

The Universal Periodic Review
Lebanon's experience
August 2011

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1. Background:

The following is a research study that comes in the general framework of combining academic research with the practical implementation, done within the scope of the Universal Periodic Review (UPR) in Lebanon.

The study comprises a documentation of the UPR mechanism on a national level, taking Lebanon as a case study for analysis. It aims at assessing the extent to which the UPR's stated principles and objectives of improving the situation of human rights were achieved in the specific case of Lebanon. To do that, the research will briefly review the literature on the UPR, its mechanism and its main objectives/particularities, describe the Lebanese process of reporting in 2010 and will highlight the challenges that could serve to guide the involved stakeholders in the next UPR session and in the period before as to attempt to take a maximum advantage of this process to improve the protection and respect of human rights in Lebanon.

Finally the research will give a set of recommendation based on the lessons learnt and that may be beneficial to the Lebanese civil society and the different stakeholders (national, regional or international) to improve the possible effects of the UPR process in its next round.

The methodology used is through a compilation of primary and secondary data; a first phase of primary data collection will follow to acquire a general assessment of the UPR process through Email/phone correspondence with selected international stakeholders and through interviews with relevant international organizations. A second primary collection phase was conducted to acquire a more in depth evaluation and assessment of the UPR process in Lebanon. This phase will be dependent on the stakeholders' analysis and identified gaps in the previously mentioned desk research. It had included developing, distributing and collecting questionnaires from national and international organizations that were part of this process in Lebanon. This study will follow a simple random sampling with regard to the target study population. The targeted study population includes national and international organizations as well as governmental agencies and individual professionals/consultants who were involved in the UPR process 2010 in Lebanon.

The UPR is a new human rights mechanism developed in March 2006 by General Assembly Resolution 60/251. This mechanism involves the Human Rights Council (HRC), a body of 47 member states. The HRC periodically reviews the performance of the 192 UN member states with regards to implementing their human rights obligations as well as voluntary pledges and commitments. The review occurs every 4 years with each subsequent session reviewing the performance and implementation of recommendations from previous sessions.

The UPR is innovative at least in three ways. First it includes all aspects and dimensions of human rights and is not restricted to a specific treaty or kind or group. Second, the UPR is a peer review where states are reviewed by states, which makes the process participatory and inclusive with all what this includes of advantages and shortfalls. Third, the participation of the civil society organisations is guaranteed through HRC Resolution 5/1 adopted in June 2007 that referred to them as "stakeholders" along with national human rights institutions, human rights defenders, academic and research institutes and regional organizations. They have the right to participate in presenting what is called the "stakeholder" report, be present exercising lobbying power and at a certain time formally participate in the review process.

The UPR process in Lebanon that took place between 2009 and 2011 incorporated many strengths and weaknesses that will be highlighted in this report. It revealed issues that show a good margin for improvement and other issues that are completely blocked due to their political sensitivity. It put the Lebanese human rights related problem in an international perspective but at the same time did not provide tangible tools or measurable targets to improve the human rights situation in Lebanon. Overall, the process itself was a very useful

practice for all concerned parties and its second round will definitely build on that to have further reaching outcomes.

2. The Theoretical Basis

Human rights are increasingly playing a significant role in shaping international relations since 1948. Moreover, in the recent years international relations have witnessed huge steps in the development of the international law, including International human rights law and the international criminal justice. One of these steps was the transformation of the Commission on Human Rights into the Human Rights Council (HRC) by General Assembly resolution 60/251, On March 15, 2006¹ and the important role that this body is intended to play in the protection and promotion of human rights around the world. With these changes the international community is playing a much more proactive role and its decision are have a far reaching effect that has never been seen before, although it is still handicapped by political interests and the large continuing gap between pronounced commitments made and the actual implementation on the ground.²

The mandate of the HRC is to strengthen the promotion and protection of human rights mainly by addressing situations of human rights violations worldwide and issuing recommendations on them.³ The "United Nations Human Rights Council: Institution-Building" package, adopted by the H R C during the 9th meeting on 18 June 2007 as an annex to HRC resolution 5/1 , gave birth to the UPR mechanism, which assesses the human rights situation in all 192 UN member states. Other mechanisms established by the 2007 institution building package were the formation of an Advisory Committee, and an individual Complaints Procedure.⁴

In light of the review of the work of human rights protection mechanisms since 1948, notably the Commission on Human Rights and in the hope of addressing the shortcomings, several reforms were infused into the new human rights body. The Commission, was widely criticized for its politicization to the extent of been abused by perpetrators of human rights violations "to protect themselves against criticism or to criticize others" as described by UN's own Secretary General Kofi Anan⁵. Amnesty International stated that with increasing power politics shaping membership of the commission, states sought to be members in order to shield themselves "from human rights scrutiny instead of to protect and promote human rights".⁶ This lead to what Annan called a "credibility deficit", and correcting this was in fact one of the objectives of the reform process.

In 2005, the United Nations World Summit tackled the human rights work of the UN in an unprecedented manner.⁷ Human rights work was being debated by member states as one of the three central functions of the UN, along with security and development. The process of negotiating and establishing the HRC "reflected a sense of heightened importance of human

¹ General Assembly voted in favour of creating the HRC, with a vote of 170 to 4, The U.S., Israel, Marshall Islands, and Palau were the only states that voted against, while Iran, Venezuela, and Belarus abstained

² Terlingen, Yvonne "The Human Rights Council: A New Era in Human Rights Work?"

³ <http://www2.ohchr.org/english/bodies/hrcouncil/> (last accessed: 19 April 2011)

⁴ The HRC periodically reviews the work of 38 country and thematic special procedures, which include special rapporteurs appointed to monitor and investigate human rights issues based on theme or country. Special Rapporteurs report to the HRC in accordance with a specified schedule. The Advisory Committee functions as a think tank that provides the HRC with expert advice on thematic issues upon request of the Council. The HRC also has a complaints procedure, whereby individuals and organizations can present confidential complaints of human rights violations. Source: OHCHR "Fact Sheet: Work and Structure of the Human Rights Council"

⁵ A screaming start. Economist, 00130613, 4/26/2008, Vol. 387, Issue 8577

⁶ Amnesty International, IOR41/008/2005

⁷ Terlingen, Yvonne "The Human Rights Council: A New Era in UN Human Rights Work?"

rights in the work of the United Nations and its relevance to the security challenges of the 21st century"⁸.

"The Human Rights Council was created as a subsidiary organ of the General Assembly, but the Assembly agreed to review the council's status within five years of its formation".⁹ General Assembly Resolution 60/251 thus placed much emphasis on "objectivity" and "non-selectivity" in agenda setting, as translated in the objectives of the UPR as well. The UPR's universal coverage of all states came as a direct response to criticism that powerful countries escaped scrutiny on the one end, and on the other end the criticism that countries with a bad human rights record were granted membership and a scrutinizing role on other countries.

