international humanitarian law, including the requirement of civilians’ prompt return in the case of evacuation for explicit military purposes in the conduct of war and armed conflict,⁴⁰ and under the soft-law instruments of the UN Principles and Guidelines on *Internal Displacement* (emphasis added) and the UN Principles and Guidelines on Development-based Evictions and Displacement.⁴¹

Another lacuna in the legal framework in Lebanon is the state’s nonparticipation in key international treaties protecting nationals outside the protection of their own state. Lebanon has not ratified the International convention for the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990). Moreover, Lebanon has yet to ratify the Convention relating to the Status of Stateless Persons (1954) or the Convention on the Reduction of Statelessness (1961).

The current situation in Lebanon, concerning the mass influx of refugees and displaced persons, challenges as well the fulfilment of its human rights obligations. Since Lebanon hosts some 1.5 million Syrian and 500,000 Palestinian refugees and displaced persons, they share basic and some social services and infrastructure such as water, electricity, health and education with the Lebanese people. The emergency conditions had affected the Lebanese programs to promote human rights and its ability to fulfil its international obligations.⁴²

The Syrian crisis has affected the political, economic, social and security situation in Lebanon, experiencing an increased spillover of violence which affected human rights application. As a matter of fact, the most significant human rights abuses during the year 2016 were torture and abuse by security forces, harsh prison and detention center conditions, and limitations on freedom of movement for Palestinian and Syrian refugees.⁴³ The continued spillover of violence resulted in unlawful deprivation of

³⁷ Lama Mourad and Laure-Hélène Piron, *Municipal Service Delivery, Stability, Social Cohesion and Legitimacy in Lebanon: An analytical literature review*, University of Birmingham and AUB (Beirut: AUB, 2016), at: <http://publications.dlprog.org/Lebanon%20Analytical%20Literature%20Review.pdf>.

³⁸ League of Arab States, *Arab Convention on Regulating Status of Refugees in the Arab Countries*, 1994, at: <http://www.refworld.org/docid/4dd5123f2.html>.

³⁹ *Ibid.*

⁴⁰ *Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War of 29 August 1949* (Fourth Geneva Convention), at: http://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.33_GC-IV-EN.pdf.

⁴¹ UN Basic Principles and Guidelines on Internal Displacement, E/CN.4/1998/53/Add.2, 11 February 1998, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G98/104/93/PDF/G9810493.pdf?OpenElement>.

⁴² Zeinab Cherri, Pedro Arcos González, Rafael Castro Delgado, *The Lebanese–Syrian crisis: impact of influx of Syrian refugees to an already weak state, for Risk Management and Healthcare Policy*, 14 July 2016, at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4948691/pdf/rmhp-9-165.pdf>.

⁴³ Human Rights Council, *Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to*

lives throughout the country, particularly in Tripoli, Arsal, and the southern suburbs of Beirut, undertaken by non-state actors, including gangs and terrorist organizations.⁴⁴

The existence and conditions of migrants and stateless people also raise concerns, especially whereas Lebanon remains outside the two principal international treaties for protecting stateless persons and reducing statelessness. Stateless people are particularly vulnerable to human rights violations and have more difficulties in finding protection in the country. In general, a stateless person is deprived from travel abroad or internally, has no access nor protected right to work and employment market and, also no access or limited access to public services such as health care, schooling and civil registration for marriage or birth.⁴⁵

Moreover, the state policies and practices also produce stateless persons, specifically in cases of births where parents or a lone mother are stateless or without documentation, and where the mother is Lebanese and the father stateless or a foreign citizen without documentation, as in the case of his country being under conflict. This form of stateless arises in Lebanon since the law permits only male citizens to confer nationality on their children.

That practice of discriminating on the basis of sex contravenes international law prohibiting discrimination against women, as well as provisions protecting against statelessness. Through these gaps in the Lebanese legal system, it is estimated that approximately 1,000 to 1,500 of the 100,000 Kurds living in the country lack Lebanese citizenship, despite decades of family presence in the country. Furthermore, a 2011 Presidential Decree revoked the citizenship of a group of people who had previously and legally acquire it. Furthermore, part of the migrant population holds an “ID under consideration” document without date or place of birth, which complicates or impedes many civil activities such as opening bank accounts.⁴⁶

Local Governance and Institutional Structure

Lebanon is a parliamentary democratic republic established on the basis of its Constitution, adhering to the principle of separation, balance, and cooperation among the judicial, legislative and executive branches of government.⁴⁷ Lebanon is constituted as a unitary state with four spheres of administration: (1) the central government; (2) eight higher deconcentrated governorates (*muhāfidhāt*) led by a governor (*muhāfidh*); (3) 25 deconcentrated districts (*qādhā*) led by a *qā'im mā qām*; and (4) 1,108 decentralized municipalities (*baladīyyāt*). This is in addition to the 56 unions of municipalities and the *mukhtār* system of local authorities.⁴⁸

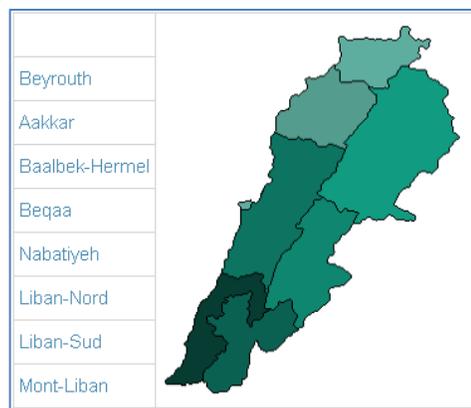


Figure 5: Map of governorates in Lebanon.
Source: Localiban.

Council resolution 16/21 – Lebanon, 23rd Session, A/HRC/WG.6/23/LBN/2, November 2015, at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/195/97/PDF/G1519597.pdf?OpenElement>.

⁴⁴ United States Bureau of Democracy, *Country Reports on Human Rights Practices- Lebanon for 2016*, March 2017, at: <https://www.state.gov/documents/organization/265720.pdf>.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ Republic of Lebanon, *The Lebanese Constitution, op. cit.*

⁴⁸ Democracy Reporting International, *Reforming Decentralisation in Lebanon: The State of Play*, Briefing Paper 80, 2017, at: <http://democracy-reporting.org/wp-content/uploads/2017/05/BP-80-Reforming-Decentralisation-in-Lebanon-The-State-of-Play-en.pdf>.

Lebanon has a single legislative body, the Chamber of Deputies, which is composed of 128 elected members serving four-year terms,⁴⁹ with the distribution of seats according to the principles of equal representation between Christians and Muslims and proportional representation among the sectarian groups within each religious community and geographic region.

According to the terms negotiated toward the unwritten National Pact among Lebanon's sect, allowing independence from former League of Nations Mandate-holder France in 1943, the Head of State, the President of the Republic (a Maronite Christian), is elected by the Chamber of Deputies, and both entities designate the Prime Minister, the Head of Government and, consequently, head of the Council of Ministers (a Sunni Muslim).⁵⁰ By virtue of the National Pact, the Lebanese Muslim leadership abandoned its former ambition to unite with Syria.

The judicial power is independent, and exercised by the tribunals of various levels and jurisdictions, which should comply with the provisions of the Lebanese Constitution. The highest civil court in the system is the Court of Cassation, but it has very limited oversight over religious court proceedings and decisions.⁵¹

Lebanon has institutionalized the distribution of the political power—and, in a sense, legal/judicial authority—proportionately among the 18 religious communities recognized at the time of independence. This sectarian system is premised on sustaining a “balance” among Lebanon's dominant sects as a tool for coexistence. In fact, the equal political representation between Christians and Muslims and the proportional representation among the confessional groups are established by the Constitution.⁵² In the legislative framework, the local authorities are regulated by the Municipal Act, Decree-law No. 118 (1977), which determines their structures and competences. Accordingly, a municipal body consists of a decision-making authority, the Municipal Council, and an executive authority, the president of the Municipal Council. Both are mandated for a six-year term. The Municipal Councils, without reserved seats for confessions, are elected through the “block vote” system—the same used in national elections—whereby voters can elect as many candidates as there are seats. The candidates with the most votes win the seats,⁵³ and the Council presidents are elected by the Municipal Council members.

The Municipality of Beirut has a Municipal Council with 24 members and follows a particular system whereby the Governor of Beirut is the only executive authority. That deconcentrated central government figure is not elected by a general direct vote, but appointed by the Council of Ministers.

All municipal council decisions are overseen by the District Commissioner (*qā'im mā qām*), the governor (*muhāfidh*) and the Ministry of Interior and Municipalities. In the case of the Municipality of Beirut, the Minister of Interior and Municipalities exercises sole administrative control over its decisions.

The municipalities are in charge of multiple sectors, such as public health, roads, urban planning, mobility, wastewater treatment, solid waste management and municipal police, among others. Apart from the Municipal Act, more than 50 other laws and decrees regulate the work of local authorities and

⁴⁹ The current Parliament extended its own mandate twice since current lawmakers were elected in 2009 partly because of the parties' rejection to hold new legislative elections based on the existing electoral system. A new Electoral Law was approved by the Council of Ministers on June 2017 and legislative elections are envisaged on May 2018.

⁵⁰ Lebanon's parliament, the Chamber of Deputies, elected Michel Aoun as President of Lebanon in October 2016, after more than two years of deadlock surrounding the vacancy. Mr. Saad Hariri was elected Prime Minister in December 2016.

⁵¹ CEDaW, *Concluding Observations on the combined fourth and fifth periodic reports of Lebanon*, CEDAW/C/LBN/CO/4–5, 2015, at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fLBN%2fCO%2f4-5&Lang=en.

⁵² Republic of Lebanon, *op. cit.*, Articles 24a, 24c, 95(1) and 95(3)b.

⁵³ *Ibid.*

the different sectors of local jurisdiction, which often overlap, risking conflict between central and local spheres of government.⁵⁴

Finally, another relevant institution of the local sphere is the *mukhtār* (the traditionally chosen one), elected by general direct vote for a six-year term. *Mukhtārs* are in charge of processing civil documentation that facilitates the civil registration and vital statistics (CVRS) needs and upon which all administrative registration entries are based. *Mukhtārs* and their civil documentation (CD) services attend to birth, marriage, divorce and death, in addition to residence and travel certificates. In neighborhoods, only a *mukhtār* is elected, without any council members.⁵⁵ Beirut is divided by 12 neighborhoods (Achrafieh, Dar al-Mreisse, Bachūra, Mazra`a, Medawar, Minat al-Husn, Moussaitbeh, Port, Rās Beirut, Rmail, Saifi and Zuqāq al-Blāt),⁵⁶ hence it has 12 *mukhtārs*.

Even though the Lebanese political parties might not have an explicit religious or sectarian ideology, most of them draw their support primarily from one sectarian group. Hence, Lebanon’s political coexistence formula perpetuates competition among sectarian groups over resources and political power, based on the bargains struck among the various sectarian elites. This intended “balance” materializes in varying and complicated alliances.

The latest derives from the Syria’s military withdrawal from Lebanon in 2005, which led to the creation of two contentious political blocs:

- March 8 Alliance: supportive of the Syrian regime and composed primarily of the Shi`a Hizbullah and Amal Movement, with the Maronite Free Patriotic Movement; and
- March 14: opposed to the Syrian regime and composed of mostly Sunni Future Movement, the Druze Progressive Socialist Party and the Maronite Lebanese Forces.

In Beirut, major political parties used to come together to form a list for the then uncontested municipal elections, but the latest municipal elections of 2016 broke that pattern with nearly 40% of the popular vote going to the already-mentioned civil society-based *Bayrūt Madīnatī* list. Nonetheless, it did not win any seat at the Municipal Council due to the winner-takes-all electoral system in force.

Concerning the refugee influx, some Beirutis feared that it would affect the delicate religious “balance” on which the national power-sharing political system is based. Although the great majority of Syrian refugees are Sunni, that sectarian fact does not seem to be a source of local sectarian tension. Nonetheless, the sectarian question may have increased tensions further afield.

The sectarian system is further institutionalized by a peculiar electoral arrangement, whereby voter registration is based on the place of family origin, forsaking the actual place of residence. Exceptions are made for married women, whose registrations were transferred to their husbands’ original villages, irrespective of their wish, affiliation or place of residency. Even though changing the registration is possible, the cumbersome bureaucratic procedures involved make it difficult and nearly unfeasible. Any reform of the registration is politically sensitive because it might—and most probably would—change the distribution of the electorate across the country, changing or rescinding the sectarian-based distribution and its institutions determining elections.

⁵⁴ *Ibid.*

⁵⁵ United Nations Development Program (UNDP), *Women’s guide to municipal and Mukhtar Council*, Beirut, 2016, at: http://lebanon-elections.org/Modules/Document/UploadFile/8038_20,04,YYIntroduction%20to%20Municipal%20Council.pdf.

⁵⁶ These romanizations are based on either (1) established practice; or, for those less established, the *Encyclopedia of Islam* transliteration standard.

In the case of Beirut, only half of the residents can elect their municipal representatives, which undermines the super-municipality's democratic legitimacy. Nevertheless, the Lebanese system itself undoubtedly rests on a degree of democratic principles and practices, with plural and liberal political and civic institutions.⁵⁷ Questionable, however, is the operation of those principles within a sectarian political system

Municipal financial resources

Local governments depend greatly on central government transfers, which mostly amount to 50–70% of their budgets. The local taxes received by the municipalities represent a small part of the total budget, as consequences of the lack of effective tax-collection mechanisms. In fact, most of the direct municipal fees are not used, because they cost more in effort and money to calculate or collect, than the value they would produce, and many taxes are obsolete. Furthermore, financial management in Lebanese local authorities follows a non-unified system and outdated rules and procedures.⁵⁸

Municipal financial limitations drive local authorities to prioritize major revenue sources such as the Rent- value Tax and the Building Permit Tax. The entity in charge of transferring central government funds to local authorities is the Lebanese Independent Municipal Fund (LIMF). Nevertheless, the LIMF's distribution criteria in place have been long criticized for increasing inequity among local units, since the tax benefits wealthier municipalities over poor, and urban over rural. This tax structure provides no incentives for higher local-tax collection, since it is based on the amount of direct revenues, instead of the change or improvement in collecting direct fees and taxes. Moreover, it does not allocate resources properly, since it is based on registered population, instead of actual residents and local needs. This shortcoming contributes to the tax system's inefficiency and lack of transparency.

In addition, the delay and unpredictability of disbursements deprive municipalities of proper planning, programming and service delivery.⁵⁹ In general, municipalities plan only on a short-term basis, for political and administrative reasons. Short-term planning cycles follow the local mandates and elections, but longer-term planning needs more technical capacity.

Additionally, the Greater Beirut municipalities have no sufficient demographic, social or economic statistics or surveys to help formulate long-term strategies, or to make decisions in response to inhabitants' development needs. Amid such expectations, over a third of municipalities do not have a single full-time paid employee; more than two-thirds lack the financial means to hire additional employees. Hence, the central government *de facto* controls all decisions and nearly all access to municipal resources, hindering the municipal autonomy that is crucial for effective decentralization.

This dependency on the central government and lack of transparency and accountability foster patronage networks that link beneficiaries of municipal services with central government officials.⁶⁰ In this sense, some municipalities have complained of the inequitable access to resources and funds, not only at national, but at international level.⁶¹ Concerning the municipality of Beirut, it has been suffering from a very large number of unfilled positions in some departments such as Engineering, Rated Institutions, and even the Finance Department. Meanwhile, the municipality of Beirut receives around LL 41 billion (ca. €22 million) yearly from the International Monetary Fund (IMF).⁶²

⁵⁷ Mourad and Piron, *op. cit.*

⁵⁸ *Ibid.*

⁵⁹ The Lebanese Center for Policy Studies, *The Independent Municipal Fund: Reforming the Distributional Criteria*, Beirut, 2011, at: <http://www.lcps-lebanon.org/publications/1331312295-imf-policybrief-eng.pdf>.

⁶⁰ Mourad and Piron, *op. cit.*

⁶¹ See workshop reports of the *Sanctuary in the City: Beirut*, at: <http://hic-mena.org/spage.php?id=qG8=#.WVxdq4iGPIX>.

⁶² Ministry of Interior and Municipalities, *Municipal Finance Studies Program, Final Strategic Framework*, Beirut, 2011, at: www.interior.gov.lb/Download.aspx?idf=81.

Key basic services that remain insufficient in Lebanon are electricity, safe water provision and distribution, sanitation, telecommunication and transportation.⁶³ Meanwhile, some social and basic services in Lebanon have been highly privatized, mainly electricity, water, health and education. Nevertheless, private-sector provision is not necessarily an obstacle to fulfilling these human needs and corresponding human rights, if services are adequate, accessible, acceptable, adaptable and affordable for all and at an adequate quality. However, to meet those conditions requires public regulation, supervision and, if necessary, investment on the part of the state. In the case of Lebanon, though, state action seems to fall short.

For example, *Electricité du Liban* does not generate enough electricity to meet national demand and, prior to the refugee crisis, Lebanon already was using two-thirds of its available water resources. Moreover, political parties, based on sectarian identities, play a key role in providing social service and welfare, which strengthens the power of sectarian elites over communities, and perpetuates communities' dependence on them. Some surveys demonstrate that active affiliation with a particular party is associated with access to social assistance and, higher levels of political activism facilitates access to higher levels or quantities of aid, including food baskets and financial assistance to cover medical and educational costs.⁶⁴

In this context, impoverished populations without networking capacity or political affiliation are left effectively unrepresented and unprotected.⁶⁵ Moreover, this dynamic also weakens the state by undermining the ties of citizenship and keeps the sectarian elites in control, where elites need only to negotiate with other elites to reach agreements and are not incentivized to represent or serve their constituencies.

Concerning citizens' perceptions and expectations, survey data show that a great majority of people consider municipal elections highly or fairly important to effect change in their lives. However, the indicators on public satisfaction with the performance of municipalities in fulfilling their functions are low or very low, particularly in Beirut. As an exception, municipalities that developed communication exchange with the residents and means of participation showed a higher level of trust and, even improvement in service planning and delivery. In Beirut, access to information and means of participation in decision making are considered poor and a relevant concern of residents.⁶⁶

As noted, currently Lebanese municipalities lack real decentralization and control of financial resources and receive very weak support from central government, hindering their role and mandate and their actual capacity to improve livelihoods and implement human rights obligations and the right-to-the-city principles in Beirut, or in Lebanon. A draft law on decentralization has been long discussed, including some relevant improvements. Despite all efforts, progress has been slow due to, among other factors, the reluctance of national elites to share power and resources with spheres of government, coupled with the fear of a country's division into sectarian cantons.

Cultural Diversity and Heritage Protection

The Constitution of Lebanon does not mention cultural diversity or heritage protection, nevertheless the State of Lebanon has ratified numerous International Conventions concerning heritage such as the Conventions for the Safeguarding of the Intangible Cultural Heritage, on the Protection of the

⁶³ World Bank, *Lebanon Economic Monitor Spring 2017: A Call for Action*, (Washington, World Bank, 2017), at: <http://documents.worldbank.org/curated/en/568551493132224115/A-Call-for-Action>.

⁶⁴ Mourad and Piron, *op. cit.*

⁶⁵ Estella Carpi, *Revisiting Vulnerability in a Slum of Beirut: when Citizenship Disempowers*, Civil Society Knowledge Centre, Lebanon Support, 2015, at: <http://civilsociety-centre.org/paper/revisiting-vulnerability-slum-beirut-when-citizenship-disempowers>.

⁶⁶ See workshop reports of the *Sanctuary in the City: Beirut*, at: <http://hic-mena.org/spage.php?id=qG8#.WVxdg4iGPIX>.

Underwater Cultural Heritage, on the Protection of the World Cultural and Natural Heritage, on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property and the Convention and its first Protocol for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention.⁶⁷ Several entities are in charge of natural and tangible and intangible cultural heritage in Lebanon, but the Ministry of Culture is the main entity in charge of cultural heritage. Numerous laws address cultural heritage and protection, among them the Urban Planning Law and the Municipal Act. Nevertheless, the main law concerning cultural and heritage protection is the Antiquities Regulation, Decision No. 166 (1933).⁶⁸

There is no place quite like Beirut for its diversity, where all kinds of lifestyles intermingle. In Beirut, men and women are found clad in a range of high fashion and traditional dress, and many people speak a mixture of Arabic, French and English, all within the same sentence. Beirut is a city of juxtaposition, where poverty exists beside extreme wealth, where Christians and Muslims live side-by-side, but almost completely segregated. Thanks to its hipster bars, restaurants and cafés, Beirut has re-emerged since the Civil War as a cosmopolitan and cultural capital. Nonetheless, it bears the scars of war and a troubled history, but seems to insist on a hopeful future.

Bullet holes pock mark façades of buildings all over the city, while ancient Beirut ruins are on display in the center act as a constant reminder of the city's deep history, enduring Roman, Ottoman Turkish and French rule before Lebanon became independent in 1943. After World War II, French influence under the League of Nations Mandate system left an administrative, architectural and cultural legacy, especially through educational institutions and the first parliamentary system in the Middle East.

