



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

Distr.
GENERAL

CERD/C/304/Add.49
30 March 1998

Original: ENGLISH

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-second session

CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the
Elimination of Racial Discrimination

Lebanon

1. At its 1258th and 1259th meetings, held on 10 and 11 March 1998, the Committee on the Elimination of Racial Discrimination considered the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth periodic reports of Lebanon (CERD/C/298/Add.2) and adopted, at its 1271st meeting, held on 19 March 1998, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission by Lebanon of its report after a very long period during which the dialogue between the Committee and the State party had been disrupted. The Committee commends the quality and openness of the report which follows the consolidated guidelines. It also appreciates the additional information provided orally by the delegation of Lebanon.

B. Factors and difficulties impeding the implementation
of the Convention

3. The Committee notes the severe difficulties facing Lebanon as a result of almost 20 years of war and foreign intervention which have resulted in widespread destruction. The Committee also takes note of the difficulties caused by the fact that Lebanon has hosted a great number of refugees for several decades.

C. Positive aspects

4. The Committee welcomes the resumption of the dialogue with the State party after 17 years during which Lebanon had to go through the trauma of a civil war, two military invasions and subsequent occupation of part of its territory in the south.

5. The Committee welcomes the fact that, Lebanon has regained peace and stability which generate a more favourable environment for the promotion and protection of human rights, including those enshrined in the International Convention on the Elimination of All Forms of Racial Discrimination.

6. The constitutional amendments of 21 September 1990, including the new article 95 relating to the elimination of political confessionalism, are welcomed.

7. The recent establishment within the Chamber of Deputies of the Commission du réglément interne et des droits de l'homme (Commission on Human Rights) is a welcome initiative.

8. It is also to be welcomed that treaties ratified or acceded to by Lebanon, particularly the Convention, become part of internal law upon the exchange or deposit of the instruments of ratification or accession.

D. Principal subjects of concern

9. Concern is expressed at the insufficiency of the legal definition of ethnic groups and the protection given to them in domestic law.

10. Though political and legal efforts have been undertaken since the restoration of peace in Lebanon, concern is expressed regarding the existing resistance to the progressive elimination of the political system of confessionalism which may impair the State party's implementation of certain provisions of the Convention.

11. Concern is expressed in relation to the full implementation of article 2, paragraph 1, of the Convention, especially with regard to the insufficiency of measures and policies, such as the major information campaign, adopted by the State party to prevent and combat all forms of racial discrimination.

12. Whereas the State party recognizes Syrians, Greeks, Armenians, Copts, Kurds, Jews, etc. as "communities" and "religions", there is no recognition of the different ethnic origin of some of them, which might constitute grounds for different treatment of these communities including, in some instances, racial discrimination.

13. All the provisions of article 4 of the Convention are not fully reflected in domestic law and policies, in particular with regard to the obligation of the State party to adopt immediate and positive measures designed to eradicate all incitement to or acts of racial discrimination.

14. Concern is expressed with regard to enjoyment by everyone of the right to equality before the law (art. 5), especially for ethnic groups, refugees, displaced persons and foreign workers. In this regard, concern is also expressed that religious courts may pass judgements on some family issues which may be construed as discriminating against members of ethnic groups, including refugees and foreign workers.

15. In relation to article 5 (e) (i) of the Convention, the situation of migrant workers is of concern, especially in relation to access to work and equitable conditions of employment. In this regard, reports of confiscations of passports of foreign workers by their Lebanese employees are a matter which should be looked into by the responsible authorities of the State party.

16. There is no specific information relating to article 6, and particularly with regard to cases before Lebanese courts, where litigants may have invoked the provisions of the Convention.

17. Although recognizing the validity of the arguments advanced by the State party, the Committee nevertheless notes that there are insufficient measures and programmes in the fields of teaching, education, culture and information with the view to combating prejudices which lead to racial discrimination and to promoting understanding and friendship.

E. Suggestions and recommendations

18. The Committee recommends that the State party ensure that the rights of ethnic groups fully comply with the requirements of article 1 of the Convention.

19. The Committee recommends that the State party include information on the demographic composition of the Lebanese population in its next periodic report.

20. In the spirit of the Taif Agreement (1989) and the constitutional amendments of 21 September 1990, the Committee supports efforts in the State party aimed at the gradual elimination of the system of political confessionalism, taking into account public views and feelings.

21. In light of article 2 of the Convention, the Committee recommends that the State party take all appropriate measures, such as major information campaigns, with a view to preventing and combating all forms of racial discrimination.

22. The Committee recommends that the State party fully reflect the provisions of article 4 in its domestic law.

23. The Committee recommends that the State party take all appropriate measures to fully ensure that all persons, including members belonging to ethnic groups, refugees and foreign workers, be given equal treatment before the law. It also recommends that the State party ensure that all legal provisions dealing with family-related issues relating to members of ethnic groups and foreigners, are fully consistent with the provisions of the Convention.

24. The Committee recommends that the State party take all appropriate measures, including those of a legal nature, to fully guarantee access to work and equitable conditions of employment to all foreign workers, including Palestinians. The practice of some Lebanese employers of withholding passports of foreign workers should be prohibited.

25. In light of article 7 of the Convention, the Committee recommends that the State party allocate appropriate resources in the fields of teaching, education, culture and information with a view to combating all forms of racial discrimination and to promoting understanding, tolerance and friendship.

26. The Committee suggests that widespread publicity be given to the Convention, the periodic reports submitted by the State party and the concluding observations of the Committee.

27. The Committee notes that the State party has not made the declaration provided for in article 14 of the Convention, and some of its members request that the possibility of making such declaration be considered.

28. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention adopted at the Fourteenth Meeting of States Parties.

29. The Committee recommends that the State party's next periodic report, due on 12 December 1998, be a comprehensive one and that it provide replies to the questions raised during the consideration of the report.