According Blaise Godet, previous president of the HRC between 2006 and 2007, one way the Council can assess whether member states uphold their voluntary pledges and commitments is through the UPR, which all states must undergo. In Godet's words, "it is a good thing that the Council is composed of countries whose obligations toward the implementation of human rights varies. It is through cooperation within the Council that countries can be helped to advance in the execution of their obligations".¹⁰

Other examples of shortcomings of the previous Commission on Human Rights was that it was criticized for meeting once a year, which caused ad hoc human rights issues to go unaddressed for no reason other than time. The difference in the HRC and the arguable advantage is that the council meets at least three times a year for 10 weeks each, while special sessions¹¹ are easier to convene at the request of a third of its members. Furthermore, whereas previously the Commission's review of human rights situations in states was selective, the UPR guaranteed that all UN member states are reviewed, regardless of international status. There could be no political bargains that excused one state from being scrutinized for human rights violations.

Although the above-described reform efforts were clearly shaped by the collective will to depart from the way things were done in the Commission days, the HRC in the new form was still not able to completely shed the political coat. "As expected from a political body, strong political divisions among countries and groups are reflected in the council's debate".¹² The council quickly got stuck in the turmoil of very politicised issues like the situation in Palestinian, Darfur, Iraq, Iran, North Korea, and others. Other conflicts have also weighed on the discussion in the different sessions like the US-Iranian conflict and Arab-Israeli conflict. Lebanon's review session also witnessed a clash between the Israeli, Syrian, and Lebanese delegations. Steven Groves, expert in international institutions at the U.S.-based think tank, the Heritage Foundation, says that the Council "is dominated by countries most interested in using the cachet of the council to deflect criticism of rights abuses at home".¹³ It is thus important to note that political interests, lobbies and alliances play an important role in the HRC which makes states refrain from criticizing allied states during their review and receive

⁸ Gaer, D. Felice "A Voice Not an Echo: Universal Periodic Review and the UN Treaty Body System" Human Rights Law Review, Volume 7, Issue 1 pp.109-139, Oxford Journals

⁹ Terlingen, Yvonne "The Human Rights Council: A New Era in UN Human Rights Work?"

¹⁰ Interview with Blaise Godet, "Reforming Human Rights: Challenges Facing new Human Rights Council" 2008

¹¹ Members of the HRC and GA can call for the holding of special sessions by the HRC on ad hoc human rights issues unforeseen on the pre-set agenda of the HRC. These special sessions usually take on emergency human rights issues that emerge on an ad hoc basis. Specific procedures for calling for and agreeing on a special session of the HRC are outlined in the HRC's rules of procedure available online at: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/gaA.520.Rev.15.En.pdf>

¹² Terlingen, Yvonne "The Human Rights Council: A New Era in UN Human Rights Work?"

¹³ Bluster at UN Human Rights Council, as US and Iran trade barbs. By: LaFranchi, Howard, Christian Science Monitor, 08827729, 3/2/2010

mutual treatment in their own. This has been a standard policy among Arab League countries.¹⁴

This politicisation have not damaged the UPR process irreparably as all states so far have reported in a timely manner and most delegations have engaged willingly and cooperatively with the UPR working group.¹⁵ When seen in comparison with the record of reporting to the treaty bodies, the UPR proves to be quite unprecedented in levels of state cooperation. The nature of the process and its universality made it clear for the different states especially those who have had so far a weak and inconsistent reporting record to other human rights treaty bodies.

Furthermore, the process of preparing the state report could be a very useful period of national engagement of governmental agencies, civil society, and the public; stirring up public debate and dialogue over policy needs and concerns, and ultimately generating reliable information upon which most subsequent initiatives could be based. It also creates a large amount of human rights data for every country that can be very beneficial for the different stakeholders on various levels.

UPR remains weak on the implementation and the enforcement mechanism of recommendations. The UPR was meant to be an action-oriented review mechanism, whose primary objectives were to improve the situation of human rights on the ground and to facilitate a self-assessment by the concerned State of its progress, within the scope of an inter-governmental review process. The UPR also aimed to share best practices among States and stakeholders and to even lay the ground for better cooperation with other UN human rights monitoring mechanisms.

Another pioneering element that was elaborated with the UPR mechanism was the expanded space for participation of civil society and relevant stakeholders to participate and influence the process of review. Although the UPR is primarily a state-driven process, many have noted that its success rests on the effective participation of civil society.¹⁶ Whereas space for civil society participation has existed under the treaty body mechanism for a long time, mainly through the shadow reporting system, it can be argued that the UPR has taken a step further, by making stakeholder submissions one of three main documents¹⁷ that serve as the basis of the review. HRC Resolution 5/1 adopted in June 2007, guarantees civil society participation. The official nature of this guarantee spurred OHCHR and other international organizations to conduct wide mobilization efforts with NGOs, in order to train them on the process and encourage their participation. Civil society participation in Lebanon for example, has been much more expansive than participation in treaty bodies, as will be seen in later sections.

Another issue around the UPR is its real impact on the ground notably after the end of the review process. According to Rachel Brett, "it is important to consider that what happens in Geneva is of less importance than the effect in the country concerned".¹⁸ Furthermore, the requirement to report in the next cycle on the progress in the achievement of the previous recommendations and the recommendations that civil society actors follow up on implementation means that the UPR does not end at the plenary's adoption of the final report

¹⁴ Human Rights Watch Representative. "HREA Webinar: Civil Society and the UPR" 22 October 2009 – personal notes on live online discussion. http://www.hrea.org/index.php?base_id=522&language_id=1

¹⁵ OHCHR Civil Society Unit Representative. "Briefing on the Universal Periodic Review" Workshop. 18 November 2009, Beirut. *Personal Notes on discussion*

¹⁶ Human Rights Nexus "The Universal Periodic Review. How it works and how to contribute". Available online at: <http://www.humanrightsnexus.org/pdfs/report.pdf>

¹⁷ The three main documents include: UN compilation report, State report and Stakeholder s report (the last two are often referred to as National submission)

¹⁸ Brett, Rachel "A Curate's Egg. UN Human Rights Council: Year 3" 2008-2009 Quakers United Nations Office available online at: <http://www.quono.org/geneva/pdf/humanrights/ACuratesEgg200908.pdf> (last accessed: 13 May 2011)

on the state under review. The recommendations that are produced in the process, whether accepted or rejected, form guidelines for state action, but also shape advocacy agendas of NGOs and give a good reason for NGOs to question and monitor the performance of the government. The government's reactions to the recommendations it receives has been the subject of debate, as many believe that in its current format of allowing states to reject or accept recommendations, the UPR ends up being quite weak on the compliance level. Asking states to give reasons for rejecting recommendations has been suggested as a way to deal with this shortcoming of the UPR. "All states should be encouraged to respond specifically, and in writing in advance of the Plenary, to each recommendation making clear whether or not they accept it, and should be encouraged to give reasons for not accepting recommendations".¹⁹

3. Lebanon's Reporting Process

The section provides a compilation of events and developments related to Lebanon's UPR since the beginning of the process in 2009, throughout the review in 2010, in addition to the primary evaluative data collection conducted for the purpose of this report.