Despite its current ultramodern facade, especially in the form of many skyscrapers characterizing Beirut's Downtown, the effects of war and destruction punctuate Beirut's aesthetic and the different ways of life of its citizens. Warfare, including the Civil War of 1975–90, the Israel invasion of 1982 and subsequent occupation of the south, as well as the Israeli bombing of Beirut in 2006, destroyed much of the city's infrastructure. Both despite and because of this, Beirut serves as an example of how life goes on after war, and nowhere is this more apparent than in the built environment.

Amid the modernity of central Beirut, the brutalist "Egg" Building, still semi-destroyed by war, stands as a monument to this coexistence of adversity and rebirth, now re-established as a site for cultural exhibitions and events. Saint Joseph University's Campus of Innovation and Sports, designed by Youssef Tohme and 109 Architects reconceptualizes the bullet-pocked façade so commonly seen in Beirut by using the holes as windows to let in light, reinforcing the phrase famous in Lebanon, "Knowledge is light."



Figure 6: The Egg Building and the Muhammad al-Amin Mosque, Downtown Beirut. Source: @Momondo.

Another notable monument, Beit Beirut (Arabic: بيت بيروت; literally "the house of Beirut" or "Yellow House"), is the Ottoman revivalist Barakat House, built in 1924 of yellow Dhair al-Qamar limestone by architect Youssef Aftimus. Serving as a vantage point for snipers in the Central District's "Sodeco Crossroads" during the Civil War, the building suffered severe damage and serial acts of vandalism over

⁶⁷ UNESCO, *Portal UNESCO of Conventions and Legal Instruments*, at: http://portal.unesco.org/en/ev.php-URL_ID=12025&URL_DO=DO_TOPIC&URL_SECTION=-471.html.

⁶⁸ Office of the Minister of State for Administrative Reform, *Citizens Charter for Heritage*, 2001, at: <http://www.omsar.gov.lb/docs/Charters2007/ENGLISH/HERITAGE.pdf>.

the years. It was scheduled for demolition until Lebanese heritage activists, particularly architect Mona Hallak and the *Association pour la Protection des Sites et Anciennes Demeures au Liban* (APSAD) campaigned to save it. In 2003, the Municipality of Beirut issued a decree of expropriation for public interest, and it now houses a museum and urban cultural center celebrating the history of Beirut, especially the Civil War. Beit Beirut temporarily re-opened to the public in August 2017, despite lacking staff, services and direction.⁶⁹

Both Jammayzah and Mar Mikhael are neighborhoods in Beirut's trendy Ashrafiyyah district. Full to the brim with cafés, restaurants, bars and art galleries, both areas have undergone major gentrification since the end of Lebanon's civil war. Jammayzah and Mar Mikhael form a vibrant social hub, especially for younger and economically advantaged youth, and are representative of the newer, more modern Beirut of the new generation who have no personal memory of the Civil War. Contemporary art galleries can be found here, as well as cozy wine bars and continental restaurants, which stray from the traditional Lebanese food and culture preserved in more historical parts of the city and, of course, in family homes.

Rue Gouraud, the main street in Jammayzah, is a locus of lively nightspots, which are always busy from the beginning of happy hour at around 19:00. Not far from there, the Sursok Museum is a gem of Ottoman-era architecture that now hosts a gallery of contemporary and modern art. The Heritage Trail also runs through Beirut's Downtown/Centre Ville area, a pedestrian passage through the historical and cultural monuments, including mosques, churches and the parliament, and ruins from the Medieval, Ottoman, Roman and Byzantine eras. The trail offers a glimpse of the richness of Beirut's history and the influences that have converged to shape Lebanon's heritage and contemporary culture. The famous Pigeon's Rock, otherwise known as Sabah Nassar's Rock, and the seaside corniche in Raouché are perhaps the most scenic points in Beirut, where inhabitants of all walks of life promenade.

While the capital Beirut has refurbished public spaces and flourishing high-end districts, urban renewal has coincided with an urban divide and inequality that only have grown deeper. Notably, 24 slums/impoverished poor neighborhoods characterized Beirut before the current refugee and displacement crisis. In 2003, they hosted an estimated 20% of the metropolitan area's population.⁷⁰ Across Lebanon, the "slum"-to-urban population was around 50% in the year 2001.⁷¹

A significant change in poverty indicators was noted between 1995 and 2004, with a decrease in both the households living in extreme poverty (dropping from 7% to 5%) and those living in relative poverty (from 28% to 18%).⁷² However, with the Syrian crisis, the poverty levels have again risen. The poorest areas have also experienced a significant increase of population, with some neighborhoods experiencing a doubling of the population with the influx of Syrian refugees. The Palestine refugee camps and neighborhoods also have experienced a significant population increase because of the influx of Syrian refugees and other migrant workers, whereas these areas provide most of the city's scarce affordable housing options.

⁶⁹ "A museum of memory in Beirut gets off to a troubled start," *The Economist* (10 August 2017), at:

<https://www.economist.com/news/books-and-arts/21726053-no-one-can-agree-what-beit-beirut-or-what-objects-should-be-display-there>.

⁷⁰ Mona Fawaz and Isabelle Peillen, *The case of Beirut, Lebanon*, for Massachusetts Institute of Technology and AUB Department of Architecture, 2003, at: http://www.ucl.ac.uk/dpu-projects/Global_Report/pdfs/Beirut.pdf.

⁷¹ UN-Habitat, *Lebanon*, 2010, at: <https://unhabitat.org/lebanon/lebanon-urban-issues/>.

⁷² UNDP, *Poverty Growth and Income Distribution in Lebanon*, Beirut, August 2008, at: <http://www.lb.undp.org/content/dam/lebanon/docs/Poverty/Publications/Poverty,%20Growth%20and%20Income%20Distribution%20in%20Lebanon.pdf>.

Economic Development and Employment

The World Bank classifies Lebanon as an upper-middle-income economy that is based on a competitive and “free-market” system with little government intervention, long commercial and self-oriented dynamics, where the private sector plays a major role to the country’s economic development. The major commercial sectors in Lebanon are banking, tourism, metal products, agriculture, chemicals and transport equipment. The Ministry of Economy and Trade and the Ministry of Finance are the governmental bodies in charge of economic development. As stated in its strategic framework, the main goals of the Ministry of Economy and Trade are to develop a positive legal and economic environment for economic development and ensure public welfare and employment. In this sense, a major focus is placed on promoting innovation, improved administration of European Union (EU) structural funds, small and medium-sized business development and ensured energy security.⁷³

The Ministry of Economy is involved in shaping the overall property privatization policy, as well as improving the legal basis of domestic and foreign trade sectors and continuous updating the companies law. The Ministry of Finance leads the GoL’s economic reform through formulation and management of fiscal policy and public debt, in order to foster sustainable economic growth in alignment with national priorities.

In October 2017, the Parliament approved the first state budget since 2005, putting an end to the political paralysis that afflicted Lebanon since the assassination of the former Prime Minister Rafic Hariri. The previous 12 years of public spending has been largely ad hoc and subject to little oversight, which partly explains the uncontrolled rise of Lebanon’s debt. The most pressing economic vulnerabilities of Lebanon are high external debt level (estimated to be \$40.74 billion at 31 December 2016), fiscal deficit (i.e., government expenditure exceeding revenues), current account deficit (i.e., imports exceed exports) and high dollarization.⁷⁴

The government has developed a series of strategies and framework to support economic development through priority areas. Concerning the debt, equivalent to 125% of the Lebanese GDP in 2016, the Ministry of Finance recently has developed a medium-term strategy to ensure Lebanon financing needs and payment obligations at the lowest possible cost.⁷⁵ In its turn, the Ministry of Economy and Trade developed the Lebanon SME Strategy a Roadmap 2020 to support growth, sustainability, innovation and competitiveness of small and medium enterprises.⁷⁶

The influx of displaced persons from Syria also has had a significant impact on the Lebanese economy, constraining Lebanon’s education, health, municipal and other sectors, while exacerbating already-notable inequalities within the country. Moreover, the quality of public services, institutions and governance has deteriorated visibly amid calls for corrective reform.

Merchandise exports also have suffered from road closures that connected Lebanese products to the region and markets. Traditional economic drivers, such as real estate, construction, finance and tourism also have suffered from the regional context and Syrian war. Nevertheless, in the current context, the economic situation is envisaged to improve the following years and translate into a growth of GDP, projected at 2.5%. This follows the 1.8% growth of 2016,⁷⁷ as a result of progress made in the domestic

⁷³ Ministry of Economy and Trade, *Lebanon SME Strategy: A Roadmap to 2020* (Beirut: UNDP, November 2014), at: http://www.undp.org/content/dam/lebanon/docs/Governance/Publications/Lebanon-SME-Strategy_091214_2.pdf.

⁷⁴ The Economist, *Why Lebanon has not passed a budget in 12 year*, the Economist explains, March 2017, at: <https://www.economist.com/blogs/economist-explains/2017/03/economist-explains-22>.

⁷⁵ Ministry of Finance, *Debt Management Strategy Report 2017–2021*, March 2017, at: <http://www.finance.gov.lb/en-us/Finance/PublicDebt/MTDMS/Documents/Debt%20strategy%20document%202017-2021.pdf>.

⁷⁶ Ministry of Economy and Trade, *op. cit.*

⁷⁷ World Bank Open Data, *Lebanon Country Profile*, 2017, at:

political process, continued revival of the tourism sector and a slight improvement in real estate and construction indicators.

On the demand side, private consumption has been—and continued to be—an important economic driver. In 2011, predating the impact of the Syrian war and displacement to Lebanon, nearly 30% of the population in Lebanon—mostly concentrated in the Biqa', Mount Lebanon and North Lebanon Governorates—were considered poor, and an unemployment rate of approximately 7% coincided with a significantly higher rates of poverty for workers in the agricultural and construction sectors. Migrant Syrian nationals have long figured in the Lebanese labor market, but their number had expanded the labor supply by 50% in 2014.

Nevertheless, the majority of Syrian refugees are engaged in construction, agriculture and personal and domestic services on the informal sector, primarily competing with the low-skilled labor market dominated by other foreigners. This fact may explain the moderate impact of the Syrian influx on Lebanese unemployment, increasing from 6.2% in 2014 to 6.9% in 2017.⁷⁸ In 2011, the World Bank estimated the informal economy in Lebanon at 36.4% of GDP. The Arab NGO Network for Development (ANND) cited the overall proportion of informal workers to be 73% of total workers in Lebanon, forming 59% of Lebanese, 95% of Palestinians, 99% of Syrians and 90% of others, and projected high growth in informality.⁷⁹

Meanwhile, the *Sanctuary in the City: Beirut* project's questionnaires and consultations revealed the priority need and repeated proposals for Lebanese municipalities and local authorities to facilitate public space—both physically and administratively—for refugee and other local youth to innovate by forming companies and cooperatives that avoid “employment” bans and generate employment (decent work).

Both unemployment and informality have a particularly high incidence among women, doubling that of males.⁸⁰ Concerning youth, the official unemployment rate for youth is 22%, more than double than the official adult unemployment.⁸¹ Inactivity rates of the youth in Lebanon are high, registering 70% in 2013, compared to a global average of 52.6%.⁸²

Estimates also reflect that only up to 30% of the labor force is subscribed in the Lebanese Social Security Fund, and recent reports point that 47% of Lebanese are not covered by any health system. In fact, informal labor in Lebanon seems to be crucial for employment and to absorb the growing labor flow, considering the limited productive activities of the Lebanese economy and the absence of governmental strategy to improve it in the short term.⁸³ In this sense, the estimates reflect a low employment growth at long term, due the low growth of productive activities such as communications, financial services, agriculture and manufacturing.⁸⁴

http://databank.worldbank.org/data/Views/Reports/ReportWidgetCustom.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=LBN

⁷⁸ World Bank Open Data, *Lebanon unemployment 2013–2017*, 2017, at:

<https://data.worldbank.org/indicator/SL.UEM.TOTL.ZS?end=2017&locations=LB&start=2013&view=chart>.

⁷⁹ Arab Watch on Economic and Social Rights, *Informal Employment*, 2016, at:

<http://www.annd.org/cd/arabwatch2016/pdf/english/report.pdf>.

⁸⁰ Salem Ajluni and Mary Kawar, *Towards Decent Work in Lebanon: Issues and Challenges in Light of the Syrian Refugee Crisis* (Beirut: International Labour Organisation, Regional Office for Arab States, 2015), pp. 4, 21, at:

http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_374826.pdf.

⁸¹ Rabih Fakhri, *Informality in Lebanon: Diagnosis and Analysis*, for Arab NGO Network for Development, Beirut, 2016, at:

<http://www.annd.org/cd/arabwatch2016/pdf/english/13.pdf>.

⁸² Ajluni and Kawar, *op. cit.*, p. 4.

⁸³ Fakhri, *op. cit.*

⁸⁴ World Bank, *Lebanon Economic Monitor Spring 2017*, April 2017, at:

<http://documents.worldbank.org/curated/en/568551493132224115/A-Call-for-Action>.

Housing

The Constitution of Lebanon states clearly in Article 7 that all Lebanese citizens enjoy economic, social and cultural rights equally and jointly with political and civil rights. Even though the Constitution or legislation does not mention any specific commitment or guarantee to implement these economic, social and cultural rights, including the right to adequate housing, the preamble of the Constitution grants the respect, protection and fulfillment of these rights and can be used as an entry point to assess the state obligations toward human rights, in general.⁸⁵ In the other hand, the Lebanese Constitution ensures the free-market economic system and private property rights, which, per se, should not endanger human rights, but certainly can provoke certain tensions between capital freedom and rights protection.

Against this backdrop, housing in Lebanon is only available through the market. Lebanon has no Ministry of Housing and, since its independence in 1943, the State of Lebanon has not developed any policy on housing or land to enhance and support public or social housing. Nor has it adopted procedures to secure adequate housing for the low-income population.



Figure 7: Contrasts of housing development in Beirut. Source: @Lou Rouge.

Even though the Lebanese Public Corporation for Housing, established in 1996, is the executive body responsible to facilitate low-income groups' access to adequate housing, it mainly facilitates housing loans for upper middle-income groups in partnership with commercial banks.⁸⁶ Moreover, the housing sector in Lebanon is developed by the open market and through property investments of the private sector. Resulting from market dynamics and a lack of adequate policies, housing is not accessible for Lebanese families with an annual income of less than \$10,000. Moreover, this context also affects the housing conditions in Lebanon and particularly harms housing accessibility in the City of Beirut, which is particularly sensitive to real-estate speculation.

Concerning urbanization, 90% of Lebanese population lives in urban areas. More than a third of the national population distribution is concentrated in Greater Beirut area and its suburbs, which occupy only 2.2% of Lebanon total area. Greater Beirut is also subject to pressures due the population growth and economic expansion.⁸⁷

The Laws 159/92 and 160/92 on lease and acquisition of residential units have elicited criticism since they are based on contractor and contractual freedom without constitutional or other legal protection of tenants' rights. As it seems, the laws on lease contracts particularly affect tenants' rights, mainly because they do not limit rent increases after the contract expiration, which can lead to the eviction of the household and endangers around 200,000 poor families and vulnerable groups living in Beirut.⁸⁸ In

⁸⁵ Habitat International Coalition - Housing and Land Rights Network, *Lebanon under Universal Periodic Review*, at Land Times No. 12, June 2015, at: <http://landtimes.landpedia.org/newsdes.php?id=pWpt&catid=ow==&edition=o2o=>.

⁸⁶ UN-Habitat and UNHCR, *Housing, Land & Property Issues in Lebanon: Implications of the Syrian Refugee Crisis*, Nairobi, August 2014, at: <https://unhabitat.org/housing-land-and-property-issues-in-lebanon-implications-of-the-syrian-refugee-crisis-august-2014/>.

⁸⁷ Ghalib Faour and Mario Mhaweij, *Mapping Urban Transitions in the Greater Beirut Area Using Different Space Platforms*, for National Center for Remote Sensing, at Land, Vol. 3, , August 2014, at: https://www.researchgate.net/publication/266558659_Mapping_Urban_Transitions_in_the_Greater_Beirut_Area_Using_Different_Space_Platform.

⁸⁸ HIC-HLRN, ANND et al., *JS9 - Joint Submission 9, Universal Periodic Review of Lebanon*, Civil society and others submissions, November 2015, at: https://www.upr-info.org/sites/default/files/document/lebanon/session_23_-_november_2015/js9_upr23_lbn_e_main.pdf.

the other hand, the lack of rent controls in Greater Beirut has led land prices to be dominated by real estate market and the investors, which has encouraged small landlords to exert pressures on old tenants in order to evict them, while housing market favor large real estate companies.

The state has portrayed the market-led policies and neoliberalism as problem-solving approaches and depoliticized the discourse on housing, which left old tenants and elderly and poor communities invisible and unprotected from eviction. Moreover, landowners and speculators often use extralegal measures to remove tenants. Shifting owner negotiation strategies that amount to swindling, intimidation and threats, as well as threatening official notices together pressure residents to leave their homes. Meanwhile, Beirut tenants can face the threat of eviction long before its execution through a process sometimes spanning a decade.⁸⁹

All of these practices have increased the negative impacts to the rent system in Greater Beirut, which has affected the lives of the inhabitants of the city profoundly, also due to the huge difference between rent values and the wages. Over time, the increasing competition over real estate in the city by large real-estate companies, as well as the state's permissiveness and lack of control, has enabled market-led and urban-development forced evictions. This explains a growing sense of insecurity resulting from the state violations of the presumed social contract in favor of investment by the private sector.

Meanwhile, private-sector investment in Lebanon is a significant driver of construction. The Lebanese property market saw an average annual growth of 18% (13% inflation-adjusted) from 2009 to 2013, although that trend has declined amid the region's political turmoil. Beirut has absorbed the lion's share of foreign real-estate investment with 47.87% of total acquisitions in Lebanon. Arab nationals lead these investments with demand for luxurious spacious flats, mostly in central Beirut. Syrians continued to dominate real estate acquisitions in 2016 (14.17%), with Saudi Arabia second at 7.40% of the total.⁹⁰ Beirut has the most-expensive housing in Lebanon, with property prices rising by 5.63% through the third quarter of 2016 with prices reaching an average of US\$538,546.⁹¹

Remittances from expatriates reached \$7.6 billion, amounting to 17% of GDP in 2016,⁹² and slightly higher in 2017.⁹³ Remittances sent to Lebanon are mainly used for household consumption (housing, durable goods, everyday expenses, education and health care); a part of the remittances goes into savings, and a smaller part goes into job-creating investment in the retail and services sectors. Remittances account for 22% of average Lebanese household income, but 88% of household savings.⁹⁴ Although significant to sustaining the overall Lebanese economy, Lebanese expatriate remittances may have contributed only indirectly to driving up the cost of housing.

⁸⁹ Nadine Bekdache, *Evicting Sovereignty: Lebanon's Housing Tenants from Citizens to Obstacles*, at Arab Studies Journal, Vol. 23, No. 1, 2015, at: <https://www.questia.com/library/journal/1P3-4066731041/evicting-sovereignty-lebanon-s-housing-tenants-from>.

⁹⁰ Investment Development Authority of Lebanon (IDAL), *Foreign Investment Structure, in Lebanon at a Glance*, Beirut, 2016, at: <http://investinlebanon.gov.lb/en/lebanon-at-a-glance/foreign-direct-investments/foreign-investment-structure>.

⁹¹ Global Property Guide, *Lebanon's property market improving*, 10 December 2016, at: <https://www.globalpropertyguide.com/Middle-East/Lebanon>.

⁹² The Daily Star, *World Bank projects increase in remittances to Lebanon*, 21 October 2016, at: <http://www.dailystar.com.lb/Business/Local/2016/Oct-18/376913-world-bank-projects-increase-in-remittances-to-lebanon.ashx>.

⁹³ "Expatriates' remittances to Lebanon to hit nearly \$8 billion this year," *An-Nahar* (10 October 2017), at: <https://en.annahar.com/article/680616-expatriates-remittances-to-lebanon-to-hit-nearly-8-billion-this-year>.

⁹⁴ Nassib Ghobril, *Expatriates' Remittances and the Lebanese Economy: Brain Drain or Economic Gain?*, lecture at the Lebanese Emigration Research Center (LERC), Notre Dame University, Lebanon, 21 April 2004, cited in Guita Hourani, *Lebanese Diaspora and Homeland Relations*, paper prepared for the "Migration and Refugee Movements in the Middle East and North Africa" conference, The Forced Migration & Refugee Studies Program, The American University in Cairo, Egypt, 23–25 October 2007, at: <http://schools.aucegypt.edu/GAPP/cmrs/Documents/Guitahourani.pdf>.

Furthermore, housing loans or limited units of subsidized housing loans are unaffordable for low-to-middle-income Lebanese families. Hence, low-income families are pushed to housing within urban-poor neighborhoods and (Palestinian) refugee camps. Moreover, housing and services in urban poor neighborhoods and refugee camps also have been overtaken by private entities and market dynamics, highly increasing living costs, even in those areas.

The lack of national policy for housing and available affordable land, with very little consideration for small-scale and affordable housing, has contributed to the proliferation of informal housing and areas. Conflicting property claims have risen in the city also through the privatization of common properties or misallocation of such properties to private or religious parties.

In response, these factors have encouraged squatting as a form of claiming and contesting the urban space. With limited urban services provided by the municipalities, the inhabitants in the under-served urban areas have managed over time to develop self-sustaining mechanisms to access basic urban services, and many use informal ways to hook-up to the electricity network, sewage system, or to access water.⁹⁵

Although no internally displaced persons (IDPs) remain officially from the 2006 Israeli war on Lebanon, no official information is available on the IDPs who sought settlement options or achieved durable solutions. While at least 20,000 internally displaced, most of them Palestinian refugees, fled from Tripoli's Nahr al- Bārid camp in 2007, they are still living in congested conditions in surrounding areas, lacking access to basic services, adequate housing and suffering restrictions on their freedom of movement.⁹⁶

In the current displacement in Lebanon, some 50.9% of Syrian refugees were estimated to be at shelter risk in 2013.⁹⁷ At that rate, this means that currently at least 510,000 Syrian refugees may be at shelter risk. Moreover, 17% of surveyed refugees reported that they were evicted by a landlord at least once, and 16% of refugees access informal/illegal shelter. In 2014, at least 160,894 Syrian refugees lived in over 1,224 informal settlements distributed throughout Lebanon.⁹⁸ The number and extent of vulnerable communities have increased and are expected to increase further as the Syrian conflict persists.⁹⁹

Sustainable Urban Planning and Land Use

The Constitution of Lebanon does not mention explicitly land use or urban planning. However, it bans any form of land acquisition except for the public interest, which is broadly understood to include public services, including roads, electricity and water.

The Ministry of Public Works and Transport is the executive body in charge of territorial planning. Inside the Ministry, the Directorate General of Urban Planning approves and develops urban master plans. Other governmental bodies are responsible of land management and use and constructions such as the Department of Land Use Planning and Environment of the Council for Development and Reconstruction

⁹⁵ World Bank, *Lebanon - Economic and social impact assessment of the Syrian conflict*, September 2013, at: <http://documents.worldbank.org/curated/en/925271468089385165/Lebanon-Economic-and-social-impact-assessment-of-the-Syrian-conflict>.

⁹⁶ HIC-HLRN, ANND et al., *op. cit.*

⁹⁷ UNHCR, *2014 Syria Regional Response Plan: Shelter*, Geneva, 2014, at: <http://www.unhcr.org/syriarrp6/docs/syria-rrp6-sectoral-plans-SHELTER.pdf>.

⁹⁸ UN-Habitat and UNHCR, *op. cit.*

⁹⁹ Norwegian Refugee Council, *A Precarious Existence: The Shelter Situation of Refugees from Syria in Neighboring Countries*, June 2014, at: <http://reliefweb.int/sites/reliefweb.int/files/resources/9179861.pdf>.

and the Directorate General of Roads and Buildings also part of the Ministry of Public Works and Transport.

The main law regulating urban planning in Lebanon is the Legislative Decree No. 69 on urban planning (1983). The law is comprehensive and visionary, and established the Higher Council of Urban Planning, responsible for approving urban master plans, setting planning regulations and implementation mechanisms for villages and cities, issuing general regulations on construction permits and quarries and rock crushers and land parceling norms, among others.

Although the 1983 Law's relevance and vision are outstanding, it seems that urban planning departments are barely using it, and it is unknown by the general public. Concerning construction, predating the development of the Law, the Municipality of Beirut developed building regulations for urban densification, control, managing urban landforms and solving disputes over adjacent land parcels. Currently, the Construction Law No. 646 (2004), also known as the Building Code, is the basic reference for building activities in Lebanon. Nevertheless, the law seems to benefit the construction sector exclusively, even though it also mentions landscape protection and environmental sustainability.¹⁰⁰

After the Civil War, Lebanon has undergone dramatic changes in the population and urbanization growth, while the agriculture and the use of water and land have impacted negatively on land and natural resources presently available. The population growth, urban sprawl, the continued loss of arable land and biodiversity, as well as social behavior directly affect Lebanon's food security, the rising costs of infrastructure and the loss of natural environment. Despite these trends, Lebanon has not developed clear public strategies or policies concerning land use and management or territorial planning to guide urbanization and improve territorial cohesion at national and local levels.

The uncontrolled use of land and the unplanned, uncontrolled spread of urban development endanger environmental and cultural heritage, as well as collective identity. Real estate interests and neoliberal policies, particularly in Greater Beirut, have promoted the treatment of land as solely an economic commodity and capital asset above other values attributed to land, resulting in economic speculation, raising prices and gentrification.¹⁰¹ The gentrification processes in Beirut have pushed low-income families into precarious situations and created a new wave of delocalization, displacement and uprooting, similar in numbers to the displacement occurred during and after the Civil War. Without public guidance, land use and urban planning in Beirut lack the main elements of any long-term land-and-urban-management project, sustainability from interlinked environmental protection, economic development and social justice.



Figure 8. Tangle of wires in the improvised electricity system in central Beirut. Source: Emily O'Dell.

Clear examples of these dynamics can be extracted from the reconstruction process and urban development projects such as the ones in downtown area by the Solidère Company, in Dhahiya, by Elyssar project, and in Harat Hraik, by the Wa'ad Project. These developments and projects were led by

¹⁰⁰ Ministry of Environment, UNDP and ECODIT, *State and Trends of the Lebanese Environment*, Beirut, 2011, at: http://www.undp.org/content/dam/lebanon/docs/Energy%20and%20Environment/Publications/SOER_en.pdf.

¹⁰¹ UN-Habitat and UNHCR, *op. cit.*

political and sectarian elites respective to each region, but not conceived as national projects in the public interest.¹⁰²

The State of Lebanon has relinquished its role in reconstruction to the non-state corporations funded predominately by foreign investors, which has led to privatization and commoditization of the public space and developments for elite consumption and investment. For instance, housing prices have increased 400% between 2000 and 2010, making property unaffordable for most, and increasing urban poverty in the underserviced outskirts of the cities.¹⁰³

The lack of social vision in the policies of land use and management impact urban planning also due to problems concerning social cohesion, distribution and access of goods and services, public space and environmental protection and transport infrastructure. Moreover, the boundaries and competences of the existing administrative and geographical division of municipalities and authorities tend to overlap. All these factors have rendered almost all territories open to construction and development without a clear protection framework of coastal, agricultural, forest areas and historic city centers, among others. Furthermore, these have left lasting impacts on urban and rural landscape, with severe implications on energy and other service and infrastructure demands in the long term.¹⁰⁴

Beirut, representing 2.2% of the Lebanese territory, is constantly subject to pressures arising from population growth. The urban area continues to increase along the coast and the nearby mountain zone, reducing greatly the green space and the rural character of these areas. These dynamics make Lebanon lose one of its major assets and cause a decline in the quality of life in the country.¹⁰⁵



Figure 9: Former Hotel St. George bearing sign protesting the takeover of properties by Real Estate Holding Company Solidere.

Source: [Muslima2006](#).

The Lebanese urban planning system and land management do not address sustainability, livability, environmental, spatial, and equity issues adequately and have missed the opportunity to tackle equality and well-being for all city inhabitants as a responsibility of government. Services that affect the quality of the urban environment such as accessibility, public transport, renewable energy, sustainable water supply, as well as green and recreational areas, are not adequately addressed by the urban planners, which have led to geographies of injustice and privilege.

Several urban analysts have asserted that Lebanon real-estate sector has benefited during the global financial crisis from the sizeable cash transfers to Lebanese banks and reinvestments in the reconstruction of Greater Beirut. In recent years, the real-estate sector witnessed a significant increase in the number of new brokers and real-estate

¹⁰² Mona Harb, *Power 2 Youth: Cities and Political Changes: How Young Activities in Beirut Bred and Urban Social Movement*, Working Paper No. 20, American University in Beirut, September 2016, at: http://www.power2youth.eu/system/resources/W1siZiIsIjIwMTYvMTAvMTQvMTNfMTZfMzVfMjk4X3AyeV8yMC5wZGYiXV0/p2y_20.pdf.

¹⁰³ Edward Randall, *Reconstruction and Fragmentation in Beirut, Conflict in Cities and the Contested State*, Working Papers No. 29, Middle East and Mediterranean Studies Department of King's College London, 2014, at: <https://www.urbanconflicts.arct.cam.ac.uk/working-paper-29-edward-randall>.

¹⁰⁴ UN-Habitat, *Reforming Urban Planning System in Lebanon. Findings of the Research/Assessment*, June 2013, at: <http://www.alnap.org/resource/19861>.

¹⁰⁵ Faour and Mhaweij, *op. cit.*

agencies. Moreover, the construction permit revenue at national level increased from US\$7.9 million in 2007 to US\$14.2 million in 2008. The Law No. 296/2001 on real-estate transactions by non-Lebanese has liberalized regulation of foreign real estate ownership and opened the way to land speculation by foreign investors for quick and easy profits. Thus, foreign entities have dominated the land market by purchasing land for real-estate development and driving up land prices, limiting access to land for most Lebanese.¹⁰⁶

The government still has not formulated policies to protect public land and address private infringements on public property. Although Decree No. 2522/92 defines levies for using the public maritime domain and Decree No. 7919/1996 assigns Parliament the duty to review and approve the settlement of violations, the State of Lebanon has not imposed any fee or allowances for the construction and privatization of the coastal area in Beirut. Moreover, economic and political elites linked to these activities are preventing the state from adopting legislation to collect revenue from such transactions, the proceeds of which are estimated to value millions of dollars annually.¹⁰⁷

The Syrian crisis and consequent refugee influx also have affected agricultural land and other land use mainly through the growth of informal settlements and the low-income urban neighborhoods in city peripheries. Most of the informal settlements have been built rapidly on lands normally used for cultivation and expanded out of control, with the continuation and aggravation of the Syria crisis. This also has affected the agricultural-production value of the land, and poses an environmental and health threat due to the condition of temporary shelters.¹⁰⁸ Most refugee shelters are located on private lands, often managed by a Syrian land broker called a “*shawish*,” who rents the land from a Lebanese owner on an annual basis and collects monthly rent from the inhabitants of each shelter unit.

Environmental and Health Protection

Environment and health protection are highly interlinked to the point that natural phenomena and natural resource use and management have a direct impact on human health and can pose a threat to public health. This is the case of waste and water management and air quality, among others. The Constitution of Lebanon does not mention directly health or environment. Nevertheless, as mentioned above and indirectly concerning land, the Constitution’s Article 15 refers to private property and bans any form of property deprivation except for the public interest, which broadly understood includes public services such as roads, electricity, sanitation and water.

Concerning legislative bodies and the legal framework related to environment, the Lebanese Parliament has a Committee for Environment composed by 12 members of Parliament (MPs) in charge of deliberating and reviewing draft legislation concerning environment and related activities of governmental bodies. The main legislative framework at national level is the Environmental Protection Law No. 444 of 2002, which grounds international obligations and adopts internationally recognized principles covering all environmental issues in the country and setting up stringent penalties for damaging or polluting natural resources. The law is considered highly comprehensive, but its implementation has been continuously interrupted by the delay of the required application decrees.¹⁰⁹

¹⁰⁶ MoE, UNDP and ECODIT, *op. cit.*

¹⁰⁷ *Ibid.*

¹⁰⁸ World Bank, *Lebanon - Economic and social impact assessment of the Syrian conflict*, September 2013, at: <http://documents.worldbank.org/curated/en/925271468089385165/Lebanon-Economic-and-social-impact-assessment-of-the-Syrian-conflict>.

¹⁰⁹ Alef – Act for Human Rights, *The situation of Human Rights in Lebanon Annual Report 2015* (Beirut: Alef, 2016), at: https://alefliban.org/wp-content/uploads/2016/10/ALEF_Human-Rights-in-Lebanon_2015.pdf.

The Council of Ministers is the entity in charge of enacting regulations through its decisions and decrees. In the other hand, the main specialized executive body is the Ministry of Environment (MoE), established in 1993. The work of the MoE is divided into four main sectors: (1) water, (2) air, (3) land and (4) biodiversity and forests. These divisions also cover air quality management, solid waste management, water resources management, wastewater management, land use and ecosystem management, as well as environmental governance. MoE develops annual sectorial strategies and biannual work plans to support its activities.

In 2016, realizing the essential role that municipalities can play on environmental protection, the MoE developed a guide for municipalities to enhance environmental management.¹¹⁰ Even with the great potential of the Ministry and the legislative framework, one of the main issues of discussion in Lebanon concerning the MoE is its lack of capacity and resources. For instance, MoE has long been understaffed and its workers underpaid. This seems to be a common observation concerning nearly all Lebanese civil servants, which undermines capacity, performance and institutional memory of the ministry.¹¹¹

In 2009, Lebanon established the National Committee for Disaster Risk Reduction (NCDRR), with members representing several ministries and relevant national and international agencies, municipalities and NGOs. NCDRR oversees developing a general framework for avoiding and mitigating disasters with a contingency response plan to human-made and natural disasters and an emergency management plan when a disaster strikes.¹¹² MoE and other intergovernmental agencies form part of the NCDRR. Among them are the Health Councils at the governorate level, responsible for addressing public health issues.¹¹³ Concerning the judiciary, after a decade of discussions, in 2014, the Parliament approved the creation of environmental public prosecutors. These prosecutors are present in each governorate and able to prosecute crimes and violations affecting the environment in all its domains.¹¹⁴

The most pressing environmental challenges concern water and wastewater management, air quality, solid waste management, land use and ecosystems. Concerning water, the priorities are depletion of water resources, water quality deterioration and increased pollution load and environmental and health impacts from wastewater discharges. The increased depletion of water, especially affecting Beirut, corresponds to the increase in domestic water demand due to the refugee influx, amounting to an increase from 8% to 12%. Concerning wastewater, the Mediterranean Coast at Lebanon has at least 53 sewage outfalls, with 16 in the Beirut area. The outpouring of untreated waste water, which represents an estimated 162 MCM/year of untreated sewage, is equivalent to 276,000 m³ per day and the 65% of the total sewage load of the country.

Air quality is also a main concern for environment and health. Air pollution from on-road transport, residential heating, open burning of solid waste and electricity production are the main factors affecting air quality. The Greater Beirut area is highly affected by chronic air pollution, mainly due its density of traffic, which is expected to worsen with population growth if adequate measures are not applied.¹¹⁵

¹¹⁰ Ministry of Environment, *A summary of the practical guide for municipalities to enhance environmental management*, Beirut, 2016, at: <http://www.moe.gov.lb/getattachment/72d3d63e-1be7-4fd7-9bc7-1100412fc4dc/Summary-of-Practical-Guide-for-Municipalities-to-E.aspx>.

¹¹¹ Ministry of Environment, UNDP and ECODIT, *State and Trends of the Lebanese Environment*, Beirut, 2011, at: http://www.undp.org/content/dam/lebanon/docs/Energy%20and%20Environment/Publications/SOER_en.pdf.

¹¹² UNISDR, *Making Lebanon Resilient. Achieving disaster risk reduction in the Arab States: Good practice country brief*, New York, 2012, at: http://www.unisdr.org/files/32374_unitednationmakinglebanonresilient.pdf.

¹¹³ Ministry of Environment, UNDP and ECODIT, *op. cit.*

¹¹⁴ MoE, *op. cit.*

¹¹⁵ MoE, EU and UNDP, *Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions*, September 2014, at: <http://www.lb.undp.org/content/dam/lebanon/docs/Energy%20and%20Environment/Publications/EASC-WEB.pdf>.

Solid waste management has long been a challenge in Lebanon, having a direct impact on health and environment and triggering social movements with grievances over the quality of services. The most pressing challenges derive



Figure 10. Solid waste pile in Beirut. Source: Greg Demarque/*Executive Magazine*.

from the overstressing of existing solid waste management infrastructure, increased pollution of surface and ground water, an increase in open dumping and open burning, deterioration of health and safety conditions around dumpsites, and an increase of risks from medical waste. In the case of Beirut, the closure of the controversial Na'amah landfill left the governorates of Beirut and Mount Lebanon without a suitable place to dispose of garbage. This led to Lebanon's privately owned waste-management company to stop collecting trash in Beirut and Mount Lebanon. The government organized a taskforce to resolve the issue out of fear that neighborhoods' open dumpsters and rotting garbage could result in a spike in illnesses.

This situation incited people to burn their garbage, having a very negative impact on air quality and public health. It seems that one of the proposed governmental solutions is to export the garbage.¹¹⁶ As mentioned above, land use and ecosystems have been affected and deteriorated by urban densification, construction sector, informal tented settlements on environmentally sensitive areas and fragile ecosystems, increase abstraction on surface-water resources and environmental flows, septic waste and solid waste disposals on lands, ecosystems and water bodies.¹¹⁷

Strangely, no serious strategies, capacities and resources are yet in place to meet the environmental challenges that the country is facing. In fact, recycling strategies, which could partly solve the solid waste management challenges have not been developed at the national level and have been left to civic associations. This is where local action has entered the public sphere, involving NGOs and private initiatives, in coordination with small and large businesses, households, schools, hospitals and, most importantly, municipalities. Lack of prevention and lack of implementation of the legislation have resulted in the quick environmental degradation, worsened with the fast population increase.¹¹⁸

In the field of public health, the most detailed and recent country cooperation strategy for the World Health Organization (WHO) has stated that the most pressing health challenges in Lebanon, after remarkable improvements in some areas, are still communicable diseases, increasing noncommunicable diseases and risk factors, mental health, increasing unhealthy nutritional habits, environmental health, maternal health, children health and youth, elderly and people with disabilities health.¹¹⁹ Concerning the Lebanese Health System and health protection, the GoL decided to provide universal health coverage to national residents a few years ago. The state, mainly through the Ministry of Public Health (MoPH), committed to develop the current system every year to achieve universal health coverage, establishing the priorities and developing its strategic plan.¹²⁰

¹¹⁶ Alef, *op. cit.*

¹¹⁷ MoE, EU and UNDP, *op. cit.*

¹¹⁸ Alef, *op. cit.*

¹¹⁹ WHO, *Country Cooperation Strategy for WHO and Lebanon 2010–2015*, Beirut, 2010, at: http://apps.who.int/iris/bitstream/10665/113219/1/CCS_Lebanon_2010_EN_14483.pdf.

¹²⁰ *Ibid.*

The health system of the country is a mixed partnership of public and private entities with diverse sources of funding and delivery mechanisms. The National Social Security Fund (NSSF), autonomous public establishments and other governmental or private insurance providers offer health coverage with diverse patient copayments to nearly half of the population. The population without such coverage represents 52% of the population,¹²¹ who are entitled to receive health coverage from the MoPH for secondary and tertiary care at both public and private institutions. Ambulatory care services are provided through more than 200 primary health care centers all over Lebanon. Fourteen in the City of Beirut provide consultation with specialist doctors at reduced cost and medicines for chronic illness and vaccines funded by the Ministry of Health.

As for refugees, Palestinian refugees receive medical coverage from the United Nations Relief and Work Agency for Palestine Refugees (UNRWA), which has been long considered insufficient. In 2014, the MoPH developed a plan to integrate refugee health care within the national health system and avoid fragmentation of health system governance with parallel systems established by international agencies. For Syrian refugees, ambulatory care is partly subsidized by the UNHCR and secondary care financial assistance from UNHCR is limited to vulnerable groups and to co-payments for patients with life-threatening conditions. In fact, the assistance is only provided to 75% of the most-vulnerable refugee population, due lack of resources of UNHCR,¹²² which represents a major gap in service coverage and leading to heavy financial burden on refugees.¹²³ Concerning Social Security, the NSSF manages the social insurance system, providing health insurance, workers indemnity and family allowances to formal workers in the private sector. The private sector workers that are not covered by the NSSF or the civil service, which represents around 50% of the labor force, including informal wage earners and self-employed people, can, as mentioned above, receive health coverage from MoPH, which it is deemed insufficient. No unemployment fund exists to support people who are unable to find a job or lose their job. As some reports affirm, an outdated regulation system and weak administration make the work of NSSF inefficient to meet current needs.¹²⁴

Safety and Security

The Constitution of Lebanon, in its Article 65, assigns the responsibility to the Council of Ministers to oversee security organizations of the country. All security forces of Lebanon are subjected to this executive power under the Constitution. The State of Lebanon approved its Criminal Code in 1943¹²⁵ and has enacted several laws concerning criminal offenses. Lebanon is state party to the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CaT) and the Optional Protocol of the Convention against Torture. In the last years, a draft bill had been submitted to the Parliament to amend the provisions of the Penal Code on the definition of torture in line with CaT and,

¹²¹ MoPH, *Health Strategic Plan for the medium term (2016 to 2020)*, Beirut, December 2016, at: <https://www.moph.gov.lb/userfiles/files/%D9%90Announcement/Final-StrategicPlanHealth2017.pdf>.