Lebanon's first review session under the UPR mechanism was scheduled during the ninth session of the UPR's Working Group, specifically on 10 November 2010. For the purpose of this case study, the process will be divided into three main phases which are mainly: the reporting phase considered to be the period building-up to the review session in Geneva, followed by the review session in Geneva and the related actions that took place, and finally the follow-up process after the final report on Lebanon that was adopted by the HRC in March 2011. It is important to note that throughout this section, a distinction will be made between the national phase of the UPR and the international phase.

3.1 Early Mobilization and the Preparation Phase

National stakeholders first mobilized in December 2009 in preparation for the UPR through a series of capacity-building workshops initiated in part by the Office of the High Commission of Human Rights's (OHCHR) regional office and targeting both governmental and non-governmental actors. OHCHR's regional office located in Beirut started a series of meetings with the Ministry of Foreign Affairs (MOFA) and representatives of other ministries to inform them about the upcoming session and offer guidance and support in the reporting process. The meetings resulted in a two-day workshop on capacity building for government bodies involved in the UPR including MOFA staff and focal points in appropriate ministries. OHCHR had held before that a regional training in July 2009 for both governmental and non-governmental actors.²⁰ OHCHR's Civil Society Unit also organised in partnership with Friedrich Ebert Stiftung (FES) a capacity-building training for civil society organizations in November 2009 introducing the participating NGOs to the stakeholder submission process and the technicalities of the UPR. OHCHR then appointed a UPR focal person to coordinate with NGOs and the government throughout the period leading up to the review session in Geneva. OHCHR provided technical assistance where needed, and at times played a soft advocacy role with the government in encouraging them to follow internationally-recognized best practices for the various elements of the UPR.²¹

¹⁹ Brett, Rachel "A Curate's Egg. UN Human Rights Council: Year 3" 2008-2009 Quakers United Nations Office. P.12 available online at: <http://www.quono.org/geneva/pdf/humanrights/ACuratesEgg200908.pdf> (last accessed: 13 May 2011) p.13

²⁰ Interview with OHCHR, Lana Baydas, Human Rights Officer, Beirut July 27th 2011

²¹ Interview with OHCHR, Lana Baydas, Human Rights Officer, Beirut July 27th 2011

3.2 Reporting

MOFA is the ministry that usually takes care of reporting notably to UN Treaty bodies, thus it took lead in preparing the state report for the UPR and in coordinating with other ministries and governmental institutions to get the needed information. There is however no official mechanism for reporting that mandates the MOFA with this task. According to a representative of OHCHR, early discussions with the MOFA UPR team included among other issues, the ability of reporting, and the possibility of delaying the report, the choice of preparing a written or only an oral submission.²² With OHCHR's soft advocacy and technical support, the government settled on preparing a written report presenting thematic data compiled by MOFA and engaging relevant ministries. The process included most ministries notably the Ministry of Interior, the Ministry of Justice, the Ministry of Social Affairs, and the Ministry of Labour; and a focal person was appointed in each ministry to coordinate with inter-ministerial efforts.²³

In January 2010, MOFA local staff in coordination with the Lebanese permanent delegation to Geneva arranged the themes required for reporting. In an inter-ministerial cooperation that is first of its kind in Lebanon, relevant ministries were contacted according to subject to prepare the needed information in a fifteen page document and a one page summary. The deadline set for this was March. The main challenges in this process were related to communication between ministries, delays in receiving draft documents and bureaucratic complexity.²⁴ Once the drafts were received MOFA compiled the report and tasked its department of legal consultations to review it. The final draft was then sent back to the ministries for final approval.

As for the civil society, many NGOs were already involved in various UN mechanisms, treaty bodies, and special procedures. Thus, the UPR came as an opportunity to consolidate and rationalize data that had already been collected via monitoring programs already in place. What was needed was a capacity-building on the technicalities of the process. As for other NGOs involved both in development and rights-based work but who did not have a previous knowledge of UN mechanisms, the initiative of Friedrich Ebert Stiftung (FES) and OHCHR (mentioned previously) to mobilize and train NGOs was effective in guaranteeing their participation.

FES reached out to active NGOs and organised a workshop in February 2010 in the aim of forming an NGO coalition under the name of the "coalition of civil society organizations in Lebanon for the UPR" (CCSOL) to present a stakeholder submission report under the UPR mechanism. The coalition came to include over 50 organizations and its meetings were attended and overseen by representatives of the OHCHR. Coalition members agreed to submit a joint stakeholder submission. The report was divided into groups of rights including but not limited to women's rights, child rights, civil and political rights, economic, social and cultural rights, and refugees and accordingly, NGOs formed sub-coalitions to prepare the relative sections each in their area of expertise. Representatives of coalition members held consecutive meetings to share information, coordinate efforts and follow up on the MOFA's report progress.²⁵

²² General Assembly Resolution 60/251 states that countries can have oral submission but the record shows that no country has done so at this stage

²³ Interview with 1st Secretary at Ministry of Foreign Affairs, Ms. Myrna Khalwe June 14th 2011

²⁴ Interview with 1st Secretary at Ministry of Foreign Affairs, Ms. Myrna Khalwe June 14th 2011

²⁵ ALEF – act for human rights documentation on the UPR

Some NGOs, those who opted not to participate in the coalition and other who were part of the coalition, prepared their individual submissions separately based on their priorities and areas of expertise. Some international organizations also submitted individual submissions on thematic issues. Two reporting initiatives that are noteworthy are the reports submitted by World Vision and the Palestinian Human Rights Organization (PHRO). World Vision's submission was in fact a child participation report, compiled by children themselves. It included 360 children from all over Lebanese territories between the ages of 9 and 17 years.²⁶ Allegedly, World Vision's initiative with children in Lebanon was the first of its kind in the UPR.²⁷ The report covered six topics of concern to the children, and produced seven recommendations. Meanwhile, a similar initiative in reporting was reflected in PHRO's submission on Palestinian refugees in Lebanon.