¹²² Center for Refugees of Lebanon (CRL), *Health care system review*, at: <http://sites.tufts.edu/exglobalhealth01/deliverables/health-evidence/>.

¹²³ Walid Ammar, Ola Kdouh, Rawan Hammoud, Randa Hamadeh, Hilda Harb, Zeina Ammar, Rifat Atun, David Christiani and Pierre A. Zalloua, *Health system resilience: Lebanon and the Syrian refugee crisis*, at *Journal of Global Health*, Vol. 6, No. 2, 2016, at: <https://www.moph.gov.lb/userfiles/files/Health%20system%20resilience%20Lebanon%20and%20the%20Syrian%20refugee%20crisis%20journal%20global%20health%202016.pdf>.

¹²⁴ European Training Foundation, *Labour market and employment policy in Lebanon*, 2015, at: [http://www.etf.europa.eu/webatt.nsf/0/33A1850E6A358308C1257DFF005942FE/\\$file/Employment%20policies_Lebanon.pdf](http://www.etf.europa.eu/webatt.nsf/0/33A1850E6A358308C1257DFF005942FE/$file/Employment%20policies_Lebanon.pdf).

¹²⁵ Republic of Lebanon, *Lebanese Criminal Code*, 1943, at UNODC: https://www.unodc.org/res/cld/document/lebanon-penal-code.html/Lebanon_Penal_Code_1943.pdf Selected articles available in English at Special Tribunal for Lebanon: <https://www.stl-tsl.org/en/documents/relevant-law-and-case-law/applicable-lebanese-law/339-selected-articles-lebanese-criminal-code>.

in 2011, the Parliament adopted Act No. 164 on punishment of the crime of trafficking in persons to combat human trafficking and to guarantee the protection of victims of trafficking.¹²⁶ Nevertheless, UN human rights bodies and mechanisms have urged “clear provision in the State party’s legislation to ensure that the prohibition against torture is absolute and non-derogable,”¹²⁷ and raised concerns about the law against human trafficking since “it criminalizes victims (...) who are frequently arrested, detained and deported without adequate protection and assistance.”¹²⁸

Concerning the security agencies, Lebanese security agencies and forces fall under the aegis of the Ministry of Defense, as in the case of the Lebanese Armed Forces and Intelligence Directorate, the Republican Guard Brigade. The Ministry of Interior and Municipalities oversees the Internal Security Forces, Prime Minister Guards Brigade, Parliamentary Speaker Guards Brigade, General Directorate of General Security, Airport Public Security Agency and the Central Directorate for



Figure 11. Checkpoint in Beirut. Source: *The Daily Star* (Lebanon).

Drug Control. According to the Municipal Law, the municipal police remain subject to the local authority of the local mayor. The municipal police does not include a judiciary police, and its work is often limited to paperwork and administrative regulation.

Concerning the judiciary police, the Internal Security Forces (ISF) is authorized to carry out forensic investigations and relay information to the public prosecutor. This fact has been criticized often, since the ISF allows individuals with very low educational levels to serve, meaning that people with little education, are allowed to perform judiciary investigations, often leading to the arrest of innocents.

The main challenges of the security forces in Lebanon have been identified as limited freedom of the leadership to recruit because of sect and sectarian-balance criteria, multiplicity and overlapping commands in each sector, corruption, bribery and dependency, low educational and skill levels, and lack of judicial and political oversight over the work of security agencies.¹²⁹ These challenges coincide with the perception expressed in some studies that consider gendarmerie forces corrupt, violent and resorting to illegal methods, while protected and rendered immune by the state.¹³⁰

Another armed force in Lebanon that cannot be neglected is Hezbollah, the armed forces of Shi'a community, exempt from the disarming and disbanding applied to other factional forces after the Civil War. The presence of the dual (national and sectarian) military forces compounds sectarian and political balance and the state control over the security sector.¹³¹ Concerning the perception of armed forces,

¹²⁶ CEDaW, *op. cit.*, para. 4.

¹²⁷ Committee against Torture, *Lebanon Concluding Observations*, May 2017, at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CAT%2fC%2fLBN%2fCO%2f1&Lang=en

¹²⁸ CEDaW, *op. cit.*, para. 29.

¹²⁹ Amine Saliba, *The Security Sector in Lebanon: Jurisdiction and Organization*, 2013, at: http://carnegieendowment.org/files/Security_Sector_in_Lebanon2.pdf.

¹³⁰ Lebanon Support, *Conflict Analysis Digest*, August 2015, at: http://civilsociety-centre.org/sites/default/files/resources/ls-cad-aug2015-matn_0.pdf.

¹³¹ Yezid Sayigh, “Fixing Broken Windows”: *Security Sector Reform in Palestine, Lebanon, and Yemen*, 2009, at: http://carnegieendowment.org/files/security_sector_reform.pdf.

despite the challenges and criticism, the Lebanese Armed Forces seems to be the only national state institution benefiting from widespread legitimacy across confessional groups, and indications are that most Lebanese citizens would turn to state security institutions in case of crime.¹³²

The Law No. 14310 (1949) placed the prisons in Lebanon under ISF administration through the regional and Beirut police. Hence, ISF both guards and administrates prisons. In its turn, women's prisons are administered by female guards appointed by the ISF General Directorate. A decree passing the administration of the prisons to the Prison Administration has been prepared, but not yet approved.¹³³

There are 22 prisons (21 for adults, and 1 for juveniles at Roumieh [Rūmiyyah] Prison) distributed across the Lebanese territory. One immigration detention facility is located in Beirut, which is used for so-called "administrative detention." Most of the prisons house detainees, hence pre-trial detainees and remand prisoners, along with sentenced convicts. In fact, 59% of the prison population is incarcerated pre-trial or in remand, awaiting a trial or sentencing that can take up to 2 or 3 years, which poses serious concerns on human rights.

As per the official statistics, the total prisoner population in Lebanon is 6,500 persons, much higher than the official capacity of the prison system of 3,500. The occupancy level of 187% of capacity makes prison overcrowding a major concern in Lebanon.¹³⁴

While Lebanon employs "administrative detention" for non-citizens in irregular status, Lebanese law does not seem to provide a specific basis or procedures for the practice. The only unambiguous ground provided in law that can lead to the administrative detention of a non-citizen is threat to national security or public safety.

However, according to Article 18 of the *Law of Entry and Exit*, the director general of General Security is authorized to detain a foreigner with approval of the public prosecutor until his/her deportation. A removal order can be issued to a non-citizen on the grounds that his/her continued presence is a threat to general safety and security (Article 17).¹³⁵ There is no established maximum limit on the duration of administrative detention; however, cases include those of migrants have been detained for years.¹³⁶

The law also provides specific criminal penalties for immigration-status related violations. Foreign nationals who are charged with criminal violations stemming from their status can face three distinct stages of incarceration: pre-trial detention (66% of all detainees in the country are in pre-trial detention,¹³⁷ including nationals and foreigners), criminal incarceration upon conviction,¹³⁸ and administrative detention while awaiting removal from the country after the completion of criminal sentences.¹³⁹

According to the Criminal Procedure Code, detention prior to a hearing before a magistrate should not exceed 48 hours, which is renewable once (Article 47).¹⁴⁰ However, rights groups claim that police do

¹³² Mourad and Piron, *op. cit.*

¹³³ Sayigh, *op. cit.*

¹³⁴ World Prison Brief, *Overview of Lebanon*, 2016, at: <http://www.prisonstudies.org/country/lebanon>.

¹³⁵ Law of 10 July 1962 concerning the entry and stay in Lebanon as well as the exit, at:

<http://www.ilo.org/dyn/natlex/docs/SERIAL/39234/97115/F1369890137/LBN-39234.pdf>.

¹³⁶ Lebanese Centre for Human Rights (CLDH), *Prisons in Lebanon: Humanitarian & Legal Concerns*, Beirut, 2010, at: www.cldh-lebanon.org.

¹³⁷ *Ibid.*

¹³⁸ Seta Hadesian, *Global Detention Project Questionnaire*, cited in Global Detention Project, *Lebanon Immigration Detention Profile*, at: <https://www.globaldetentionproject.org/countries/middle-east/lebanon>.

¹³⁹ Human Rights Watch (HRW), *Rot Here or Die There, Bleak Choices for Iraqi Refugees in Lebanon*, 4 November 2007, Vol. 19, No. 8(E), at: <http://www.refworld.org/country,,HRW,,IRQ,,47565c202,0.html>; Frontiers Ruwad and AJEM 2013.

¹⁴⁰ Republic of Lebanon, *New Code of Criminal Procedure, Act No. 328 of 7 August 2001, as amended by Act No. 359 of 16 August 2001*, 2001, at:

not always respect these limits and that migrants are detained for unauthorized entry or presence in the country for an average initial period of 16 days.

In 2013, foreign prisoners represented nearly 40% of the total of Lebanon's prisoners, and the Syrian incarcerated population represented 30% of the total. Currently, the numbers and proportions could be higher.¹⁴¹ The prisons include foreigners who have been prosecuted for their immigration status, such as irregular entry or stay, escaping from an employer, falsification of documents or theft, even though some advocate that most of the complaints of theft filed by the employers are false. Among incarcerated women, migrant workers at times have been reported to comprise by more than 50% of the women prisoner population in Lebanon.¹⁴²

The Lebanese Penal code punishes by up to six months imprisonment any breach to judicial or administrative deportation measure, considering that most of the Syrians in Lebanon are not recognized refugees with great difficulties to go back to their homeland, these criminal provisions are questionable.



Figure 12. Roumieh prison in Beirut. Source: *The Daily Star*.

Numerous Lebanese human rights organizations and international mechanisms have been raising their concerns on human rights of migrants and refugees particularly related to detention processes and conditions of detention, reporting of ill treatment by security forces during arrest and incarceration, arbitrary detentions and lack of procedural guarantees. Poor conditions in prisons, such as overcrowding and ill treatment, are the reason of several prisoners' mutinies in several prisons. Even though there is no law

according NGOs the right to visit the prisons, few local organizations, such as Association of Justice and Mercy (AJEM) and the Restart Center have yearly permits that allow them to visit and monitor the prisons with some restrictions and to provide services and support to incarcerated persons.¹⁴³ Moreover, the International Committee of the Red Cross (ICRC) has a Memorandum of Understanding (MoU) with the Lebanese authorities, allowing them to visit Lebanese prisons and monitor human rights compliance.¹⁴⁴

Incidences of Syrian nationals in the Lebanese justice system for 2015 show that the majority of charges brought against them have been for residency violation. Second among the alleged offenses were related to forged documents, which also may relate to their refugee and displacement status. The lack or loss of civil documentation has been shown to afflict as many as 70% of all Syrian displaced persons, both inside Syrian and those refugees fleeing across borders.

<http://www.icla.up.ac.za/images/un/use-of-force/asia-pacific/Lebanon/Criminal%20Procedure%20Code%20Lebanon%202001.pdf>.

¹⁴¹ Emma Humphris, *Speaking Out for Foreigners in Lebanese Prisons, Border Criminologies* (2016), at:

<https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2016/03/speaking-out-0>.

¹⁴² Global Detention Project, *Lebanon Immigration Detention*, 2014, at:

<https://www.globaldetentionproject.org/countries/middle-east/lebanon>.

¹⁴³ EU, AJEM and Restart Center, *Summary of the Joint Monitoring Report for Lebanese places of detention during 2014*, 2014, at:

<http://restartcenter.com/restartcenter/admin/upload/reports/335781Joint%20Monitoring%20Report%20for%20Lebanese%20places%20of%20detention%20during%202014.pdf>

¹⁴⁴ Global Detention Project, *op. cit.*

The following table summarizes the distribution of charges against Syrian nationals in the Lebanese criminal justice system in 2015:

Court Cases against Syrian Nationals in Lebanon for Criminal Matters		
Type of Charge	# of Cases	Percentage
Residency violations: illegal residency/Entry	263	32.6%
Fraud: forged documents/ counterfeiting money/fraud/trade in stolen goods	166	20.6%
Robbery: robbery/breaking and entering	163	20.2%
Drugs: abuse/smuggling /	116	14.4%
Illegal possession of weapons	59	7.3%
Violence: murder/attempted/murder/rape/manslaughter/kidnapping/common crimes/armed gangs	55	6.8%
Violating Regulations	38	4.7%
Others: assault/prostitution/selling without license/begging/threats/resisting arrest	68	8.4%

Source: Karim El Mufti, “Access to Justice for Syrian Refugees in Lebanon - Legal Field Study: A Survey of Court Cases against Syrian Nationals in Lebanon for Criminal Matters,” November 2015.

In general terms, Lebanon is considered moderate crime-risk country, being the common threats low-level criminal activities, such as burglary, petty theft and street crimes. Recent years have seen a slight decrease in all crime categories. Concerning violent crimes, such as homicides and violent assaults, the rates seem to remain stable or have a slight decline.

Even though, sexual violence and violence against women seem to be frequent in the country, and particularly affecting refugee girls and women, no official statistics exist and often these crimes are not reported to the police.¹⁴⁵ In fact, criminal activity tied to drug use and narcotics distributions seems to be the only crimes that saw an increase in the last years.¹⁴⁶

Concerning terrorist attacks and bombing, several designated terrorist organizations remain active and operate in Lebanon, including Jabhat al-Nusra and ISIS. Terror attacks have caused numerous victims in the past and recent history of Lebanon and have threatened social peace in the country.

Food Security and Sovereignty

As noted above, Article 7 of the Lebanese Constitution reflects the indivisibility of all categories of human rights. Moreover, in a commitment of international cooperation, the State of Lebanon has adopted the Sustainable Development Goals (SDGs), which include SDG 2: “End hunger, achieve food security and improve nutrition, and promote sustainable agriculture.”¹⁴⁷ Lebanon is considered one of the countries with middle range food security, facing difficulties to implement the normative content of the human right to adequate food and nutrition,¹⁴⁸ by which the state guarantees food availability,

¹⁴⁵ UN-Women, *Global Database on Violence against Women*, 2017, at:

<http://evaw-global-database.unwomen.org/en/countries/asia/lebanon>.

¹⁴⁶ US Bureau of Diplomatic Security, *Lebanon 2017 Crime & Safety Report*, 2017, at:

<https://www.osac.gov/pages/ContentReportDetails.aspx?cid=21338>.

¹⁴⁷ UNDP, *The Sustainable Development Goals 2017: Lebanon’s Report*, Beirut, April 2017, at:

<http://www.lb.undp.org/content/lebanon/en/home/library/sdg/the-sustainable-development-goals-2017--lebanons-report-.html>.

¹⁴⁸ WFP, *Lebanon Country Strategic Plan (2018–2020)*, WFP/EB.A/2017/8-A/2, Rome, June 2017, at:

<http://documents.wfp.org/stellent/groups/public/documents/eb/wfp291589.pdf>.

accessibility, security, sustainability, meeting dietary needs, free from adverse substances, and cultural and consumer acceptability.¹⁴⁹

In Lebanon, agriculture has fallen from the 23% of economic output at the end of the Civil War to only about 4% nowadays.¹⁵⁰ The Lebanese government issued the Food Safety Law No. 35 in 2015, but as with many laws, no sufficient institutional capacity or resource allocation exists to enable its implementation. The Law envisages the creation of the Food Safety Lebanese Committee (FSLC) as the responsible entity to monitor and activate food safety procedures. Nevertheless, the decree to create the Committee has not been issued yet.¹⁵¹

Agriculture policies and practices need much improvement and proper implementation to fulfill the human right to food and nutrition for people in Lebanon. Currently, Lebanon's food resources are mismanaged, and population increases and water scarcity jeopardize food production and future food security and sovereignty without proper national policies and mechanisms.



Figure 13: Market in Ashrafiyyah, Beirut. Source: Jenny Gkiougki.

Agriculture is nonetheless an important sector in Lebanon, with 60% of the population relying directly or indirectly on agricultural activities. Even though around 37% of land in Lebanon can be cultivated, the current agricultural area is estimated to be just 231,000 hectares (10% of Lebanese land), with only half of that irrigated. Moreover, concerns about sustainability and efficiency of water use in agriculture are prevalent and arise frequently. Seed diversity is greatly limited, while farm holdings remain relatively small and fragmented. Also, 49% of Lebanese reportedly worry about their ability to access enough food, and 31% of them state that they were unable to eat healthy and nutritious food over the course of a year. The statistics related to food security in Lebanon, especially after the flow of Syrian refugees, raises alarm.¹⁵²

In 2014, Lebanon's total cereal production was estimated at 177,000 MT, similar to the previous year and the five-year average. However, the domestic cereal production covers, on average, only 17% of the consumption needs, and the country depends heavily on cereal imports.¹⁵³ That means that Lebanon depends on the importation of the very foods that it consumes the most (i.e., bread and other cereals), and their external sourcing subjects them to price shocks that put affordability at risk.

Lebanon food exports are equivalent to only 16.5% of its food imports. In fact, more than 50% of food is imported, despite a reasonably sufficient local supply of food. Therefore, to achieve food security of the

¹⁴⁹ CESCR, General comment No. 12: The right to adequate food (art. 11), E/C.12/1999/5 (1999), paras. 7–13, at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/1999/5&Lang=en; FAO, *The right to food within the international framework of human rights and country constitutions*, No. 1 right to food handbooks Rome, 2014, at: <http://www.fao.org/3/a-i3448e.pdf>.

¹⁵⁰ UN-ESCWA, *Strategic Review of Food and Nutrition Security in Lebanon*, May 2016, pp. 11 and 31, at: <https://www.wfp.org/content/strategic-review-food-and-nutrition-security-lebanon>.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ FAO, *Plan of Action for Resilient Livelihoods 2014–2018—Lebanon: Addressing the Impact of the Syria Crisis & Food Security Response and Stabilization of Rural Livelihoods*, May 2014, at: <http://www.fao.org/emergencies/resources/documents/resources-detail/en/c/247804/>.

lower-income population, Lebanon would have to protect their purchasing capacity consistent with greater food sovereignty for the country as a whole, ensuring price stability by limiting dependence upon external markets.¹⁵⁴

Affordability of food depends on economic capacity of the consumers. However, the economic situation of Lebanon is unstable for much of the population. The rising unemployment among Lebanese and the influx of Syrian refugees increasing the force labor by 50% clearly set the conditions for even higher unemployment and lower wages in the labor market.¹⁵⁵

The lower-income households, especially those living in the poor neighborhoods, are at risk and vulnerable to inflationary trends in food items. The hazard is particularly acute for the families that are not supported by state assistance or local charities, or have access to remittances to cover the costs of basic needs. The poverty line of the Lebanese citizens has reached 32%, and 71% of Syrian refugees do not meet the basic needs of food and nutrition.¹⁵⁶ The food insecurity of displaced Syrians deepened between 2013 and 2014, from 66% of households' food insecure to 75%. From those, 62% were identified as being mildly food insecure, 12% as moderately food insecure and 0.4% as severely food insecure. Only 11% of Syrian refugees were food secure in 2015, and that percentage had fallen from the 32% in 2013.¹⁵⁷ In this context, WFP reduced its monthly food tokens for refugees from US\$30 to US\$13 per person each month as of July 2015.

Hundreds of thousands of Lebanese citizens living under the poverty line and more than one million refugees are food insecure. Food security in Lebanon will be further imperiled if a price shock reaches the same rates of 2007 and 2008. That scenario would have devastating repercussions on food security for all of the State of Lebanon's inhabitants, but disproportionately more for the many poor households, including refugees and displaced persons.

Gender Equality and Women's Rights

The Lebanese Constitution does not provide for explicit gender equality between men and women nor mentions women rights. Nevertheless, its preamble pledges respect for social justice and equality of rights and duties among all citizens without discrimination, affirming that all Lebanese shall be equal before the law, enjoying equally civil and political rights.¹⁵⁸

Since Lebanon does not have a unified civil code, the country relies upon 15 separate laws on personal status for the various religious communities and separate religious courts and procedures. This fact establishes diverse rights and duties concerning marriage, divorce and child custody, among others, and hampers civil marriage.

In recent years Lebanon has taken relevant legislative measures to reduce gender inequality and to protect women rights, mainly relating to inheritance duties, tax benefits and criminal offenses. The Lebanese Parliament established the Woman and Child Parliamentary Committee in 2011. In that year, Parliament adopted specific laws on crimes particularly affecting women such as the Law No. 164, punishing the crime of trafficking in persons. In 2014, Parliament adopted Law No. 293 on the protection

¹⁵⁴ Nouhad Awwad, *Food Security in Lebanon*, EcoMENA-Echoing Sustainability in MENA, March 2017, at: <http://www.ecomena.org/food-security-in-lebanon/>.

¹⁵⁵ ILO, *Assessment of the impact of Syrian refugees in Lebanon and their employment profile*, Beirut, 2014, at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_240134.pdf.

¹⁵⁶ Republic of Lebanon and United Nations, *op. cit.*

¹⁵⁷ FAO, *Overview of Food Security Situation in Lebanon*, Regional Food Security Analysis Network, July 2015, at: <http://www.fao.org/3/a-az721e.pdf>.