3.3 Outreach, Dialogue, and Public Awareness

There has been no national debate on human rights issues sparked, in accordance with international best practices, and no involvement of the public in the process. The Lebanese government did not benefit from the opportunity that the UPR offers in this respect. . Very little was done to inform or involve the public; rather, the UPR was taken as a reporting exercise followed by a trip to Geneva. The justification given by a MOFA representative was the lack of funding for an outreach strategy. The MOFA only invited to the consultation or meeting held NGOs, based on a selection from stakeholders without ensuring a wide and inclusive representation. .²⁸

Public outreach was mainly concentrated within the civil society domain. Organizations individually and collectively targeted the media to increase their awareness and involvement in the process. The CCSOL translated its joint submission into Arabic and printed it into booklets for a better and wider public outreach and organised a launching event in July 2010. This event was covered by the numerous media and the attendance included diplomatic representatives from two of the three countries chosen to facilitate Lebanon's session "the troika" (Nigeria, Malaysia and Chile) in addition to numerous European delegations and Lebanese public figures and MPs.²⁹

Other NGOs such as the Arab NGO Network for Development (ANND) who had acquired expertise on the UPR mechanism through its participation in previous review sessions of countries in the Middle East and North Africa (MENA) region such as Egypt in February 2010, contributed with its expertise on social, economic, and cultural rights to reaching out to national NGOs and guiding them through the process. Beyond its work on the joint submission, ANND also produced a booklet on the UPR process, which includes a step-by-step guide for NGO involvement in the UPR.³⁰ According to a representative of ANND, the UPR presented a great opportunity for building NGO networks. Similarly, other NGOs such as Frontiers-Ruwad targeted civil society organizations in its outreach strategy, and facilitated smaller networking initiatives of NGOs that shared its priorities and specialization.

Meanwhile, other NGOs like ALEF-act for human rights (ALEF), expanded their strategies to mobilize international NGOs as well. ALEF partnered with IKV/Pax-Christi International in

²⁶World Vision Lebanon Children's Council "Stakeholder Report on Lebanon" on the occasion of the UPR Working Group's 9th Session, 2010. Available online at:

http://lib.ohchr.org/HRBodies/UPR/Documents/Session9/LB/WVI_WorldVisionInternational.pdf

²⁷ Mouvement Mondial en Faveur Des Enfants "Lebanon: World Vision takes child participation further- all the way to the UN" 17 November 2010 available online at: <http://www.gmfc.org/fr/actions-dans-le-mouvement/asia-pacifique/actualite-dasie-pacifique/922-lebanon-world-vision-takes-child-participation-further--all-the-way-to-the-un>

²⁸ Interview with 1st Secretary at Ministry of Foreign Affairs, Ms. Myrna Khawle June 14th 2011

²⁹ Interview with 1st Secretary at Ministry of Foreign Affairs, Ms. Myrna Khawle June 14th 2011

³⁰ <http://www.annd.org/administrator/pubfile/final%20UPR%20step%20by%20step%20formatteb%20EN.pdf>

both the joint submission and the public awareness raising strategy. Materials produced by ALEF on a national level were published online by the international organization. According to a representative of ALEF, partnering with an international NGO provided the opportunity of coordinating advocacy actions on a national and international level. While ALEF mapped national stakeholders and implemented targeted lobbying activities, IKV/Pax Christi International mapped delegations in Geneva and analyzed dominant trends in the HRC that assisted in devising international advocacy strategies.

In terms of media coverage of the UPR throughout the process, it intensified around the date of the review session in November 2010. Some journalists attended the review session in Geneva as observers, and in addition were invited by civil society organization to cover the side event held a day prior to the session. Unfortunately however, the bulk of the media coverage of the review session focused on the quarrel that emerged between Lebanon, Israel, and Syria during the session. Four out of the five newspaper articles that covered the review session in November headlined the article around the quarrel with Israel.³¹

3.4 National Consultation and Advocacy

In the national report submitted, the government claimed that civil society organizations were involved in the preparation of the state report through a UPR committee that comprised both governmental and non-governmental stakeholders, and this was presented as a Lebanese compliance to the HRC resolution 5/1 (6/2007) that encouraged states to conduct broad national consultations in view of the preparation of the state report. Furthermore, in his opening remarks during the review session in Geneva, the head of the Lebanese delegation began the presentation of the national report by saying:

"In preparing the national report, Lebanon had adopted an inclusive and consultative approach. It had been produced with contributions from focal points in all Ministries and relevant bodies, compiled by a committee created by the Ministry of Foreign Affairs. The parliamentary committee for human rights and civil society was included in this process, reflecting Lebanon's belief in partnerships with NGOs in promoting and protecting human rights"

Also during the interactive dialogue, Lebanon received praise by some delegations regarding the involvement of civil society in the preparation for the UPR. While the United Kingdom delegation submitted in advance a question inquiring as to how the Lebanese government consulted civil society in the preparation of the national report and followed it up with a comment during the interactive dialogue, encouraging the Lebanese government to "involve civil society in the follow-up to the review".

In reality however, the only consultation that happened was a consultation session by MOFA with NGOs that was urged by the secretary of the human rights parliamentary committee, MP Ghassan Mukheiber, to hold. The resulting meeting in August 2010 arguably came too late, and did too little as it was very limited in scope of discussion and in the numbers of NGOs invited. Most of the NGOs surveyed for the purpose of the report responded that the government should have done more to consult civil society. It is worth noting that NGOs were

³¹Newspaper coverage on 11 November 2010, a day after the review session in Geneva, included:

Al Akhbar newspaper (<http://www.al-akhbar.com/ar/node/214268>); Assafir

(<http://www.assafir.com/Article.aspx?EditionId=1695&ChannelId=39678&ArticleId=1159&Author=>); Annahar

(<http://www.annahar.com/content.php?priority=15&table=mahaly&type=mahaly&day=Thu>)

The Daily Star (http://www.dailystar.com.lb/article.asp?edition_id=1&categ_id=1&article_id=121430#)

L'Orient Le Jour

(http://www.lorientlejour.com/category/Liban/article/678151/vif_echange_entre_le_Liban_et_Israel_au_Conseil_des_droits_de_l'homme_de_l'ONU.html)

informed of the meeting within a short notice and the draft state report was disseminated to them only few days ahead and in a disorganized manner³². During the meeting, MOFA Secretary General Habib and consultants from the MOFA's various departments were present. They explained that a key challenge in making changes to the draft report at the time was the need for the approval of concerned ministries. It was also clear in the meeting and later on in Geneva that MOFA was within the framework of national political dynamics, which enforce at times self-censorship with regards to various politicized issues and the dissemination of information internationally. The dialogue moderated by MP Ghassan Mukheiber was focused mainly around the structure of the report and few content-related issues were discussed briefly with very few resulting changes.

In July 2011, prior to the above-mentioned August meeting, an advocacy initiative led by ALEF in partnership with other national and international NGOs like Frontiers, Centre Libanais pour les Droits de l'Homme (CLDH), Restart, and Al Karama, was implemented to urge the government to hold wide and inclusive consultation with civil society. The NGOs prepared a joint NGO letter addressing the MoFA and the Ministry of Justice (MoJ), urging the government to do the following:

- to hold an effective and transparent national consultation process
- to raise awareness of the general public on the UPR process and the findings of the state report through the media and other means
- to publish the state report before the review session and ensure wide access to it, especially by NGOs and civil society organizations

The joint advocacy points also covered reporting obligations to UN treaty bodies encouraging the state to establish a clear mechanism and harness sufficient political will to engage constructively with UN reporting mechanisms. NGOs expressed their view that the UPR as an opportunity for national engagement which in its ideal form would involve governmental agencies, civil society, and the general public. The NGOs allegedly never received a reply to the letter, and MOFA representatives in the consultation meeting were not aware of the letter³³.

In accordance with international best practices and upon review of the literature on the UPR, it is important to note that national consultations lose their purpose when taken as a simple exercise to check off a list. The UPR process, as proclaimed in GA Resolution 60/25, prioritized transparency. That is why all reports and webcasts of sessions are available on the OHCHR website and that is also why states are encouraged to prepare their report through a national consultation process. If there is not sufficient involvement of stakeholders and if the process is not complemented by national consultation, awareness raising, and follow-up, the UPR risks being reduced to a diplomatic exercise.

Notably, the tradition of consultations in Lebanon is weak, and most of the dialogue that does take place between NGOs and the government is based on the contacts and channels of communication that are harnessed by the individual NGO through its lobbying and advocacy program. Therefore, dialogue in Lebanon can be considered to still be at a "personal" level, with the clear absence of official and inclusive mechanisms. Nonetheless, good practices of consultation between civil society and government do exist, such as in the case of the Higher Council for Childhood (HCC) and the National Commission for Women's Affairs (NCWA). Both bodies have utilized consultations for preparation of treaty body reports. However, It is important to note that "constructive dialogue between civil society and government in which

³² ALEF – act for human rights documentation on the UPR

³³ ALEF – act for human rights documentation on the UPR

mandates and responsibilities are clear between the two parties is rare³⁴. Where there is cooperation, NGOs more often take on the responsibilities of government". As noted in the 2006 concluding observations of the Committee on the Rights of the Child, the Committee was encouraged by the active role of civil society in the fulfilment of children's rights but warned against the trend of "contracting out" services to non-governmental organisations, noting that this practice weakens accountability of the government and external monitoring by civil society.³⁵

Other advocacy initiatives were also implemented by various NGOs, in accordance with their respective priorities. NGOs individually and collectively targeted foreign diplomatic missions in Lebanon, particularly of HRC member states in the aim of forwarding specific questions and advocacy points to their Foreign Ministries and consequently their respective delegations in Geneva. NGOs forwarded to all delegations of the Working Groups advance questions that delegations could pose to the Lebanese government.

Finally, the CCSOL organized in Geneva a side-event to present key human rights issues and concerns. All members of the HRC were invited to this event, alongside international NGOs, the Lebanese government delegation and MP Ghassan Mukheiber, member of the human rights parliamentary committee. The side event took place a day prior to the session, on 9 November 2010 at the Palais Des Nations in Geneva. The event was divided into two parts: Briefing on economic and social rights and Critical Thematic issues. Both parts were followed by an open discussion with the audience. Thematic topics covered during the event included women's rights, Palestinian refugees, persons with disabilities, the death penalty, military tribunals, as well as detention conditions, torture and ill-treatment.

It is worth noting, that the presentation in the side event, triggered few yet crucial discussions among the present audience and NGOs representatives that was highly interesting to representatives of foreign delegations attending. This is something to aim for in future side events³⁶.

4. Lebanon's Review

Lebanon was one of 16 countries³⁷ to be reviewed during the ninth Working Group session scheduled from 1 to 12 November 2010. Lebanon's review was held during the 15th Working Group meeting on 10 November 2010. The Troika states that facilitated and reported on Lebanon's review session were appointed on 21 June 2010 and were Chile, Malaysia, and Nigeria.³⁸

In accordance with the UPR process, the basis of the review was the state report submitted by the Lebanese government in August 2010, as well as the summary of stakeholder submissions prepared by OHCHR, and the compilation report containing information gathered by OHCHR through various UN sources. Furthermore, lists of questions were sent in advance to the Lebanese government by 11 states including Belgium, Denmark, Germany, Ireland, Latvia, the Netherlands, Slovenia, Great Britain, and others.³⁹

The Lebanese delegation was headed by Ambassador William Habib, the Secretary General of the MOFA. The delegation was composed of representatives of the Permanent delegation

³⁴ ALEF – act for human rights internal documentation through the monitoring and advocacy program

³⁵ Committee on the Rights of the Child, *Concluding Observations: Lebanon*, 8/06/2006, CRC/C/LBN/CO/3, pg 4, § 21

³⁶ ALEF – act for human rights international documentation through its monitoring and advocacy program

³⁷ Liberia, Malawi, Mongolia, Panama, Maldives, Andorra, Bulgaria, Honduras, U.S.A., Marshall Islands, Croatia, Jamaica, Libya, Micronesia, and Mauritania

³⁸ Working Group Report

³⁹ List of advance questions available online at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/102/11/PDF/G1110211.pdf?OpenElement>

to Geneva, the MOFA, as well as representatives of the Ministry of Defence (MoD), the Ministry of Interior and Municipalities (MoIM), Ministry of Justice (MoJ), Ministry of Social Affairs (MoSA), Ministry of Labour (MoL), and the National Committee for Women's Affairs (NCWA).

During the review session, Ambassador William Habib presented the state report, emphasized that the process of preparing for the UPR was an inclusive one and stressed the government's "belief in partnership with NGOs"; subsequently, he highlighted Lebanon's unique social composition, the difficulties it faces on the ground, and presented the various institutional developments taking place for the promotion and protection of human rights. Ambassador Habib responded to some of the questions submitted in advance, mainly about torture, military courts, Palestinian refugees, and prison conditions.

During the interactive dialogues, 49 delegations made statements while additional statements by 16 delegations were not given due to time constraints. The majority of delegations during interventions recognized Lebanon's circumstances with regards to armed conflict and there seemed to be general trend to assess the human rights situation against this context. Analysis of the interactive dialogue can be found in the following section.