¹⁵⁸ Republic of Lebanon, *The Lebanese Constitution*, *op. cit.*, Article 7.

of women and other family members from domestic violence in 2014,¹⁵⁹ even deficiencies in its formulation and implementation have been criticized.¹⁶⁰

Within the executive branch, the only ministry dealing directly with women and gender issues is MoSA. That Ministry is in charge of planning and implementing programs related to women and gender issues, mainly addressing topics related to women's political participation and governance, women's economic and social empowerment and women in vulnerable situations such as women actually or potentially suffering from violence and women prisoners.

Shelter for women victims of domestic violence includes intake; accommodation; health and medical care; social, psychological and occupational rehabilitation programs; and preparation for integration in society. GoL externalizes these services through annual contracts to nongovernmental organizations. Greater Beirut has five admission centers and one outpatient center in Mount Lebanon, and two centers in Beirut for the outpatient care and rehabilitation of male and female drug addicts.¹⁶¹



Figure 14: Women's Day (8 March 2012) demonstration in Beirut under the slogan: "Toward the achievement of full equality and citizenship for women." Source: Alexandra Karlsdotter Stenström/Kvinna till Kvinna Foundation.

Lebanon established the National Commission for Lebanese Women (NCLW) in 1998 as the official institution affiliated to the Presidency of the Council of Ministers with the direct mandate to promote women's rights in Lebanese society and enhance gender mainstreaming in public institutions. The NCLW is establishing a network of Focal Points on gender in the ministries and public administrations, and intends to institutionalize these network relations to coordinate national efforts toward gender equality. Following the 1996 National Strategy for Women's Affairs, the NCLW developed, jointly with the United Nations Fund for Population, the National Strategy for Women in Lebanon 2011–21¹⁶² and its biannual National Action Plans.

The NCLW has set 12 strategic objectives aimed at: (1) legislation and regulatory framework; (2) education; (3) health and reproductive health; (4) poverty eradication; (5) economic participation; (6) political participation; (7) violence against women; (8) media and culture; (9) environment; (10) institution building; (11) situations of emergency, armed conflict, war and natural disaster; and (12) gender mainstreaming. Even though the National Strategy was developed with little participation of

¹⁵⁹ Lebanese Republic National Assembly, *The National Action Plan for Human Rights in Lebanon 2014–2019*, Beirut, 2013, p. 113, at: http://www.lb.undp.org/content/lebanon/en/home/library/democratic_governance/national-human-rights-action-plan--2014-2019--.html.

¹⁶⁰ CEDaW, *op. cit.*, paras. 27–28.

¹⁶¹ Republic of Lebanon, *List of issues and questions in relation to the combined fourth and fifth periodic reports of Lebanon Addendum Replies of Lebanon*, CEDAW/C/LBN/Q/4-5/Add.1, 2015, at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fc%2flBN%2fQ%2f4-5%2fAdd.1&Lang=en.

¹⁶² NCLW, *National Strategy for Women in Lebanon 2011–2021*, Beirut 2011, at: <http://nclw-applications.com/pdf/National%20Strategie.pdf>.

local authorities and municipalities, the 2017–19 Action Plan assigns various responsibilities to them, mainly concerning disease prevention and health services, raising awareness on violence against women, activating women’s roles in environmental decision making and programming, building women’s capacity to participate in economic activities, and taking preventive measures in armed conflicts and natural disasters.¹⁶³

Nevertheless, the 2017–19 Action Plan does not mainstream all public administrations throughout the document and does not mention municipalities specifically when planning gender mainstreaming through the network of focal points. Hence, it is difficult to assess the actual involvement, implementation and coordination of the plan in the local administration sphere. Some municipalities do have women committees to address women’s rights and gender equality. In the case of Beirut, the Municipality of Beirut maintains a committee addressing women rights within the Municipal Councils.

As the Parliament-drafted National Action Plan for Human Rights in Lebanon states, even though Lebanon made relevant advances toward gender equality and fulfilment of women rights, difficulties and challenges remain. Women in Lebanon generally still face discrimination in the legal, cultural, educational, behavioral, social and media spheres.¹⁶⁴ For instance, as noted, Lebanese women may not transmit their Lebanese nationality to their children, only Lebanese men are empowered to do so under Lebanese law.

The resilience of some customs, traditions and stereotypes hampers both formal and substantive gender equality.¹⁶⁵ Women remain highly underrepresented in the decision making process and political positions, as well as in senior positions in the private and public sector.¹⁶⁶ This imbalance persists despite numerous campaigns to promote women’s political participation in Lebanon, which ratio remains one of the lowest in the bottom-ranked Middle East/North Africa (MENA) region,¹⁶⁷ representing 4 seats out of 128 at the Parliament.¹⁶⁸ In the local elections of 2016, women won three seats out of 24 on the Beirut Municipal Council, and three of the 12 *mukhtārs* in Beirut are now women, which is considered to be a low rate in comparison of other areas of Lebanon.¹⁶⁹

Finally, the Lebanese legislation framework remains protective of gender unequal provisions. Upon ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1997, the state party issued reservations to women’s equal rights with regard to nationality, marriage and the rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children.¹⁷⁰ Accordingly, Lebanon’s sectarian governance affects its treaty performance and civic behavior, as reflected in the lack of unified civil and personal status laws.¹⁷¹

¹⁶³ NCLW, *National Action Plan 2017–2019*, Beirut, 2016, at: <http://nclw.org.lb/wp-content/uploads/2017/06/Women-National-Action-Plan-Lebanon-2017-2019-English-Final.pdf>.

¹⁶⁴ CEDaW, *op. cit.*

¹⁶⁵ UN Women and Promundo-US, *Understanding Masculinities: Results from the International Men and Gender Equality Survey (IMAGES) – Middle East and North Africa: Egypt, Lebanon, Morocco, and Palestine* (Cairo and Washington: UN Women and Promundo-US, 2017), at: <https://imagesmena.org/wp-content/uploads/sites/5/2017/05/IMAGES-MENA-Executive-Summary-EN-16May2017-web.pdf>.

¹⁶⁶ World Bank, *The Status and Progress of Women in North Africa and the Middle East* (Washington: World Bank, 2008), at: http://siteresources.worldbank.org/INTMENA/Resources/MENA_Gender_Compedium-2009-1.pdf.

¹⁶⁷ *Ibid.*

¹⁶⁸ Business and Strategies in Europe, *Gender profiles of the neighbourhood countries – Lebanon*, Beirut, 2015, at: http://eeas.europa.eu/archives/delegations/lebanon/documents/related_links/20150713_1_en.pdf.

¹⁶⁹ UNDP, *Women in Municipal Elections 2016*, 2016, at: http://www.lebanon-elections.org/Modules/Document/UploadFile/8992_10,08,YYWomen%20in%20Municipal%20Elections%202016%20-%20Key%20Results.pdf.

¹⁷⁰ “The Government of the Lebanese Republic enters reservations regarding Article 9 (2), and Article 16 (1) (c) (d) (f) and (g) (regarding the right to choose a family name). In accordance with paragraph 2 of Article 29, the Government of the

Migrants, Refugees and Displaced

The State of Lebanon has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, nor has it ratified the 1951 Refugee Convention or the international conventions on stateless persons and reducing statelessness. However, Lebanon did ratify the Arab Convention on Regulating Status of Refugees in the Arab Countries of the League of Arab States (LAS). Nevertheless, the LAS Convention omits human rights, protection and provision of assistance, focusing rather on the state's regulation of refugees and displaced.¹⁷² In fact, officially Lebanon does not consider Syrian as refugees, but as displaced population, and the Law of 1962 regulating the entry into, stay in and exit from Lebanon does not distinguish between asylum seekers, refugees and migrants.¹⁷³

Hence, Lebanon has not adopted any domestic legislation concerning the status of refugees. In fact, refugee status is currently determined by the MoU signed in 2003 between Lebanon and the UNHCR.¹⁷⁴

The UNHCR is in charge of registering refugees in the Lebanese territory. Registration is voluntary, but the UNHCR normally provides and coordinates international assistance only to those registered refugees. The aid consists mainly in basic supplies and food purchasing coupons and support in the areas of health and education. Refugees from Syria could enter Lebanon without restrictions until January 2015, and the registration of displaced Syrians began in January 2012 and suspended new registrations as per GoL instructions in May 2015. The highest influx occurred in 2013, with the number of displaced Syrians reaching around 1,200,000 by end of 2014. The last UNHCR registration-based count of displaced Syrians was 1,075,637 in October 2015.¹⁷⁵

Syrian refugees may register in NGOs centers and municipalities, which does not entitle access to UNHCR aid.¹⁷⁶ The registration systems have been not homogenized, hindering fair distribution of aid.

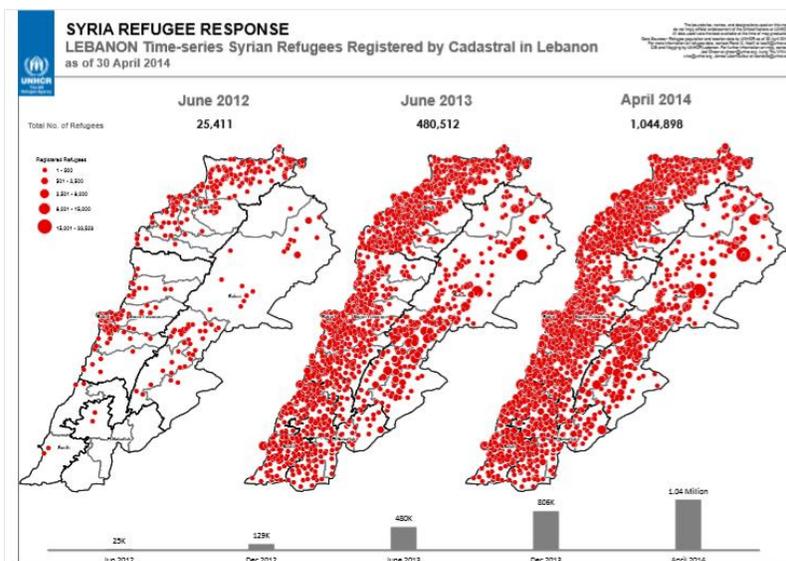


Figure 15: Time-series Syrian refugees registered by cadastral in Lebanon.
Source: UNHCR.

Lebanese Republic declares that it does not consider itself bound by the provisions of paragraph 1 of that article.” UNWomen, “Declarations, Reservations and Objections to CEDAW: Lebanon,” at:

<http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>.

¹⁷¹ Lebanese Republic National Assembly, UNDP and OHCHR, *op. cit.*

¹⁷² League of Arab States, *Arab Convention on Regulating Status of Refugees in the Arab Countries*, 1994, at:

<http://www.refworld.org/docid/4dd5123f2.html>.

¹⁷³ MOE, EU and UNDP, *Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions*, September 2014, at: <http://www.lb.undp.org/content/dam/lebanon/docs/Energy%20and%20Environment/Publications/EASC-WEB.pdf>.

¹⁷⁴ Memorandum of Understanding between the General Directorate of the General Security and the Regional Office of UNHCR regarding the treatment of persons seeking asylum with UNHCR office in Lebanon, Decree Number 11262 of 30 October 2003, *The Official Gazette of the Republic of Lebanon* 52, 13 November 2003.

¹⁷⁵ MoPH, *Health Strategic Plan for the medium term (2016 to 2020)*, Beirut, December 2016, at:

<https://www.moph.gov.lb/userfiles/files/%D9%90Announcement/Final-StrategicPlanHealth2017.pdf>.

¹⁷⁶ UCLG, *Syrian refugee crisis: Municipalities on the frontline*, Barcelona, 2013, p. 31, at:

Furthermore, some people prefer not to register, or do not have the necessary civil documentation to do so, further hindering the credibility of refugee numbers. According to 2016 GoL estimates, Lebanon hosted 1.5 million Syrian refugees, including 1 million registered with UNHCR.¹⁷⁷ In 2016, over 504,000 Palestine Refugees were registered by UNRWA in Lebanon, including about 42,000 Palestinians refugees from Syria. Moreover, Lebanon had 209,674 legally registered foreign workers in 2015, mainly from Ethiopia, Bangladesh and Philippines. However, other unregistered foreign workers come from Egypt, Sudan and other countries of the region.¹⁷⁸

In October 2014, the new Labor Law and other measures such as the residency-renewal fees and entry conditions for Syrians aimed at limiting the influx of Syrian refugees by hardening their access to certain jobs and residence in the country. With time, with savings depleted and fewer employment opportunities, around 70% of Syrians in Lebanon live under the national poverty line of US\$4 a day, an increase from 49% in 2014.¹⁷⁹ In January 2015, new residency rules were introduced also, and Syrians were barred from entering Lebanon unless for certain purposes and on limited-duration visas. This situation is particularly aggravated for displaced persons who could not register their residence in Lebanon. They cannot access any official aid or service and are under permanent threat of being arrested, prosecuted and/or deported by various authorities.



Figure 16: Street scene Burj al-Barajneh Palestinian refugee camp in Beirut.
Source: HIC-HLRN.

The people under these circumstances are in a very vulnerable situation, without protection and at permanent risk of multiple abuses and rights violations. Studies estimate that around 200,000 Syrian and several thousands of refugees who arrived before 2003, mainly from Iraq, without permits or with expired permits, remain unregistered in Lebanon.

Dire also is the growing phenomenon of stateless children. Statistics and studies on birth registration have concluded that several tens of thousands of Syrian children in Lebanon are stateless, since parents did not register their birth out of fear of retaliation of Syria authorities and/or of being prosecuted by Lebanese authorities.

The counting of birth registration collapsed precisely when GoL ordered the suspension of new registration of refugees in 2015. That phenomenon demonstrates a direct link with the residency status of parents, since the new residency rules were implemented in January 2015 and the clear majority of Syrian refugees in Lebanon fell into irregularity. Statelessness and illegal residency status are high-risk factors that expose migrants, refugees and displaced persons in Lebanon to all kind of rights abuses and violations, such as physical, legal and judicial insecurity and vulnerability due to despotic behavior and other abuses of authority. Their precarious status denies them freedom of movement, poses difficulties to access basic services and risks workplace abuses, including slavery, human trafficking and sexual

<https://www.uclg.org/en/media/news/syrian-refugee-crisis-municipalities-frontline>.

¹⁷⁷ UNHCR, UNICEF and WFP, *op. cit.*

¹⁷⁸ Françoise De Bel Air, *Migration Profile: Lebanon*, for Migration Policy Centre of the European University Institute at Issue 2017/12, Florence, 2017, at: http://cadmus.eui.eu/bitstream/handle/1814/46504/RSCAS_PB_2017_12_MPC.pdf?sequence=1.

¹⁷⁹ *Ibid.*

exploitation. In fact, even Syrians with legal residency and refugee status can face these abuses as well.¹⁸⁰

Concerning migrant workers, the vast majority of permits (over 75%) are issued to women working in janitorial and domestic work, and the rest mainly in the agricultural and hospitality sector. Nevertheless, informal employment is very common in Lebanon. Considering the high rates of irregular residency and demand for irregular workers, some studies raise the total of female domestic workers up to 300,000, including the 154,773 registered.¹⁸¹



Figure 17: Demonstration on 18 July 2016 calling for an end to discrimination and arbitrary treatment of refugees in Beirut. Source: Joseph Eid/AFP.

The work-permit system is based on *kafala*, a contractual sponsorship arrangement, whereby foreign laborers must be sponsored by a resident in Lebanon to receive residency. The sponsor applies for a labor permit for a profession opened to non-Lebanese and pays a certain fee.¹⁸² In this system, migrant domestic workers are forced to remain in their employment, whatever happens. Their employers typically confiscate the workers' passports in order to prevent them from leaving the country. If they quit their job without the express permission from the employer and the government, they are classified as irregular migrants and exposed to detention and deportation.

In October 2014, the Ministry of Justice, via General Security, the national security agency overseeing immigration, issued a directive stating that Lebanese employers who bring in foreign domestic workers are responsible for ensuring that they may not have "any relationships whatsoever, be it marriage or otherwise." If they do, their employers are required to report them via a signed and notarized statement for immediate deportation.¹⁸³

Foreign workers in Lebanon generally lack many workers rights, including those guaranteed under treaties to which Lebanon is a party.¹⁸⁴ Foreign workers do not enjoy the right to form of join unions and access compensations or social security benefits. Although Lebanon is a party to most of the fundamental ILO Conventions, it has yet to ratify the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The poor conditions and myriad abuses endured by many migrant workers, particularly female domestic workers, have led Lebanese NGOs to raise awareness campaigns on the sponsorship system, which for many is a type of modern slavery.¹⁸⁵

A community particularly affected is the Palestinian refugees who, even though being born and having lived all their life in Lebanon, often for more than two generations, do not have the rights of Lebanese

¹⁸⁰ Mourad and Piron, *op. cit.*

¹⁸¹ De Bel Air, *op. cit.*, p. 10.

¹⁸² *Ibid.*

¹⁸³ Dorothy Parvaz, *Lebanon's immigrant domestic workers remain vulnerable to abuse*, for Al Jazeera America, 26 June 2015, at: <http://america.aljazeera.com/articles/2015/6/26/lebanons-migrant-domestic-workers-vulnerable-to-abuse.html>.

¹⁸⁴ Including ICESCR, as well as ILO Convention: Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

¹⁸⁵ Global Detention Project, *Submission to the Committee on the Elimination of Discrimination against Women (CEDAW)*, 2015, at: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LBN/INT_CEDAW_NGO_LBN_21844_E.pdf

citizens. This situation creates a second-class status and perpetuates poverty, exclusion and stigma.¹⁸⁶ Numerous obstacles prevent Palestine refugees' employment in the formal economy, including a ministerial decree that still bars them from access to the 36 professions. Within the past decade, Palestinian refugee workers have gained the rights to end-of-service and occupational accidents indemnities¹⁸⁷ and to claim compensation for dismissal.¹⁸⁸

Children, Youth and Education

The State of Lebanon has ratified the Convention on the Rights of the Child (CRC) and its Optional Protocols on children in armed conflict and on the sale of children, child prostitution and child pornography, as well as the International Convention against Discrimination in Education. The Constitution of Lebanon explicitly mentions education in Article 10, guaranteeing that:

Education shall be free insofar as it is not contrary to public order and morals and does not affect the dignity of any of the religions or sects. There shall be no violation of the right of religious communities to have their own schools, provided they follow the general rules issued by the state regulating public instruction.

The main legislative framework concerning education in Lebanon is the Decree No. 10227 (1997) on the general goals of pre-university public education curriculum, which raised the age of compulsory education to 15 years, and the Law No. 686 (1998) on compulsory primary education free of charge, even though its implementation depends on the issuance of further decrees. Decree No. 10227 responds to the need to build an advanced and integrated society and stipulates the will to develop or modify the education curriculum to develop useful and productive members in a free democratic society.¹⁸⁹ Even though Decree 10227 suggests revision of educational curriculum periodically every four years, it has not been updated since 2000, and schools still use textbooks published in the 1960s and 1970s.¹⁹⁰ Concerning the Law No. 686, with the exception of some exemption in primary education, public education is not free and is subject to annual fees. On some occasions, the High Relief Commission pays the annual fees or a specific law exempts registration fees for a specific year and education grade.¹⁹¹

Lebanon has one of the highest literacy rates in the Arab world at 93.9% (96.0% for males, 91.8% for females)¹⁹² and over 98% for youth.¹⁹³ This factor is largely due to a well-developed system of education. In the case of Lebanon, three different types of schools operate within the education system: public schools and universities, subsidized private schools and non-subsidized private schools and universities.

¹⁸⁶ CEDaW, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Lebanon*, CERD/C/LBN/CO/18-22, 5 October 2016, *op. cit.*, para. 7(e), at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD/C/LBN/CO/18-22&Lang=En. CESCR, *Concluding observations: Lebanon*, E/C.12/LBN/CO/2, 24 October 2016, paras. 25–26, at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/LBN/CO/2&Lang=En.

¹⁸⁷ Act No. 128 of 24 August 2010.

¹⁸⁸ Act No. 129 of 24 August 2010.

¹⁸⁹ Nizar Saghieh, *The National Youth Policy Document 2011–2016*, 2012, at:

http://www.unesco.org/fileadmin/MULTIMEDIA/FIELD/Beirut/images/SHS/Report_National_Youth_Policy.pdf.

¹⁹⁰ Nemer Frayha, *The Negative Face of the Lebanese Education System*, 2009, at:

<http://www.lebanonrenaissance.org/assets/Uploads/0-The-negative-face-of-the-Lebanese-education-system-by-Nmer-Frayha-2009.pdf>.

¹⁹¹ Saghieh, *op. cit.*

¹⁹² UNESCO Institute of Statistics (UIS) estimates based on the year 2015, in UNESCO-UIS, “Literacy Statistics Metadata Information Table,” Paris, September 2015, at: <http://www.uis.unesco.org/DataCentre/Excel/LITEA/Metadata%20on%20literacy%20-%20M%C3%A9tadonn%C3%A9s%20sur%20l%E2%80%99alphab%C3%A9tisme.xlsx>.