Israel's statement presented a "strong objection to the inappropriate and abusive language used to reference the country in paragraph 2 of Lebanon's national report" and highlighted the issue of the threat of Hizbullah to peaceful coexistence of Lebanon and Israel. This objection initiated a long series of replies and counter replies and an argument on whether to include the objection in the record of the session or not. With the US intervening to support Israel and Syria intervening to support Lebanon, the discussion slipped away from human rights. The argument resulted in delaying the issuing of the minutes for more than 24 hours.

Beside this argument, the main issues brought up in the discussion were, Palestinian refugees, torture, migrant workers, gender equality and domestic violence, education, corporal punishment, the death penalty, social insurance, health, children and persons with disabilities, with Palestinian refugees and torture getting the highest attention. Most of the delegations encouraged Lebanon's intention to establish a national human rights institution. In response the Lebanese delegation covered the following topics: citizenship and gender equality, persons with disabilities and inclusive education, refugees, torture and detention conditions, trafficking, domestic workers and treaty body reporting.

On 17 March 2011, Lebanon final UPR outcome was considered by the Plenary of the HRC during its 34th meeting. The Lebanese delegation made voluntary commitments such as the hope to work "hand in hand with civil society organizations to create an enabling environment for these organizations to pursue their legitimate interests and concerns".⁴⁰ Out of the recommendations which Lebanon said it would consider in November 2010, the Lebanese delegation announced that it would extend a standing and open invitation to special procedures mandate holders, it would prepare overdue reports to treaty bodies and that the initial report to the CAT was under way.

5. Outcome of the UPR

The UPR as a mechanism has been criticized internationally for the lack of specificity of some recommendations and for the fact that states can reject recommendations with no need for explanation. Also, in many instances, States accept recommendations without clarifying what exactly they are accepting and what they are willing or not willing to implement. The result

⁴⁰ <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/DraftReport16thSessionHRC.pdf> - 558

(and this is the case with all human rights mechanisms) is that States make a commitment of which the implications, they themselves are not fully aware of.

Lebanon accepted on March 2011 during the plenary meeting of the HRC 69 recommendations; the Lebanese government considered that 28 of these recommendations were already in the process of being implemented. On the other hand the Lebanese government rejected 40 recommendations; three of which (presented by Israeli delegation) were rejected on grounds that they were not within the scope of the UPR. This outcome theoretically means that the Lebanese government is committed to implementing 69 recommendations, and this will serve as the basis of Lebanon's review four years from now.

This section will shed the light on the patterns of rejection or acceptance of recommendations. The underlying assumption of this section is that by analyzing the Lebanese government's reactions to the presented recommendations, one can come to a better understanding of the dominant political commitment or lack thereof to specific sets of rights. In turn, this understanding should serve as a basis for advocacy and lobbying by civil society in the upcoming years. The below table summarizes the recommendations accepted.

Recommendations Accepted by the Lebanese Government

	UPR Recommendations
(1) Ratification of Human Rights Instruments	Ratify the CERD
	Ratify UNESCO Convention on the Protection and Promotion of Cultural Expression
(2) Institutional Changes	Establish a national human rights institution according to Paris Principles
	Establish a general directorate for human rights in the Ministry of Justice as per existing draft law
	Adopt national human rights action plan
(3) Missing Persons	Address the problem of missing persons
(4) Torture	Amend legislation to bring the definition of torture in line with the UNCAT
	Legislate stricter sentences for acts of torture and ill-treatment
	Amend penal code to criminalize all forms of torture
	Prosecute perpetrators of torture in accordance with international standards
	Compensate victims
	Establish a national prevention mechanism (NPM) in accordance with OPCAT
(5) Trafficking	Strengthen legal and institutional framework to combat trafficking
	Study international practices and develop domestic legislation in conformity with international standards
	Strengthen cooperation with international organizations
	Amend labour code with regards to sale and trafficking of children
(6) Women's Rights	Adopt draft law on protection of women from domestic violence
	Strengthen reporting and investigation of incidents of family violence
	Adopt concrete measures to prosecute perpetrators of domestic violence
	Develop a comprehensive national strategy for achieving gender equality and combatting gender-based violence
(7) Education	Finalize national action plan on education
	Improve quality of education
	Strengthen vocational training

	Ensure education covers all parts of the country, including Palestinian refugees.
(8) Right to Work	Regulate labour relations and legal framework to safeguards the dignity and rights of migrant domestic workers
	Provide legal protection for migrant and migrant domestic workers
	Grant migrant domestic workers annual leave
	Consider employing social workers to monitor working conditions of migrant domestic workers
(9) Palestinian Refugees	Amend labour law and social security law to grant Palestinians the right to work
	Seek international assistance for provision of basic services to Palestinian refugees
(10) Reporting to Treaty Bodies	Submit initial report to UN-CAT
	Establish national level coordination mechanism to assess and monitor implementation of treaty body obligations
	Submit overdue periodic reports
(11) Capacity-building of Security Forces	Implement training and awareness raising for security forces on human rights

The Lebanese government rejected all recommendations related to the death penalty although it has previously declared in other UN forums that it is committed to eventual abolishment. In an official communiqué⁴¹ by the permanent mission of Lebanon to the United Nations presented in 2006, the Lebanese government stated that it has declared a moratorium on public executions as a first step towards eventual abolishment.⁴²

Other issues that did not enjoy the support of the government include recommendations about Palestinian refugees, and expanding their right to ownership of property and further removing restrictions on employment. Although the Lebanese government did accept a portion of recommendations relating to Palestinian refugees, the delegation was consistent in reminding the international community that it also shares a responsibility towards ameliorating the lives of Palestinian refugees. The delegation declared that it would not take any decisions that would come at the expense of the Lebanese population or at the detriment of the right of Palestinian refugees to return to their homeland. Besides Palestinian refugees, the Lebanese government also rejected recommendations relating to the limiting of the jurisdiction of military courts, the decriminalization of homosexuality, as well as specific recommendations regarding the elimination of gender-based discrimination from legislation and the extension of labour protections to migrant domestic workers. In the plenary 34th meeting on 17 March 2011, the Lebanese delegation justified the rejection of the recommendations on Death Penalty and CEDAW reservations by the fact that the factions of the Lebanese population were not yet in agreement on this issue.