¹⁹³ UNICEF, *At Glance: Lebanon Statistics*, 2013, at: https://www.unicef.org/infobycountry/lebanon_statistics.html.

Those institutions offer four levels of education: primary (six years), intermediate (three years vocational or academic), secondary (three years for prospective teachers, vocational or academic) and higher education (variable years).

Above 80% of children attend primary school. Over 70% of boys and girls attend secondary school and, fluctuating, and more than 50% of men and women attend institutions of higher education.¹⁹⁴ The private sector dominates Lebanese education and often the number of students in non-subsidized private institutions is higher than the number of students in both subsidized and the public institutions.

Public schools mainly serve disadvantage communities with the lowest socioeconomic indicators and their quality varies considerably among regions, having fewer resources and lower quality in poorer regions.¹⁹⁵ Around 30% of Lebanese children attend public schools, which also has higher repetition rates, over-age students and lower academic outcomes.¹⁹⁶

The Lebanese education system plays an important role in social cohesion. In fact, the educational curricula and educational system have been considered for many a precursor of social and sectarian divisions.¹⁹⁷

After the civil war, and despite Ministry of Education efforts at promoting inter-community understanding and human rights education,¹⁹⁸ official sectarianism has prevented the emergence of new unified curriculum, history and religion being the main cause of opposition. Sectarian leaders always have advocated teaching history from their own perspective and, since their imposition of religious education in public school after the war, two separate textbooks for Christians and Muslims were created with no information about the other religion, refusing to create a common textbook based on common spiritual values.

Some studies have concluded that the language used in the respective textbooks was partisan and discriminatory toward other faiths; reference to the other religion was often pejorative and focused on dogma, discriminating also against different sects of the same religions. This can reflect political, economic and social power and interests, but indicates that sects in Lebanon have considered education as a mean of preserving and reproducing group identity. The State of Lebanon has not been able to build a strong public education system to compete with the private institutions supported by the sects. Even in education sector—otherwise one of Lebanon’s strengths—parochial interests prevail over the public interest, common citizenship and the very concept of the state.

Concerning refugees, education of Palestinian refugees is developed and provided in UNRWA facilities. Since 2012, Syrian refugee students have access to Lebanese public schools, and the Ministry of Education added a second shift to enable more children to attend to public school. Nevertheless, in 2016, only around an estimated 30% of refugee children attended formal public education, hence only a small part of Syrian refugee children are receiving education.¹⁹⁹

While social cohesion may be elusive among Lebanese communities, the presence of so many refugees and displaced Syrians in the country adds further strains on social cohesion. However, it has been found

¹⁹⁴ Frayha, *op. cit.*

¹⁹⁵ Mourad and Piron, *op. cit.*

¹⁹⁶ World Bank, *Promoting poverty reduction and shared prosperity*, 2016, at:

<http://documents.worldbank.org/curated/en/951911467995104328/pdf/103201-REPLACEMENT-PUBLIC-Lebanon-SCD-Le-Borgne-and-Jacobs-2016.pdf>.

¹⁹⁷ Hoda Baytiyeh, “Has the Educational System in Lebanon Contributed to the Growing Sectarian Divisions?,” *Education and Urban Society*, Vol. 49, Issue: 5 (1 June 2017), pp. 546–59, at: <http://journals.sagepub.com/doi/pdf/10.1177/0013124516645163>.

¹⁹⁸ Notably, the Lebanon Ministry of Education’s Centre for Educational Research and Development. “An Evaluation of Amnesty International Human Rights Education/Awareness in Middle East/North Africa Project, 1999–2002,” October 2002 [on file].

¹⁹⁹ De Bel Air, *op. cit.*

that the perceptions and relationships between students improve over time in mixed classes of Syrians and Lebanese together. While that change may have little impact on relationships beyond the school or the attitudes and relationships of other family and community members, the comradery in the classroom does seem to equip students with the ability to counter prevailing prejudice that could erupt between refugees and hosts.²⁰⁰

Certainly, the economic struggle and deprivation of the Syrian refugees' households does not support much its children schooling. In 2013, Lebanon developed the National Action Plan to Eliminate the Worst Forms of Child Labor in Lebanon by 2016, stating that "children from neighboring countries such as Syrian refugee children, Palestinian children, migrant children, street children and children from low-income families are particularly vulnerable to exploitative labor practices."²⁰¹ Refugees have become increasingly vulnerable to risks and abuses and many encounter child labor and forced early marriage.²⁰²

The State of Lebanon intended to regulate marriage of minors instead of prohibiting it, which has raised alarm among human rights organizations inside and outside the country. Several United Nations Human Rights mechanisms and bodies also registered their concern at the reported high instances of child marriage among Syrian refugee girls and rural girls, the lack of official data on that phenomenon and other relevant issues concerning human rights and the lack of data on the number of stateless persons in Lebanon. Also, due to legislation excluding women from transmitting their citizenship to their children, a significant number of children born to a non-Lebanese father and a Lebanese mother are potentially stateless, unable to access public schooling and other services, and, thus, barred from employment in the formal sector.²⁰³

People with Disabilities

Lebanon's Central Administration for Statistics (CAS) does not provide official statistics concerning people with disabilities in Lebanon. Nevertheless, the Lebanese Physical Handicapped Union has reported that persons with disability (PWD) represented 10% of the population in 2006. Hence, out of a population of 4 million, around 400,000 citizens suffer some degree of disability, relegating them to marginalization, exclusion and deprivation of basic rights.²⁰⁴

In April 2012, the Lebanese government adopted a youth policy that refers to the needs and rights of young persons with disability and the role of government to implement Law 220/2000 on disability in the country to protect their rights.²⁰⁵ The Lebanese law defines a disabled individual as a:

²⁰⁰ Zeina Abla and Muzna Al-Masri, *Better Together: The Impact of the Schooling System of Lebanese and Syrian Displaced Pupils on Social Stability*, International Alert, 2015, at: <https://data2.unhcr.org/en/documents/download/44275>.

²⁰¹ Ministry of Labor, *National Action Plan to Eliminate the Worst Forms of Child Labour in Lebanon by 2016*, 2013, at: http://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_229103.pdf.

²⁰² Regional Refugee and Resilience Plan (3RP), *3RP 2016–2017 Regional Strategic Overview*, 2015, at: <http://www.3rpsyriacrisis.org/wp-content/uploads/2015/12/3RP-Regional-Overview-2016-2017.pdf>.

²⁰³ World Bank, *The status and progress of women in the Middle East and North Africa*, Working Paper (Washington: World Bank, 2007), at: <http://documents.worldbank.org/curated/en/873011468299062424/The-status-and-progress-of-women-in-the-Middle-East-and-North-Africa>.

²⁰⁴ Lebanese Physical Handicapped Union, Youth Association of the Blind, Lebanese Association for Self-Advocacy, Palestinian Disability Forum, Darb El-Wafaa Association for PWD, The Lebanese Down Syndrome Association, The Association of Visually Impaired People Lebanon and The Youth Friendship Club, *A common presentation by several PWD Associations*, Universal Periodic Review, 10th session, November 2015, at: https://www.upr-info.org/sites/default/files/document/lebanon/session_23_-_november_2015/js15_upr23_lbn_e_main.pdf.

²⁰⁵ UNESCO, *Social Inclusion of Young Persons with Disabilities (PWD) in Lebanon: Where do we stand and what should be done to promote their rights?* (Beirut: UNESCO, September 2013), at: http://www.unesco.org/fileadmin/MULTIMEDIA/FIELD/Beirut/images/SHS/Social_Inclusion_Young_Persons_with_Disabilities_Lebanon.pdf.

person whose capacity to perform one or more vital functions, independently secure his personal existential needs, participate in social activities on an equal basis with others, and live a personal and social life that is normal by existing social standards, is reduced or non-existent because of a partial or complete, permanent or temporary, bodily, sensory or intellectual functional loss or incapacity, that is the outcome of a congenital or acquired illness or from a pathological condition that has been prolonged beyond normal medical expectations...²⁰⁶

The State of Lebanon signed the United Nations Convention on the Rights of Persons with Disabilities on 14 June 2007, seven years after adopting the most important domestic law concerning people with disability. However, the state has not yet ratified or acceded to it.



Figure 18: Demonstration organized by the Lebanese Disability Rights Monitor. Source: @Lebanesedrm.

The Law 220/2000 strives to improve the livelihood conditions of people with disabilities in Lebanon and stresses the right to participation, advancing beyond the previous charity-based model of exclusion to a rights-based inclusive approach to disability issues. Nevertheless, Council of Ministries has not issued the necessary decrees to implement the Law.

The Law envisaged a governmental structure and mechanism responsible for relevant issues concerning people with disabilities, and a coordinating governmental structure of concerned ministries and municipalities to implement it. The National Council on Disability (NCoD) is responsible for supervising national plans to put Law 220/2000 into effect, but it has been criticized for being under de facto control of the Ministry of Social Affairs (MoSA), the government body responsible for executing NCoD decisions. Furthermore, NCoD has no budget allocation to meet the commitments concerning people with disabilities to access facilities and social services such as education, health and housing. Moreover, the ministries lack transparency, and public information concerning relevant policies on the matter is wanting.

Concerning health, no governmental medical institutions provide specialized services for PWDs nor available medical specialization on disabilities, and people with disabilities lack national medical coverage. The joint committee of the MoPH and the NCoD was formed in 2002, but it never fulfilled its mission due to structural problems and a lack of collaboration between ministries.

MoSA issued a disability card for hospitalization in 1990, but it is not respected at most governmental hospitals. Despite the creation of a Committee of Health, Rehabilitation and Support, it did not act nor convened any meetings. All these developments indicate a severe lack of commitment and political will to adequately implement the law.

²⁰⁶ Republic of Lebanon, Law 220/2000 on the Rights of Disabled People, Beirut, 2000, [Arabic] at: <http://www.lphu.com/article/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-2202000>.

Concerning PWD education, the Law establishes the right to education and sports (Articles 59–67). However, after 13 years since the adoption of the law, nothing has been to implement that right to PWDs. Meanwhile children and young people with disabilities spend their schooling years in institutions that function as boarding schools, still deprived from their right. Those institutions are not a part of the official educational system in Lebanon, and they are not monitored by the Ministry of Education. The Ministry of Education has taken only one step during the past four years by developing a strategic plan for the educational integration for PWDs. However, this plan was never submitted to the Cabinet for review and adoption, after the Ministry allocated a budget for its implementation.

In spite of the state's recognition of the right to work of PWDs, roughly 78% of the persons with disability in Lebanon are mostly unemployed, living in extreme poverty and suffering from social marginalization. The Law did not set up binding mechanisms or strategies to make the labor market and employment inclusive for PWDs, as with a quota system for hiring.²⁰⁷ The government failed to implement the law to open opportunities for the PWDs in both public and private sectors mainly because it omitted support for needed development of rehabilitation programs and training to enable the PWDs to perform the required jobs in the labor market.²⁰⁸

Law 220/2000 provides certain measures to facilitate participation of PWDs in elections, mainly facilitating access to balloting stations. However, in practical fact, most voting places in Lebanon are inaccessible for PWDs, whatever the nature of the election.

Refugees with disabilities are doubly stigmatized. Law 220/2000 does not mention or recognize Lebanon's 6,000 Palestinian refugees with disabilities, living in difficult economic conditions, deprived of most of their rights, and with an estimated unemployment rate of 90%. Also, the Syrian refugees with disabilities, who constitute more than 10% of Syrian refugees, are suffering in carrying out most simple daily life activities.

As the Syrian refugee population in Lebanon is dispersed throughout the country, often refugees with physical impairments are less likely to live in urban areas (23.5%) than in peri-urban and rural areas (33.8%), where even their shelters lack the minimum limits of safety and hygiene standards. This can be explained mainly by two factors: First, refugees tend to settle in areas similar to those they have left behind, meaning Syrian refugees from rural areas will settle in rural and peri-urban areas in Lebanon. Second, refugees who have grown up in rural areas with poor access to pre-natal services include higher numbers of people with impairments caused at birth.²⁰⁹

Refugees with disabilities face majestic challenges to secure an income to meet daily living expenses and reduce dependency on others. Any bureaucratic process is far more difficult in their circumstances, due to difficulties in physically reaching registration points because of the distance, lack of transport or cost of travel and a lack of information.²¹⁰ Moreover, humanitarian assistance is rarely inclusive for PWDs, injured and older refugees and those suffering from chronic diseases.

²⁰⁷ Lebanese Physical Handicapped Union, et al. *op. cit.*

²⁰⁸ UNESCO, *Social Inclusion of Young Persons with Disabilities*, *op. cit.*

²⁰⁹ Sally Gillam, *Hidden victims of the Syrian crisis: disabled, injured and older refugees* (London: Handicap International and Help Age International, 2014), p. 15, at: <http://www.helpage.org/download/537207495fe87>.

²¹⁰ Sylvana Lakkis, Georgia Nash, Nermine El-Sibai, and Eddie Thomas, *Lebanon: Disability and Access to Information* (London: Article 19, June 2015), at: <https://www.article19.org/data/files/medialibrary/37983/Disability-and-access-to-information-in-Lebanon,-31-May-2015,-English.pdf>.

International Cooperation and Solidarity

As this assessment explores how the global responsibility in the world's refugee and displacement crisis is discharged locally, it considers how the complementarity and cooperation across the respective roles of municipalities and local authorities, central government and the international system are essential to realize the human rights and protections guaranteed in international law and promised through the UN Development System.²¹¹ The interface of international cooperation and assistance with local communities, systems and authorities is a key factor in governance through any refugee and displacement crisis.

Multilateralism is indispensable to the asylum and protection regime, as provided in the 1951 Refugee Convention²¹² and international humanitarian law.²¹³ However, the Refugee Convention and its 1967 Protocol do not specify the nature or form of such cooperation, except for establishing the duty of states parties to provide relevant information.²¹⁴ Nor does the Convention specify the mandatory nature of international cooperation, or the mechanisms for its implementation. Those provisions are found in other instruments of international law.²¹⁵

²¹¹ "Transforming our world: the 2030 Agenda for Sustainable Development," A/RES/70/1, 21 October 2015, preamble, paras. 8, 10, 19, 20, 29, 35, at: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E; see Reports of the Secretary-General: "Implementing of General Assembly resolution 67/226 on the quadrennial comprehensive review of operational activities for development of the United Nations system," A/71/63–E/2016/8, 31 December 2015, para. 9, at: <https://undocs.org/A/71/63>; and "Repositioning of the United Nations development system to deliver on the 2030 Agenda," A/72/124–E/2018/3, 11 July 2017, paras. 2, 14, at: <https://undocs.org/A/72/124>.

²¹² Preambular paragraphs 4 and 6, as well as Article 35: Co-operation of the national authorities with the United Nations. Convention relating to the Status of Refugees, 28 July 1951, at: <http://www.refworld.org/docid/4ec4a7f02.html>.

²¹³ Fourth Geneva Convention, Articles 1, 9. See also Michel Veuthey, *The Humanitarian Network: Implementing Humanitarian Law through International Cooperation*, at Bulletin of Peace Proposals, Vol. 18, No. 2, 1987, at: <http://journals.sagepub.com/doi/pdf/10.1177/096701068701800205>.

²¹⁴ Articles 35 and 41 of the Convention, replicated also in the 1967 Protocol relating to the Status of Refugees, Articles 2 and 6, respectively.

²¹⁵ Article 1(3) of the UN Charter provides that achieving international cooperation in solving "international problems of an economic, social or humanitarian character" is among the overarching purposes of the United Nations. In the Charter, the Member States have pledged to "take joint and separate action in co-operation" to resolve international economic, social, and related problems. In Article 56 of the Charter of the United Nations, "All Members pledge themselves to take joint and separate action in cooperation with the Organization..." to achieve purposes set out in Article 55 of the Charter, including: "... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." Charter of the United Nations, 24 October 1945, 1 UNTS XVI, at: <http://www.refworld.org/docid/3ae6b3930.html>. Also in line with the Charter, the International Court of Justice (ICJ) has acknowledged the extraterritorial scope of core human rights treaties, in general, focusing on their object and purpose, legislative history and the lack of territorial limitation provisions in the text. *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 2004 I.C.J. 131 (9 July), paras. 109–112, at: <http://www.icj-cij.org/en/case/131>. More explicitly, common Article 1.2 of the Human Rights Covenants of 1966 refer to obligations arising from international cooperation, which provides: "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law..." ICESCR also cites international cooperation among the over-riding principles of implementation. Article 2.1 provides: "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures." International cooperation is cited with regard to specific rights to an adequate standard of living. Article 11.1 provides: "The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent." Article 11.2 provides: "The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed..." In connection with the human right to take part in cultural life and to enjoy the benefits of scientific progress and its applications, Article 15.4 provides: "The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts

However, the general principles of international law and the peremptory norms pertaining to refugees require all organs of the state to contribute to the protection of, and assistance to refugees and displaced persons, including the duty to refrain from recognition and/or cooperation with any party to the illegal situation that gives rise to them.²¹⁶

Although Lebanon is not a party to the 1951 Refugee Convention, its duty to provide protection, assistance and ensure decent living conditions for refugees arises from customary international law. Especially for small and developing states, normally this duty cannot be discharged without international cooperation and burden sharing.

In the meantime, all states, including their subnational governments and authorities, bear both an obligation and a right to seek international cooperation and assistance in support of their duties to respect, protect and fulfill the rights of refugees and displaced persons.²¹⁷ All states should engage in

and co-operation in the scientific and cultural fields.” The UN Committee on the Rights of the Child also has interpreted the extraterritorial obligations of States Parties under the Convention on the Rights of the Child. Committee on the Rights of the Child (CRC), General Comment No. 16 (2013) on State obligations regarding the impact of the business sector on children’s rights), CRC/C/GC/16, 17 April 2013, paras. 43–44, at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f16&Lang=en.

Another partial restatement of international law on the subject is found in the *Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights*, 2011, at:

http://www.etoconsortium.org/nc/en/main-navigation/library/maastricht-principles/?tx_drblob_pi1%5BdownloadUid%5D=23;

see also Olivier De Schutter, Asbjørn Eide, Ashfaq Khalfan, Marcos Orellana, Margot Salomon and Ian Seiderman, *Commentary to the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights (Commentary to Maastricht Principles)*, at Human Rights Quarterly, Vol. 34 2012, pp. 1084–1169, at:

https://www.jura.uni-bonn.de/fileadmin/Fachbereich_Rechtswissenschaft/Einrichtungen/Lehrstuehle/Herdegen/de_Wet/SoSe_2016_IWR_und_MR/35_Commentary.Maastricht.pdf;

and Magdalena Sepúlveda, *Obligations of ‘International Assistance and Cooperation’ in an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*, at Netherlands Quarterly of Human Rights, Vol. 24/2, 2006, pp. 271–303, at:

<http://heinonline.org/HOL/LandingPage?handle=hein.journals/nethqur39&div=21&id=&page=>;

²¹⁶ Ian Brownlie, “The Principle of Non-Recognition,” Chapter XXV, in Ian Brownlie, *International Law and the Use of Force by States* (Oxford: Oxford University Press, 1963); Martin Davidowicz, “The Obligation of Non-recognition of an Unlawful Situation,” in James Crawford, Allain Pellet and Simon Olleson, eds., Kate Parlett, asst. ed., *The Law of International Responsibility* (Oxford: Oxford University Press, 2010), pp. 677–86; John Dugard, *Recognition and the United Nations* (Cambridge: Cambridge University Press, 1987); Pierre Klein, *Responsibility for Serious Breaches of Obligations Deriving from Peremptory Norms of International Law and United Nations Law*, *European Journal of International Law*, Vol. 13, No. 5 (2002), at: <http://ejil.org/pdfs/13/5/1584.pdf>; Alison Pert, “The ‘Duty’ of Non-Recognition in Contemporary International Law: Issues and Uncertainties,” *Chinese (Taiwan) Yearbook of International Law and Affairs*, Vol. 30 (2012), 2014; Sydney Law School Research Paper No. 13/96, pp. 48–71.; Joseph Schechla, “Extraterritorial Human Rights Obligations of Local Government,” at: <http://www.hlm.org/img/documents/ETOs-LGs.pdf>; Joseph Schechla, “Local Authorities’ Extraterritorial Rights and Duties: Applying the Law and Political Will to Achieve Human Rights Locally, as well as Globally,” International Conference of Local Governments and Civil Society Organizations in Support of Palestinian Rights, Seville, 2–3 December 2014, at: <http://www.un.org/depts/dpa/qpal/docs/2014Seville/S1%20Joseph%20Schechla.pdf>; Stop the Wall, “Local Authorities in support of Palestinian rights” (guide), at: <https://www.stophthewall.org/sites/default/files/Guide%20for%20local%20authorities.pdf>; Stefan Talmon, “The Duty Not to ‘Recognize as Lawful’ a Situation Created by the Illegal Use of Force or Other Serious Breaches of a Jus Cogens Obligation: An Obligation without Real Substance?” in Christian Tomuschat and Jean-Marc Thouvenin, eds. *The Fundamental Rules of the International Legal Order Jus Cogens and Obligations Erga Omnes* (Leiden: Brill, 2005), pp. 99–125, at: <http://users.ox.ac.uk/~sann2029/6.%20Talmon%2099-126.pdf>; United Nations, Serious Breaches of Obligations Under Peremptory Norms of General International Law, Chapter III, at: http://legal.un.org/legislative-series/documents/Book25/Book25_part2_ch3.pdf, in *Materials on the Responsibility of States for Internationally Wrongful Acts* (New York: United Nations, 2013), at: http://www.un-ilibrary.org/international-law-and-justice/materials-on-the-responsibility-of-states-for-internationally-wrongful-acts_1b3062be-en.