With regards to torture, the Lebanese government did not accept the French recommendation to lift the reservation to article 22 of the UN-CAT⁴³ calling on states parties to publicly declare that the CAT Committee has the authority to receive individual complaints. Finally, with regards to child rights, the Lebanese government rejected recommendations to ratify the second optional protocol to the CRC related to use of children in armed conflict, raising the

⁴¹ Permanent mission of Lebanon to the UN, Ref: 1066A/06, April 25th 2006

⁴² ALEF, IKV Pax Christi "Submission to the UN Universal Periodic Review- Lebanon" December 2010. On the occasion of the 9th session of the UPR Working Group of the HRC

⁴³ www.ohchr.org / English / law / CAT.htm

minimum age of criminal responsibility (which is currently seven years), and coming up with a comprehensive policy to address the issue of street children.

The Lebanese delegation made voluntary commitments such as the hope to work "hand in hand with civil society organizations to create an enabling environment for these organizations to pursue their legitimate interests and concerns".⁴⁴ The Lebanese delegation also announced that it would extend a standing and open invitation to special procedures mandate holders, and said it would prepare overdue reports to treaty bodies and that the initial CAT report was under way, all recommendations that Lebanon in November 2010 session said would consider. The delegation announced that it was committed to uncover their fate of missing persons, however did not accept the recommendation of establishing a national commission claiming that "implementation mechanisms would depend on internal and external circumstances".⁴⁵

Finally, the eleven (2-minute) interventions by national and international NGOs mainly pressed for more concrete commitments, a time-frame, and highlighted specificities of particular issues.

6. Follow-up on Recommendations

Following-up on the implementation of recommendations is may be the most crucial component of the UPR. In case of non-implementation of recommendations, there are consequences elaborated by the HRC. Yet states can simply "take note of" recommendations without clearly accepting them. Although it is still early to assess the effect of the UPR in Lebanon, few marked initiatives have been made to translate UPR recommendations into concrete action. There is little evidence that an official mechanism will be established to follow-up on the recommendations by the government, and the inter-ministerial committee that worked on the UPR report has not met since the review was completed in 2010.

This study tried to inquire into the means through which specific recommendations that have been accepted will be implemented, how the recommendations were disseminated to ministries and governmental agencies, and whether there would be an action plan and periodic evaluation of progress.

With regards to specific follow-up actions by the Lebanese government, two sets of rights could be highlighted as examples to illustrate the impact of the UPR on a practical level: torture (UNCAT) and child rights (UNCRC).

The case of the High Council of Childhood (HCC), which has been the governmental body responsible for reporting to and interacting with the Committee on the Rights of the Child⁴⁶. The second example will pertain to recommendations related to torture and detention conditions. There is no single governmental body that is mandated with following up on the implementation of the UNCAT, therefore, responsibility is shared across several bodies and ministries.

⁴⁴ <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/DraftReport16thSessionHRC.pdf> - 558

⁴⁵ <http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/DraftReport16thSessionHRC.pdf>- 562

⁴⁶ The Higher Council for Childhood (HCC) was established in 1994 by the Council of Ministers with a mandate to oversee and coordinate the implementation of the CRC in Lebanon

This section will try to understand if UPR recommendations were transformed into measurable implementation targets as it will ultimately help in assessing whether the UPR has the intended impact for the improvement of human rights on the ground. Finally, it will mention how civil society has taken on the monitoring role with regards to the recommendations.

6.1 Follow-up by the Government

Child Rights and UPR

The child rights topic is selected hereby, as it presents a good example of how a certain human rights sector has already a national implementation mechanism in Lebanon compared to other human rights sectors. The HCC is a consultation and coordination body between governmental and non-governmental stakeholders and is responsible for state reporting to the Committee on the Rights of the Child. Consequently, in 2009-2010 UPR process, the HCC was the actor responsible for the child rights section of the UPR national report; as per the Secretary General of the HCC, the preparation phase of the UPR was more of an exercise rather than being well planned or prepared enough in a manner that pushes the government to assess the achievements and progress made on the level of the CRC that incite them to consult with the civil society – as consultation was not inclusive and efficient.

Looking at the experience of the HCC in the UPR and trying to understand to what extent the UPR recommendations were an added value to its work in comparison with treaty body recommendations, we note the following: the HCC has taken note of the CRC concluding observations in 2006 and incorporated them into questionnaires that were sent relevant ministries. Following which, the HCC formed committees with a mandate focusing on the implementation and follow-up of specific themes. A national action plan for the implementation of child rights was to be put together based on the work of these committees. Therefore, as can be seen, the CRC reporting process triggered national implementation work involving a cross-section of stakeholders. During the UPR of Lebanon in 2011, the HCC secretary general mentioned that the UPR recommendations related to children were published on the website of the HCC in 2010-2011, and they were also included into the HCC monitoring activities for the coming period along with all CRC concluding observations.

The HCC presents an important case, worth observing further and monitor to which extent the linkage between both UPR and CRCs mechanism will reveal to be efficient on the ground. If implemented appropriately. Consequently this could present as a good practice when trying to link the UPR with the work of treaty bodies. Nevertheless, when asked the HCC mentioned that there are still no joint follow up plans with the focal points at the ministries or the MoFA after the UPR and it remains very vague who is the body responsible.⁴⁷

Torture and the UPR

⁴⁷ Interview with Secretary General, at Higher Council for Childhood, Mr. Elie Mkhayel July 25th 2011,

The United Nations Convention Against Torture (UNCAT) does not have a specific body mandated to monitor its implementation. On the other hand, the areas related to torture, mentioned in the above table and stressed on during the UPR, requires a significant cooperation among ministries for their implementation. Among the objections that need to be achieved in the upcoming period is the following: a- the establishment of a national prevention mechanism (NPM) in line with Lebanon's obligations under the Optional Protocol to the UNCAT (OPCAT) and b- amending the penal code to expand the definition of torture and c- render sentences for torture crimes proportionate with the gravity of the crime.

There is no evidence however that these recommendations were translated, published, or disseminated to relevant actors. Nonetheless, in line with the UPR recommendations on torture, one follow up action that was detected is the preparation of the overdue initial report to the UN Committee against Torture. Although the inter-ministerial committee that prepared the UPR national report has not met since 2010, certain focal points that contributed to the report on behalf of their ministries have recently been called upon by the MOFA to start the preparation of the above-mentioned initial report. These focal points represent the Ministry of Justice (MoJ), Ministry of Interior and Municipalities (MoIM), and the Ministry of Defence (MoD).⁴⁸ Based on interviews conducted for this purpose, we note that despite the fact that the preparation ongoing, it remains unclear what would and if the MOFA would coordinate for this purpose especially that there has not been an official mandated with this coordination task for MoFA.