²¹⁷ Atle Grahl-Madsen, *The Land Beyond: Collected Essays on Refugee Law and Policy*, ed. Martinus Nijhoff, The Hague, 2001, at: https://www.researchgate.net/publication/233512889_The_Land_Beyond_Collected_Essays_on_Refugee_Law_and_Policy; <http://www.gbv.de/dms/sub-hamburg/327252014.pdf>; Gilbert D. Loescher, *Beyond Charity: International Cooperation and*

international cooperation to the maximum of their available resources and other capacities to provide assistance to other states, including subnational governments and authorities, hosting refugees and displaced persons, throughout the process to ensure refugees and displaced persons with adequate protection, decent living conditions and durable solutions.

In the context of the present crisis, the First World Humanitarian Summit (2016) addressed the need to strengthen international dialogue and cooperation to develop comprehensive crisis-management frameworks. That requires cooperation among all humanitarian, political and development actors to set specific targets so that affected people, including refugees, displaced persons and host communities, have access to key elements of a decent living in line with the achievement of the new sustainable development goals (SDGs). In his report to the Summit, UN Secretary-General Ban Ki-moon appealed to world leaders to exercise “one humanity” and “shared responsibility.”²¹⁸

To this end, 50 Lebanese CSOs, including Amel Association, joined to issue four key messages and demands consistent with what the Secretary-General called “core responsibilities.” They urgently appealed for:

1. *Preventing and ending conflict*: Whereas world leaders bear the duty to ensure a sustainable peace (Core Responsibility 1), uphold international humanitarian law (Core Responsibility 2), and re-commit to international refugee protection (Core Responsibility 3).
2. *Addressing root causes of conflict to prevent recurrent crises*: The CSOs demanded that all world leaders adopt a rights-based approach to remedy the root causes of conflict as a priority, and to actualize their global commitment to improve the inter-linkages between humanitarian and development aid (Core Responsibility 4).
3. *Improving the complementarity of humanitarian action and putting greater emphasis on localized and contextualized responses to crises*: They called upon world leaders to enable local civil society to play a greater and more-meaningful leadership role in humanitarian action, balancing partnerships with international nongovernmental and intergovernmental organizations to include local organizations fully, including with innovative funding mechanisms that enable more resources to be mobilized and channeled directly to local actors (Core Responsibilities 4 and 5).
4. *Recognizing the role of volunteerism as a vector of local expertise in humanitarian action*: As local populations are the first responders to crises, their skills and engagement in responding to the consequences in their communities must be recognized and integrated within the wider national/international response to treat local populations and volunteers as key actors of humanitarian action (Core Responsibility 4).²¹⁹

the Global Refugee Crisis, for Oxford University Press, Oxford and New York 1993; Eiko R. Thielemann, *Editorial Introduction*, and, *Towards Refugee Burden-Sharing in the European Union State Interests and Policy Options*, for *Journal of Refugee Studies*, Vol. 16, Issue 225, March 2003, Special Issue on European Burden-Sharing and Forced Migration, at: <https://academic.oup.com/jrs/issue/16/1> and <http://personal.lse.ac.uk/thielema/Papers-PDF/EUSA-2005.pdf>; Rüdiger Wolfrum, “International Law of Cooperation,” *Max Planck Encyclopaedia of Public International Law* (Oxford: Oxford University Press, 2010), at: <http://opil.ouplaw.com/view/10.1093/law:epil/9780199231690/law-9780199231690-e1427?rskey=LEyo3s&result=3&prd=EPIL>.

²¹⁸ UNGA, *One Humanity: Shared responsibility, Report of the United Nations Secretary-General for the World Humanitarian Summit*, A/70/709, 2 February 2016, at: <https://www.agendaforhumanity.org/sites/default/files/%5BA-70-709%5D%20Secretary-General%27s%20Report%20for%20WHS.pdf>.

²¹⁹ HLRN, “Lebanon CSOs Put Demands to WHS,” *HLRN News* (24 May 2016), at: <http://www.hic-mena.org/news.php?id=pm9tag=#.WlnaAGxG2eA>.

The Lebanese CSOs' letter specifically urged global leaders also to cooperate to find a political solution to end the conflict in Syria.²²⁰

The World Humanitarian Summit emphasized the need to establish global support for hosting refugees and to recognize host country contributions and establish partnerships with various humanitarian and development entities, as well as with the private sector and civil society to promote mutual benefit for states both hosting and producing refugees. The Summit called for more-equitable repatriation procedures for refugees, as well as freedom of movement and access to education and employment opportunities through long-term financial support in host countries.²²¹

At the Summit, international organizations, local administrations and CSOs were the main advocates on behalf of the central Government of Lebanon in dealing with this crisis, strengthening the framework needed to implement the principle of international cooperation and assistance. They have advocated that this be done through strategies that transcend providing relief, rather to become an essential part of development plans to expand and improve basic services to areas that are hosting refugees.

However, as for the MENA, the Summit failed to generate sufficient—or even minimal— support to countries hosting Syrian refugees, especially Lebanon. Rather, the needed international cooperation gave way to geopolitical considerations, and Lebanon fell victim to the rejection by some countries of the role of Hizbullah in both the GoL and the Syrian conflict. That is despite the affirmation of Arab foreign ministers at their 2014 meeting in Kuwait that the Arab League countries should support the Lebanese government to carry the burden of hosting Syrian refugees by providing financial and technical support to meet the needs of the refugees and to work on returning the Syrian refugees to their country as soon as possible.²²²

Nonetheless, specific proposals for international cooperation and burden sharing with host countries have called for an integrated human rights and development approach toward social inclusion, addressing the added pressure on infrastructure, increasing resettlement options, family-reunification programs, academic grants, employment and humanitarian visas. These measures were confirmed in the 2016 Lebanon Crisis Response Plan, which indicated that Lebanon could not manage the current crisis on its own, and demonstrated the importance of continued international support, while providing more resettlement programs in other countries to alleviate Lebanon's disproportionate burden.²²³

Often understated in this discussion has been the binding obligations that local governments and local authorities bear under international treaties that the state has ratified. The corresponding duties pose a legal argument for international cooperation and assistance toward—and among—local governments and local authorities. They share the relationship as implementers, as organs of the state, bearing common-but-differentiated treaty obligations of the state.

Their human rights treaty obligations and constitutional principles common with the central government can motivate international cooperation in the form of technical and financial assistance to local governments and local authorities hosting refugees and displaced persons. Such international cooperation and assistance is also fulfilling the state's international treaty obligations.

²²⁰ Joint Letter to the United Nations Secretary General from Civil Society Actors in Lebanon on the Occasion of the World Humanitarian Summit Istanbul, May 2016, at: <https://reliefweb.int/report/lebanon/joint-letter-united-nations-secretary-general-civil-society-actors-lebanon-occasion>.

²²¹ World Humanitarian Summit, WHS Global Consultation Final Report, Geneva, 14–16 October 2015, at: http://www.unocha.org/sites/dms/Documents/WHS_GloCon_final_report.pdf.

²²² League of Arab States, Decision 25th Assembly, (25) ع.ق. 590-، Kuwait, 2014 [Arabic], at: <http://www.leagueofarabstates.net/ar/summits/Documents/قرارات20مجلس20جامعة20الدول20العربية20على20مستوى20القمة20الدور20العادية2025.pdf>.

²²³ Republic of Lebanon and United Nations, *op. cit.*

Negative obligations—that is, refraining from certain conduct—can go far to restoring world order and reducing refugee, migrant and displacement crises. The least costly of these measures is when call spheres of government scrupulously exercise the states’ international law obligation of non-recognition and non-cooperation with illegal situations that create refugee and displacement crises.²²⁴ Such forms of solidarity arising from international cooperation also may be undertaken between and among municipalities in the context of sister-city or twinning arrangements, or in collective action through networks such as the United Cities and Local Governments.²²⁵

The concept of international solidarity in human rights law has emerged on the international agenda since 2008 with the UN Human Rights Council establishing a Special Procedure in the form of an Independent Expert on “the right to international solidarity.” Within the timeframe of the HIC-HLRN/Amel *Sanctuary in the City: Beirut* project, the Independent Expert conducted a MENA regional consultation.²²⁶ Notably, that expert gathering raised principles of nonrecognition and noncooperation with cross-border organized crime and situations involving gross violations of human rights not yet covered in the draft Declaration on the Right of Peoples and Individuals to International Solidarity.²²⁷

In light of the region’s specificity, the consultation gave special consideration to the common-but-differentiated obligation—in addition to looser “commitments”—to practice solidarity and responsibility sharing to redress (1) climate change and (2) human displacement. Both are especially vital issues in the MENA region, which faces water shortage and drought risk, as well as crop-yield reduction in unique combination due to climate change.²²⁸ Meanwhile, the region has the largest dispossessed and forcibly displaced population in the world, as already had been the case even before the Syrian conflict.

The Doha consultation urged solidarity in honoring international obligations *and* commitments, not least under the Refugee Convention of 1951. It noted also that the majority of region’s refugees and displaced persons currently are being helped by the poorer communities and nations, while the authors and beneficiaries of population transfer, forced displacement and the refugee crisis shoulder relatively little or no responsibility to remedy their destructive consequences.

The Refugee Convention, IHL and international human rights treaties are not the sole source of the extraterritorial obligations of states and their constituent parts. With a view to international norms as an integrated system, the Doha consultation noted that multiple legal regimes establish a state’s obligation to conduct cross-border relations consistent with international law and world order. That view of international cooperation and solidarity infers a universal obligation of states that precedes any corresponding “right to” international solidarity. For victims of gross human rights violations, effective countermeasures are, rather, an obligation arising from international cooperation.

The consultation also noted how some local governments have exercised their corresponding extraterritorial obligations through non-recognition and non-cooperation with state and non-state actors responsible for gross violations of international human rights.²²⁹ The Doha Independent Expert consultation noted that conscientious practice by local governments and authorities to refrain from cooperation with authors, agents and beneficiaries of gross human rights violations inducing dispossession and displacement.

²²⁴ *Supra*, note 215.

²²⁵ See United Cities and Local Governments (UCLG) website at: <https://www.uclg.org/>, and its Committee on Social Inclusion, Participatory Democracy and Human Rights (CSIPD) at: <https://www.uclg-cisdp.org/en>.

²²⁶ At Doha, Qatar, 11–12 January 2016.

²²⁷ HRC, *Proposed draft declaration on the right of peoples and individuals to international solidarity (as of 2014)*, A/HRC/26/34, 1 April 2014, at: <http://undocs.org/A/HRC/26/34>.

²²⁸ See BBC GCSE, at: http://www.bbc.co.uk/schools/gcsebitesize/geography/climate_change/describing_climatic_trends_rev2.shtml.

²²⁹ HRC, *Report of the Independent Expert on human rights and international solidarity*, A/HRC/32/43, 27 April 2016, pp. 15–17, at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/32/43.

The inquiry within and around this project explores how global dimensions of international cooperation resonate in the local sphere of municipal governments and local authorities as key players and duty bearers in the protection of refugees and displaced persons and the provision of vital services to them and their host communities. As such, municipalities and local authorities in Greater Beirut need structural reform, greater capacity and opportunity to determine and express their priorities and needs in fulfillment of their corresponding functions in the crisis.

In the course of *Sanctuary in the City: Beirut*, some municipality representatives noted how certain international cooperation and assistance organizations tend to pursue their own priorities in delegating and managing projects, without verifying their alignment with municipal priorities within local capacities. In some cases, that presumptuous approach actually has added to the burden on municipalities within a crisis.²³⁰

A current trend in international cooperation involves bilateral assistance from wealthier cities abroad. This seeks to support municipalities hosting refugees at their first point of refuge, as in Lebanon cities and local districts. Such international city-to-city cooperation can be helpful, it may be motivated, at least in part, by the goal to ensure that refugees do not further migrate toward them.²³¹

The refugee and displacement crisis played out at the local level also reveals an underlying global crisis of international relations. That concurrent crisis arises from contravention of principles, norms and standards of international order long agreed upon to uphold peace, world order and the self-determination of peoples. The protracted and cumulative crises in the afflicted region resulting from aggression, invasion, military occupation institutionalized discrimination and apartheid, ethnic cleansing and colonization are indicative of the failure of states to exercise the type of international cooperation prescribed in the legal order.²³² The refugee and displacement crisis constitutes but a tragic symptom of a more-fundamental crisis of conduct outside the international law requirements of state behavior.

Conclusions and Recommendations

In order to implement right-to-the-city principles, the municipalities and local authorities of Greater Beirut face several key challenges such as poverty, damaged infrastructure, insufficient basic services, exclusion of inhabitants from participation in decision-making processes, weak governing institutions, severe socio-economic imbalances, corruption, environmental degradation, legislative gaps, a shortage of work opportunities and low wages, social fragmentation and sectarianism. In the context of the refugee and displacement crisis, these challenges their cause come into high relief. The focus of these general conclusions and recommendations considers the nexus among Greater Beirut's

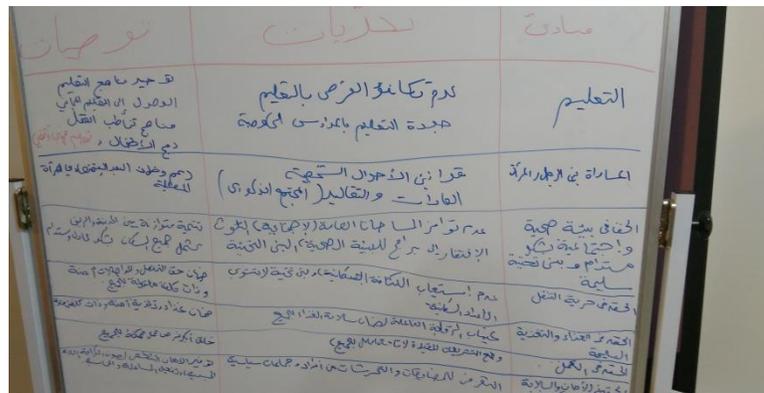


Figure 19: Part of the conclusions of the third workshop of the *Sanctuary in the City: Beirut* project. Source: HIC-HLRN.

²³⁰ Testimonies at project workshop at Burj al-Barajnah Municipality, 30 March 2016.

²³¹ Conversation with Stefan Ege, Urban Development Project Manager, City of Zurich, 2 February 2017.

²³² Joseph Schechla, *Anatomy of ISIL in the Middle East*, for Pambazuka News, 30 March 2017, at:

<https://www.pambazuka.org/human-security/anatomy-isil-middle-east>.

municipalities and local authorities, civil society and refugee communities. However, these stakeholders bear differentiated responsibilities and roles. As organs of the state, the public institutions with governance functions are the local protectors and implementers of the state's human rights obligations within a domestic legal structure and social practice that sometimes contradicts these duties.

The findings of the *Sanctuary in the City: Beirut* project lead to the general conclusion that the combined sectarian and neoliberal natures of governance impede implementation of the right to city. However, the exercise of this right-to-the-city assessment goes far to identify and prioritize the strategic objectives of the right-to-the-city movement in Greater Beirut. Therefore, as putative partners in realizing the right to the city for Greater Beirut in the context of the current refugee and displacement crisis, the specific recommendations emerge from the project consultations and this assessment, organized by constituency groups:

To Beirut Governorate, Beirut Municipality and the local municipalities and authorities of Greater Beirut:

The municipalities and local authorities of Greater Beirut have untapped potential and opportunity to advance the principles and practice of the right to the city. In order to build upon and optimize those assets, Beirut Governorate, Beirut Municipality and the local municipalities and authorities of Greater Beirut should:

- Develop mechanisms of transparency, responsibility, accountability, participation and responsiveness to the needs of the people to institutions, policies and practices and strengthen and improve democratic institutions, service delivery, rule of law and anti-corruption measures;
- Strengthen coordination among municipalities and between municipalities and other state institutions;
- Understand that local governments and authorities are duty bearers under international human rights and humanitarian treaties in the same degree as institutions of the central sphere of government;
- Consider that local governments and authorities also have rights vis-à-vis the state in a reciprocal relationship of common-but-differentiated functions that respect, protect and fulfill of human rights and humanitarian norms as obligations of the state;
- Develop and support development of plans and strategies with civil society organizations and the refugee and displaced community to improve and support economic and social contribution and trigger potential of refugee and displaced community members and people living in vulnerable situations;
- Develop local spatial and mobility plans taking into account access for persons with disabilities, on an equal basis with others, to the physical environment of cities, in particular to public spaces, public transport, housing, public facilities and other facilities and services open or provided to the public;
- Develop local population census and sex-disaggregated data collection and related studies to support needs and priorities assessments with particular focus on people in vulnerable situations such as low-income people, people under violence, displaced persons, refugees and migrants;
- Monitor and assess local policies and practices concerning displaced persons, refugees and people in vulnerable situations to extract, disseminate and replicate good practices and strategies;
- Establish mechanisms of communication and participation for refugees and displaced people in the local sphere, such as municipal delegates, liaison officers and participatory local council meetings;
- Support local initiatives to improve the provision of civil documentation and support daily life activities of refugee population;

- Develop mechanisms for fair and equitable distribution of benefits and wealth, such as social function of land and property;
- Consider allocating public spaces and buildings for entrepreneurship initiatives, cooperatives and/or micro-enterprises with the poor and most-vulnerable groups, such as low-income women and refugees, enabling productive work for refugees and displaced persons who otherwise are barred from other forms of employment;
- Actively improve coordination and communication with civil society organizations;
- Develop local economic strategies and plans to foster local work opportunities, including the provision of public space and other support for innovation and entrepreneurship of local residents, not least among them refugees and non-Lebanese, to overcome employment bans and still contribute to the economy by forming companies and/or cooperatives;
- Develop and ensure economic, social, cultural and environmental land use and development and improve access and quality of public and green spaces for all;
- Conduct professional training for public servants and constituents based on the *Greater Beirut Right to the City Charter* and this Assessment;
- Activate and further develop coordination among local governments and authorities in order to conduct collective strategic planning and articulate service-delivery and development priorities with multiple publics, especially to other municipalities, investors, donors and international organizations able to cooperate and assist in meeting those expressed needs and priorities.

To National Government and Public Institutions of Lebanon

The central sphere of government and national institutions bear responsibility for creating and remedying the structural dimensions of wealth and economic benefit distribution, use of the commons and other public assets and resources, the domestic law and policy framework, international cooperation and assistance, as well as governance. Therefore, this Assessment recommends that Lebanon's national institutions:

- Ratify or accede to the relevant treaties to which the Republic of Lebanon is not yet party;²³³
- Harmonize all national law with human rights and other treaty obligations and standards;
- Adopt and enforce a Civil Code and Personal Status Law as a common standard of rights and responsibilities for all communities in Lebanon consistent with human rights obligations of the state;
- Develop mechanisms to improve transparency, responsibility, accountability, participation and responsiveness to the needs of the people in all state institutions, policies and practices to improve democratic institutions, service delivery, rule of law and anti-corruption measures;
- Implement existing laws and develop new legislation that fills noted gaps and complies with human rights and quality standards of the sectors covered in the draft *Greater Beirut Right to the City Charter* to ensure human rights, equality and justice for all, with particular attention to the human rights of those most vulnerable, such as stateless, migrants and refugees, the human rights to education, health, adequate housing, decent work, and food and nutrition, while respecting freedoms of movement, expression, association, information and personal security;
- Monitor and critically assess national policies and practices within the state's obligation and over-riding implementation principle to ensure equality between men and women;

²³³ [Refugee Conv. and Prot.](#); [CCPR 1st Opt. Prot.](#), [CCPR 2nd Opt. Prot.](#); [CERD](#); [CESCR Opt. Prot.](#); [CEDaW Opt. Prot.](#); [CRC OPAC](#); [CRC OPIC](#); [CMW](#); [CRPD](#); [CRPD Opt. Prot.](#); [CPPED](#); Statelessness Conventions of [1954](#) and [1961](#), [ILO Convention No. 187](#); [Rome Statute](#). See also "Lebanon International Treaty Ratification Status," *Sanctuary in the City: Beirut* website, at: <http://www.hic-mena.org/spage.php?id=qXE=#.WlOe6d-WaUk>.

- Monitor and critically assess the national policies and practices concerning the stateless, displaced, refugees, persons with disability, older persons and all persons in vulnerable situations in the light of international covenants and conventions principles and rights;
- Ensure the means and facilities for meaningful local self-government through the exercise of sufficient decentralized authority to solve local problems and execute local development priorities within national plans through institutional and policy coordination;
- Develop mechanisms for fair and equitable distribution of taxation, benefits and wealth, operationalizing such concepts as social production of housing, habitat and city²³⁴ and the environmental and social functions of land and property²³⁵;
- Adopt a social protection framework that extends social security, unemployment indemnities and adequate health care to all;
- Reform labor practices and trade unions to empower workers to realize improvement of their working conditions;
- Develop national spatial and mobility plans taking into account access for persons with disabilities, on an equal basis with others, to the physical environment of cities, in particular to public spaces, public transport, housing, public facilities and other facilities and services open or provided to the public;
- Formulate and implement housing and land-administration policies that ensure equitable access to adequate housing for all inhabitants of Lebanon;
- Conduct a population census and data collection disaggregated by sex, age, ability, nationality and displacement/residency status as a basis for studies to support needs assessments with priority given to persons in vulnerable situations such as low-income people, people under violence, displaced and stateless persons, refugees, domestic workers and migrants;
- Extend equal rights and responsibilities for all people born in Lebanon without another nationality status;
- Simplify procedures and reduce fees for obtaining and renewing residency status for refugees and displaced persons;
- Rescind the ministerial decree barring Palestine refugees from certain professions in Lebanon;
- Develop and increase access to sustainable energy and implement water and solid waste plans to decrease pollution and waste;
- Develop economic strategies and plans to foster decent work opportunities for the unemployed and underemployed, and further develop the social security system for workers and employees;
- Develop legislation to protect migrant workers' rights and refugees and displaced persons right to decent work, including them in the tax regime and social security system;
- Further develop and apply educational curricula nationwide that promotes reconciliation and tolerance across ethnic, nationality, social class and sectarian divides;
- Develop and enforce legislation to protect environmentally threatened and coastal areas from endangerment and privatization, also improving implementation of already good laws;
- Develop and support development of plans and strategies with civil society organizations and the refugee and displaced community to improve and support economic and social contributions of refugees and displaced persons living in vulnerable situations.

To Civil Society Organizations

Lebanese civil society recently has developed its potential as a catalyst for applying the right to the city. Lebanese CSOs also provide a vital link between governance structures and local citizens and other

²³⁴ NUA, *op. cit.*, paras. 31, 46.

²³⁵ NUA, *op. cit.*, paras. 13, 69.

inhabitants. As these publicly interested organizations are concentrated in Greater Beirut, there is where their critical mass can drive progress in human rights-based governance if they:

- Severally and collectively develop strategies, plans and projects and to support and develop the economic and social contributions and potential of refugees, displaced persons and people living in vulnerable situations;
- Reach out to private-sector actors to contribute toward social and economic improvement of people in vulnerable situations, such as refugees, displaced persons, PWDs, older persons and people living in poverty;
- Organize and host social and cultural events that foster common good, social cohesion, respect of cultural diversity and human rights;
- Engage in the implementation, monitoring and evaluation of global policies and binding treaty performance in Greater Beirut through policy analysis, parallel reporting and advocacy in relevant international forums;
- Support personal empowerment, individual development and entrepreneurship opportunities for people in vulnerable situations such as refugees, displaced persons and people living in poverty;
- Develop strategies and plans to improve and support human rights education and social cohesion and respect for cultural diversity;
- Strengthen coordination among civil society organizations, and between civil society organizations and local and national governments and authorities;
- Foster participatory mechanisms of cooperation among people living in vulnerable situations, such as refugees, displaced persons and people living in poverty at all stages of projects;
- Support involvement and engagement of individuals in local and community networks and activities through volunteering and other means;
- Cooperate with existing labor organizations that have no political and partisan allegiance to reach and organize informal workers into basic frameworks that represent their interests;
- Stimulate entrepreneurship and establish micro-enterprises with the poor and most-vulnerable groups, such as women and refugees.

To the Private Sector

Lebanon's private sector generally has operated in corporate formations that reflect the noted features of governance structures without the pretense of public interest. Nonetheless, some private-sector initiatives have served as models for investment in the public interest. With more than its share of socioeconomic and political challenges, Lebanon still contains many of the necessary ingredients for an entrepreneurial ecosystem: a thriving civil society, investors from the large and thriving expatriate community, public interest in investing in innovation, and international organizations supporting both the civic and public sectors. Social entrepreneurship is gradually gaining ground through efforts that:

- Pursue strategies, plans and projects that support, invest in and develop the enterprises, social contributions and other potential of refugees, displaced persons and Lebanese people living in vulnerable situations;
- Sponsor social and cultural events that foster social cohesion, respect of cultural diversity and human rights;
- Cooperate with existing labor organizations to organize informal workers into structures for collective bargaining;
- Initiate investment in the development of public spaces to improve local quality of life, enhance the private sector's public image and provide opportunities for social interaction and greater social cohesion;

- Dedicate remittances toward investments that create a sense of purpose and belonging to reconnect the Lebanese diaspora with their home country by selecting investment opportunities with a positive social impact;
- Stimulate entrepreneurship and establish micro-enterprises with the poor and most-vulnerable groups, such as women and refugees.

To All Inhabitants of Beirut: Host, Migrant and Refugee Communities

With the learning derived from the Sanctuary in the City: Beirut project and this Assessment, individuals and communities in Greater Beirut can be encouraged to identify and solve problems that impede implementation of the right to the city. Recommended actions include individual and group efforts to:

- Know your rights and obligations toward others;
- Actively work towards self-empowerment, strengthen knowledge, skills and community links in a process to become better equipped with the decision-making power, skills, infrastructure and the material resources that allow communities to proactively address and manage adversities;
- Improve knowledge on human rights, responsibilities and obligations, governance and state institutions functioning;
- Promote, form and be part of movements, networks and civic initiatives that respect and promote peace, human rights, social cohesion and diversity;
- Review and inquire about policies and laws that affect your life, analyzing how much they align with the obligations of the state arising from human rights, refugee law and other international laws and treaties;
- Strengthen local relationships and community ties through local initiatives that improve communication with, and understanding of those persons who represent different sects and communities;

To the International Community

- In support, aid and development interventions, harmonize short-term humanitarian and emergency assistance with the longer-term and institution-building development approaches, within the framework of human rights, with their preventive and remedial effects;
- Avoid adding to the public debt in assistance for meeting global responsibilities for displacement and meeting its cost and other challenges;
- Support peaceful resolution of conflicts and share responsibility during crisis;
- Listen to the expressed needs and priorities of local governments and authorities before designing projects and interventions of international cooperation and assistance;
- Support Greater Beirut's communities to articulate their needs and priorities through their municipalities and local authorities;
- Support equitable and fair development and social cohesion by supporting all communities and people in situations of vulnerability in Greater Beirut with discrimination or selectivity that may alienate local inhabitants from each other;
- Engage municipalities, local civil society organizations and local communities at all stages of relevant cooperation projects to ensure relevance, coherence, effectiveness, efficiency, impact and sustainability at local level;
- Strengthen and support coordination between and among municipalities, and between local spheres and central spheres of government;
- Engage in direct city-to-city relations with Greater Beirut municipalities to build solidarity and exchange knowledge, culture, good practices and expertise;
- Support the exchange and financial expertise among municipalities to support basic service delivery and local management in context of displaced influx.

ANNEX: Greater Beirut Right-to-the-City Charter

Preamble

Whereas, for millennia, our City of Beirut, like the whole of Lebanon, has been a refuge and sanctuary for people of our region fleeing disaster, war and persecution, now hosting a great blend of deeply intermingling cultures and religious communities;

Whereas the ongoing refugee crisis and displacement in our region is a responsibility of the whole international community, but that global duty is disproportionately discharged locally, where municipalities and local authorities are the closest public administration to Greater Beirut inhabitants; and whereas the refugee and displacement crisis is one of the most pressing urban challenges concerning both service delivery and governance in cities, where municipalities and local authorities play primary roles, along with civic institutions and communities, in providing protection and assistance to vulnerable groups, while treaty bound to respect, protect and fulfill their basic human rights;

Recognizing the great disparities in wealth and opportunities in our city and that poverty is a trigger of further exploitation, abuse and, in itself, a violation of human rights, and stressing the need to respect human rights at all times, particularly of those living in vulnerable situations, especially in situations of crisis;

Knowing from historic and collective experience with the particular vulnerability that refugees and displaced persons face, many in the Lebanese and host population of Greater Beirut are struggling also to achieve a decent quality of life, despite all kind of challenges and constraints that hinder their well-being, empowerment and individual development;

Whereas the measure of human rights and freedoms of a society is reflected in the human rights and freedoms of women, thus it is appropriate to act in favor of the effective and substantive equality of men and women and actively to promote the participation of women in all spheres of public life, including local decision making;

Realizing that Greater Beirut lives in symbiosis with the surrounding rural areas and people to form a wider social and economic fabric that gives Greater Beirut its particular character and culture;

Convinced of the need to promote in Greater Beirut and surrounding territories a form of development that is sustainable, equitable, inclusive and progressively realizes human rights without discrimination; and of the need to extend democracy and local autonomy so as to generate the citizenship that contributes to a social fabric, country, region and world of peace, justice and solidarity;

Whereas Greater Beirut is a politically diverse community in which all its citizens should participate and share in a common project of freedom, equality between men and women, and sustainable development, where full citizenship—with its composite rights, duties and responsibilities—is particularly expressed in the local sphere;

Knowing that peace requires the elimination of the root causes of conflict by ensuring freedom from want, fear and any form of discrimination and violence form the basis for a healthy, stable, cohesive and secure society, and recognizing that people living in situations of vulnerability, such as poverty and displacement, are more prone to abuse and exploitation, and suffer particular forms of coercion and violence;

Recognizing the need for an equal and balanced social, environmental and economic development, that respects, protects and fulfills the rights and dignity of all people without exception, in order to improve

the quality of life and eliminate situations of vulnerability of all inhabitants of Beirut, wherever they were born;

Recognizing also the indispensable role of publicly interested civil society organizations in building a peaceful, just and fair society, and the shared social responsibilities of public and private sectors, while realizing social progress starts within each individual;

Whereas all human beings are endowed with the rights and freedoms recognized in the Universal Declaration of Human Rights (1948) and the international instruments that were built upon it, in particular, the International Covenants on Economic, Social and Cultural Rights, and on Civil and Political Rights (1966), the human rights conventions and charters that Lebanon has ratified, binding all spheres of government;

Whereas all human rights are universal, indivisible and interdependent, and that, therefore, not only is the realization of economic, social and cultural rights indispensable for the full exercise of political rights, but at the same time only the exercise of civil and political rights permits participation in the justice and decision-making mechanisms that enable everyone to achieve economic, social and cultural rights;

Understanding that Greater Beirut and Lebanon share the universal 2030 Sustainable Development Agenda, with its goals and targets, which “seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls”;

Realizing nonetheless that the external pressures and challenges confronting Greater Beirut also call for a special measure of international support of all kinds, in order for its inhabitants to realize their potential through human rights-based sustainable development;

Raising the voices of Beirut inhabitants calling for equality, dignity and international solidarity, we adopt this Charter for a Right to the City, calling for adherence to its principles in our words and deeds, and in our relations:

Principles

Right to the City in Greater Beirut

- We recognize and are inspired by the Human Rights City, Human Rights in the City and Right to the City movements and their experiences at integrating and mainstreaming human rights into municipal ordinances, policies, budgets and practices;
- We endorse the right to the city as a concept and approach that strengthens local good governance and human rights in Greater Beirut for the benefit of all its residents, permanent or temporary, ensuring full and progressive realization of needs for food and nutrition, education, decent work, adequate housing, energy, water and sanitation, health, sustainable environment and mobility, as well as supportive public services and facilities that are available, adequate, affordable, acceptable and adaptable.

Human Rights, Dignity and Justice in Greater Beirut

- We respect all human rights recognized by the existing relevant international human rights norms and standards such as the Universal Declaration of Human Rights as mentioned in the Lebanese Constitution’s preamble and the human rights treaties ratified by the Republic of Lebanon;
- We seek to respect and uphold dignity, justice and fair treatment for all of inhabitants, reducing and

eliminating all factors that put its people in vulnerable situations and at risk of being abused and exploited and works to eliminate all forms of violence;

- We pledge to ensure equal justice under law, dignity and human rights, including fair trial and just treatment for all deprived of their liberty.

Right to Security of Person and the Right to Peace in Greater Beirut

- We recognize peace among people—and peoples—as the way to create a cooperative and cohesive society free of conflict, want, fear and any form of violence, including gender-based violence and domestic violence;
- We recognize the human right to security of person as one of the most vital services of municipalities and local authorities, while the best guarantee of security for all is social peace and cohesion achieved through the realization of the human rights for all.

Nondiscrimination and Gender Equality in Greater Beirut

- We work to achieve equality and equal opportunities for all, without discrimination of any kind based on race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, in conformity with the Lebanese Constitution;
- We shall prevent and oppose stigmatization of particular groups as posing inherently greater threats than others;
- We work to achieve gender equality and the elimination of policies and practices that hinder the full realization of women's rights.

Rights to Protection of the Family in Greater Beirut

- We embrace the obligation of authorities to provide the widest possible protection and assistance to the family, particularly for its establishment through marriage entered into by free consent between intending spouses, officially recognized and documented to affirm their civil status;
- We accept the need to ensure special measures and protection accorded to mothers during a reasonable period after childbirth, including paid leave or leave with adequate social security benefits.

Rights of Children in Greater Beirut

- We work to ensure the rights of children and their decent life's condition and the elimination of policies and practices that hinder the full realization of their rights, such as early marriage and child labor;
- We declare Greater Beirut to be a child-friendly city, ensuring safety and protection for boys and girls in public spaces that are sufficient for their recreation and development as members of a cohesive society;

Rights of Persons with Special Needs, Older Persons and Persons with Disability in Greater Beirut

- We seek to fulfill all the rights of persons living with special needs such as older persons and persons with disability, and encourage their equal and full inclusion and participation in public life and acknowledge their perspectives;
- We seek to remove all physical, social, administrative and other obstacles and barriers to grant full

participation and accessibility to services, facilities, public spaces, transport and mobility to all persons with special needs.

Right to Participation in Greater Beirut

- We commit to respect, protect and fulfill the human right to participation in public life, including the right to freedom of expression, association and peaceful assembly in matters related to local civic affairs;
- We consider the engagement of Greater Beirut's inhabitants in local urban planning and policy formulation to be essential to successful participatory development and assurance of the best possible quality of life for all within Beirut's jurisdictions.

Freedom of Mobility in Greater Beirut

- We recognize all mobility rights and freedom of movement for all, including persons living with special needs;
- We support the provision of safe and affordable local transport that is sufficient to meet daily needs and accessible to all, including persons living with special needs.

Rights of Refugees and Displaced Persons in Greater Beirut

- We recognize the rights of refugees and the corresponding public obligations under general principles of international law;
- We acknowledge, in particular, the refugees' rights to remedy and reparations, including consensual return, resettlement and other durable solutions and recognize the need for accountability and due process for the acts and conditions that have led to refugees' and displaced persons' flight.

Right to Education in Greater Beirut

- We look forward to a free education system that provides quality education and equal opportunities for all girls and boys, acknowledging education as the most-essential tool for individual empowerment and social and professional development;
- We pledge to contribute to the periodic review and revision of curricula to ensure that education corresponds with the civil, cultural, economic, political and social needs of Greater Beirut;
- We recognize the importance of investing in education to build a region that respects, promotes and fulfills human rights locally and in the wider world.

Right to Work and Economic Development in Greater Beirut

- We seek sustainable, fair and people-centered economic development of Greater Beirut that takes into account the actual and potential contributions of all and provides equal opportunities;
- We share the commitment to ensure the human right to decent work for all citizens as a means of personal, professional and economic development, and in order to sustain, improve and achieve an adequate standard of living for themselves and their families;
- We seek to eliminate all forms of discrimination toward migrant and foreign residents and enable service and innovation that contributes to Greater Beirut's sustainable development;
- We welcome socially responsible business and private-sector investment in public spaces and services that is transparent and consistent with public human rights obligations, especially public-

private partnerships that enable popular participation in planning, implementation and management.

Right to Food and Food Security and Sovereignty in Greater Beirut

- We recognize the human right to food and nutrition and its components, including availability, accessibility and affordability, adequacy and sustainability, and accept that access to adequate food represents one of the most-essential human needs, vital to the well-being of all individuals and their families;
- We strive for all people, at all times to have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life produced through ecologically sound and sustainable methods, and recognize the need to define and protect our local, regional and national food and agriculture systems.

Right to Adequate Housing and Sustainable Planning and Land Use in Greater Beirut

- We recognize the obligation to respect, protect and fulfill the human right to adequate housing and its components, including legal security of tenure, public and environmental goods, services and facilities, affordability, habitability, accessibility, location and cultural adequacy, and accept that adequate housing represents one of the most essential human needs, vital to the well-being of all individuals, their families and the wider society;
- We recognize the importance of just, inclusive, sustainable and participatory urban and spatial planning, including streets, housing, civic facilities, public spaces and green zones, to achieve sustainable development, spatial justice and the well-being of inhabitants, including those with special needs and access challenges;
- We seek to eliminate spatial segregation and injustice, and commit to end forced evictions by all means possible, as required in international human rights law.

Sustainable Environment and Protection for the Cultural and Natural Heritage of Greater Beirut

- We seek to protect our common habitat and shared tangible and intangible cultural heritage and natural endowment, acknowledging their unique value and importance for present generations, and honoring both past and future generations;
- We all seek to fulfill our institutional, individual and collective responsibility in rationalizing production, consumption and physical development within respect for, and protection of the natural environment and ecosystems, including green spaces, water sources and coastline for public use;
- We rely on sustainable management of the environment, including protection of lands, forests, fisheries, marine ecosystem and air quality in cooperation with national and international partners, and on effective and efficient municipal services to ensure clean, sufficient and affordable water, energy, sanitation and waste removal and management considering environmental sustainability and eliminating harmful practices.

Good Governance and Common Good in Greater Beirut

- We understand good governance as a means to respect and protect the commons, the common good and human rights in a sustainable way;

- We want a public administration that works effectively and efficiently for the well-being of all, while mediating diverse needs and interests, through decentralization, transparency, responsibility, accountability, democratic participation and responsiveness;
- We are convinced that the democratic management of the city is an indispensable project for any common future worthy of living in Greater Beirut.

Individual and Personal Empowerment in Greater Beirut

- We believe in the infinite worth, value and potential of all individuals to support and contribute to civic, cultural, economic, environmental, political and social development in a sustainable way;
- We seek to see and support lifelong empowering processes and the development of individual talents and potentials of all as a means of enhancing the quality of life, building human and social capital, facilitating employability and productivity, and contributing to the realization of dreams and aspirations of all individuals without exception or exclusion.

Shared Responsibility, International Cooperation and Solidarity

- Greater Beirut's right-to-the-city vision transcends municipal boundaries and looks to global cooperation and solidarity in a world where all human beings seek well-being for themselves and each other;
- We look forward to global cooperation and solidarity toward realizing the right to the city in Greater Beirut, knowing the importance of regional and international cooperation and solidarity in times of crisis, when human rights implementation is most urgent, toward rebuilding people's lives and living spaces.



HIC-HLRN Middle East/North Africa Program

The Middle East/North Africa regional program of Habitat International Coalition's Housing and Land Rights Network addresses the need for civil society participation in public affairs by applying the criteria of human rights and corresponding state obligations as a defining framework for civil discourse. The ultimate objective of this program is to develop civil society actors' knowledge and capacity to address complex policy issues related to the most-vital public resources with a degree of competence that enables direct engagement with decision makers at all levels.

HLRN's MENA program draws together diverse efforts and approaches to upholding housing and land rights, ranging from popular and legal initiatives to posing alternatives to the privatization of public and environmental goods and services, which affects housing and land rights. The program activities promote adequate housing, land and water management as public goods; land as related to food sovereignty; as well as all relevant traditional methods, moral principles and other culturally specific devices for guiding equitable management of land and natural resources.

The MENA region is exceptionally suitable as a focus for this discussion, with its conspicuous features of foreign occupation, and confiscation of land and water that are bases for livelihoods, and the land and scarce water dimension of self-determination of the indigenous peoples in the region, and people's sovereignty in general.

The MENA Program promotes the development of economic, social and cultural rights culture in the region and builds capacity by providing training, appropriate methodologies for housing rights monitoring and legal defense, access to international forums, and opportunities for cooperation with the UN human rights system. Thus, HLRN's MENA program contributes to the region's discourse on ESC-rights and globalization, and organizes regional and inter-regional exchanges of expertise. HLRN seeks to help create the context for MENA communities and housing rights defenders to develop practical skills, to work cooperatively and develop solidarity regionally and with social movements elsewhere. HIC-MENA's website also provides self-service databases and archives with unique Arabic-language resources on housing and economic/social/cultural rights.

For more information on the MENA Program and HIC-HLRN membership, go to: www.hic-mena.org.



Housing & Land Rights Network
Habitat International Coalition