As for other torture-related recommendations, such as prison conditions and the strengthening of a complaints system for cases of torture, anecdotal evidence shows that the relevant ministries (MOIM, MOJ...) are continuing their respective related work. To what concerns the legal reform and the establishment of the NPM, there have been information about an ongoing process of amending the penal code has been taking place in parliament⁴⁹. According to a representative of the MOIM, this amendment process is related to the amendment of articles related to torture and its definition.⁵⁰ It remains uncertain, how will the various parliamentarians be following up on this, especially since the level of awareness of parliamentarians about the UPR has been reported to be quite low.⁵¹

In the absence of a central coordination framework, these actions appear to be disparate and not part of a coherent implementation framework in line with the UPR. Therefore, in the case of torture, it can be assessed that the UPR generated a momentum for torture-related work, although it has not been entirely successful in rationalizing the work of the government as part of a unified strategy.

6. 2 Follow-Up By Civil Society

Most NGOs surveyed for the purpose of this study agreed that the recommendations served as a basis for monitoring of the human rights situation in Lebanon. They all agreed that the

⁴⁸ Interview with the head of the Human Rights committee at the Internal Security Forces, Major Ziad Kaedbay, August 24th 2011

⁴⁹ ALEF- act for human rights internal documentation through the Monitoring and Advocacy program

⁵⁰ Interview with the head of the Human Rights committee at the Internal Security Forces, Major Ziad Kaedbay, August 24th 2011

⁵¹ Interview with the Parliamentarian Mr. Ghassan Moukheiber, August 12th 2011

UPR was only a small step, and the bulk of the work for improving human rights comes when the review is done. Accordingly, NGOs have integrated thematic recommendations into their ongoing advocacy agendas. What can be noted in the national human rights work in Lebanon in addition to the oral interventions given by NGOs at the HRC in March 2011, is that NGOs have a much more concrete set of recommendations for the themes dealt with in the UPR. For example, with regards to education, the UPR covered this topic in very general terms, while interventions and submissions by NGOs were much more demanding in terms of tangible improvements in this field.

Moreover, FES and some CCSOL members have proclaimed their intention to carry on with the national network and FES is seeking ways to continue supporting and enhancing this collective work of local NGOs. However, others NGOs like ANND have opted to focus their collective advocacy efforts on the thematic issues in which they specialize, and thus networking has continued on a smaller scale among NGOs who share similar mandates. Consequently, a series of meetings was held at the ANND headquarters involving representatives of national NGOs to coordinate advocacy targeting the newly formed Lebanese government. The UPR recommendations were taken as an umbrella under which the advocacy points were categorized.

According to representatives of NGOs involved in such processes, the main challenge in unifying advocacy efforts of following up on UPR recommendations is the continued lack of a unified vision. Nonetheless, it is important to note here that whereas human rights advocacy work by civil society in Lebanon has mainly been sector specialised, the UPR came as an opportunity to unify NGOs across various sectors. Although a shy first attempt, it can be argued that the UPR gave the work of civil society a universal perspective for the improvement of human rights on the ground.

The main challenges facing the civil society in Lebanon, during the aftermath of the UPR and before the second round remains on two significant levels: first, maintaining efficient – result oriented coordination and advocacy interventions, whether on a wider scale or sectorial one. This area showed to be challenging, yet possible, past experiences reflect that lack of resources, common values and visions are mainly behind handicaps hindering significantly effective coordination among civil society organizations. Second, the lack of a systematic and measurable approach when it comes to monitoring and advocacy enabling activists to assess clearly the progress on the UPR and the various human rights issues.

6.3 Recommendations:

The fact that the UPR review has been done for almost a year, and the session of adoption was in March, it remains early to assess, at this stage, whether the actions to be taken by the Government of Lebanon or the follow up to be carried out by the civil society, would lead to a better respect of human rights in Lebanon. Despite some indicators on the level of the government showing that some, and not all, of the UPR's recommendations are being channelled into that directions, we still have to await to see a full and concrete engagement on behalf of the Lebanese states. Hopefully, this commitment would be illustrated through the establishment of a clear and inclusive mechanism of follow up. On another hand, actions and discussions taking place on the level of the civil society, reflect the will for this latter to continue pushing for a better respect and fulfilment of human rights in Lebanon. However, it remains premature as well to assess how effective advocacy interventions would be.

Despite the shortfalls of the UPR mechanism itself, mainly demonstrated in its high risk of politicizations and the need to have further time bound and result oriented recommendations, Lebanon UPR process was a “wake up call” for the State of Lebanon. Consequently, it had

triggered a momentum of mobilization among decision makers on some human rights topics, that could be, if seized appropriately, expanded to include other human rights issues.

Having said that, some recommendations could be drawn, based on this general overview of the UPRs process and its aftermath in Lebanon. We do acknowledge that these recommendations are strongly linked to the whole apparatus of the State and to other aspects that should be addressed, outside the UPR process, whether on the State level (e.g legal reforms...etc) or the civil society. Nevertheless, we will limit these suggestions within the UPR process for better serving the purpose of this study.

To the Government of Lebanon:

- to seize UN human rights reporting mechanisms as an opportunity to genuinely assess the human rights situation in Lebanon, self-evaluate progress and act upon it
- to seek capacity building in areas related to human rights, whether in reporting or on level of interaction with UN human rights bodies
- to establish a National Human Rights Institution (NHRI) which mandate includes, among other, the facilitation of reporting, among the government, of human rights issues to UN human rights mechanisms
- to allocate an inter-ministerial body with an official mandate of preparing all state reports, as it is not a good practice for the Ministry of Foreign Affairs to continue holding responsibility for reporting to UN mechanisms
- to urge a clear division of responsibilities. In Lebanon, systematic data collection is not consistent but rather occasional; and therefore the UPR must be seen as an opportunity to encourage this good practice
- to include UPR recommendation in the National Human Rights Action Plan (NHRAP), set milestones and indicators that are necessary for the implementation of the government's decisions
- to consider a wider and inclusive consultation mechanism with the civil society to what concerns human rights issues in Lebanon as they are in the best position to push for government decisions not only to beingg line with international standards but also to be closer to the society's reality and development
- To consider budgeting for an outreach strategy for the work that the government does in this respect

To the civil society:

- To seek and continue real and efficient coordination for the follow up on the UPR process in order to:
 - a. Avoid any overlapping within the scope of follow up actions on the UPR
 - b. Render advocacy efforts more efficient and resourceful

- Base any monitoring activity on indicators and benchmarks that could provide scientific measurements and assessment in future reports on human rights
- Be aware of the difference between the role of the civil society (NGOs in particular), as a watchdog/monitoring function and the government as the main duty bearer of the protection human rights
- Reach out more for the government in the scope of the UN human rights mechanism whether to push for more concrete actions or to offer technical support