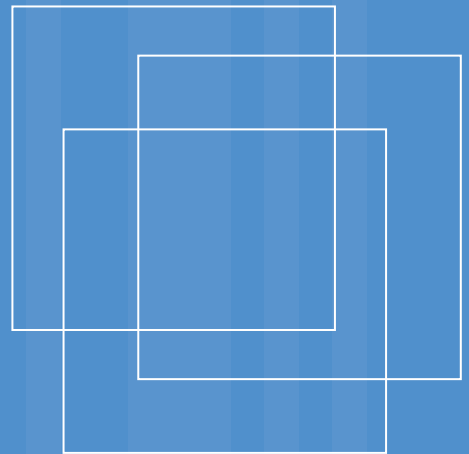




International
Labour
Office

Action against child labour in Lebanon

**A mapping of policy and normative
initiatives**



Action against child labour in Lebanon

A mapping of policy and normative initiatives

Hayat Osseiran*

**International Labour Organization
Regional Office for Arab States**

* The ILO commissioned this report from Ms. Hayat Osseiran, an independent researcher on child labour issues. The report should not be construed as representing the views of the ILO. The views expressed are those of the author and do not necessarily represent those of the ILO or ILO policy. The report is published and made available to national stakeholders and other relevant partners in Lebanon and internationally to elicit comments and stimulate debate.

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Foreword

IPEC, the ILO's International Programme on the Elimination of Child Labour, aims to achieve the progressive elimination of child labour through strengthening national capacities and promoting a worldwide movement to combat child labour. IPEC's actions are based on each government's willingness and political commitment to addressing the issue of child labour in collaboration with organizations of employers and workers.

In 2006, the second ILO Global Report on Child Labour (The End of Child Labour: Within Reach) set the goal of ending the worst forms of child labour by 2016. Despite the considerable progress made, this optimism was tempered by the findings of the third Global Report (Accelerating Action Against Child Labour) presented at the 99th Session of the International Labour Conference in 2010: namely that worldwide progress was uneven. The Report drew attention to the slowing pace since 2006 of the global reduction of child labour and highlighted that child labour among boys and youth aged 15 - 17 had risen.

In Lebanon, child labour is predominantly concentrated in informal sectors of the economy: small family businesses – including domestic work within the family sphere, carpentry, construction, manufacturing, industrial sites, welding, agriculture, meat treatment, and fisheries. Some child labourers are employed in the services sector as cleaners, waiters, delivery boys and porters, while an increasing number of children are found on the streets peddling trinkets, collecting waste material, shining shoes, and begging. Anecdotal evidence further suggests that child labour is prevalent within Palestinian refugee camps and among Iraqi refugees and nomadic communities.

Action against child labour in Lebanon effectively began in the early 2000s when the Government of Lebanon ratified ILO Conventions No. 182 and No. 138 and signed a Memorandum of Understanding with IPEC as part of a technical cooperation programme agreed and implemented in partnership with the ILO Regional Office for the Arab States. This marked the beginning of a series of projects that have been implemented during the last ten years in collaboration with the Ministry of Labour, employers' and workers' organizations and other national stakeholders. These projects primarily supported the implementation of policy and normative measures accompanied by grassroots activities to combat child labour, with particular attention to its worst forms.

During the third and final phase of this technical cooperation programme (2009 - 2011), with the financial support of the Italian Government, IPEC reviewed and analyzed national legislation, plans and strategies related to child labour in Lebanon. This document is the result of this initiative. The overview presented in this study aims to facilitate future efforts to mainstream child labour concerns, especially in the context of national policies and laws. This is vital to sustaining and coordinating efforts to combat child labour using government resources and authority in a manner that is comprehensive, coherent and sustainable. Moving towards the elimination of child labour in Lebanon requires policy level dialogue to integrate child labour issues within national

development priorities, anti-poverty initiatives, and robust employment generation schemes for adults combined with equal access to quality education.

This study has been authored by the independent researcher Hayat Osseiran. Comments and revisions from IPEC colleagues in Geneva including Snezhi Bedalli and Valentina Beghini enriched the original manuscript. Contributions from a regional perspective were made by ILO staff in Beirut including Maurizio Bussi, Joachim Grismann, Rasha Tabbara and Léa Moubayed who provided critical inputs in reviewing the paper and liaising with national counterparts.

The ILO would like to take this opportunity to thank the Italian Development Cooperation Office in Beirut for providing the financial resources to carry out the research and for funding the third phase of the project “Strengthening National Action to Combat the Worst Forms of Child Labour in Lebanon”. The ILO is also grateful to the Government of Lebanon and the social partners for their commitment towards combating child labour.

We hope that ILO constituents and development stakeholders will find this research beneficial in accelerating national efforts towards the elimination of the worst forms of child labour. A crucial first step in this process will be the Government of Lebanon’s adoption of a draft list on the worst forms of child labour. This will inform the development of a comprehensive legislative framework in line with international labour standards. We welcome this initiative and look forward to the vibrant engagement of workers, employers, government and civil society partners through the newly formed National Steering Committee to ensure a child labour free Lebanon.

Nada Al-Nashif
Regional Director
ILO Regional Office for Arab States

Constance Thomas
Director
International Programme on the
Elimination of Child Labour

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List of Abbreviations

ALI	Association of Lebanese Industrialists
CAS	Central Administrative Statistics
CDR	Council for Development and Reconstruction
CRC	Convention on the Rights of the Child
CRI	Consultation and Research Institute
ENP	European Neighbourhood Policy
EU	European Union
GCLW	General Confederation of Lebanese Workers
GOL	Government of Lebanon
HCC	Higher Council for Childhood
ILO	International Labour Organization
IMC	Inter-Ministerial Committee
IPEC	International Programme on the Elimination of Child Labour
MDG	Millennium Development Goals
MICS	Multiple Indicator Cluster Survey
MEHE	Ministry of Education and Higher Education
MOIM	Ministry of Interior and Municipalities
MOI	Ministry of Information
MOL	Ministry of Labour
MOPH	Ministry of Public Health
MOSA	Ministry of Social Affairs
NGO	Non-Governmental Organization
NPPF	National Policy and Programme Framework
SAP	Structural Adjustment Programme
SDC	Social Development Centre
WHO	World Health Organization
UN	United Nations
UNCRC	United Nations Conventions on the Rights of the Child
UNDP	United Nations Development Programme
UNESCO	United Nations Educational Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
USDOL	United States Department of Labour
VTC	Vocational Training Centre
WFCL	Worst Forms of Child Labour

Executive Summary

Action against child labour effectively began in Lebanon in 2000 when the Government, represented by the Ministry of Labour, signed a Memorandum of Understanding with the ILO International Programme Elimination of Child Labour (IPEC) as part of a programme of work agreed with and implemented in partnership with the ILO Regional Office for the Arab States in Beirut. This was the beginning of a series of three technical cooperation projects implemented over the last ten years in partnership with the Ministry of Labour, employers' and workers' organizations and other relevant national stakeholders. The main thrust of these projects was to support the effective implementation of policy and normative measures, accompanied by activities aimed at combating child labour, with particular attention to its worst forms. The third and last of these technical cooperation projects was undertaken during the period 2009 - 2011. It was concentrated in needy areas in North Lebanon (especially Tripoli and Akkar) and the Bekaa region (Ba'albak and Hermel). The first two phases had covered other regions of Lebanon.

These projects have proved effective in designing and testing successful pilot projects addressing child labour issues, especially at grassroots level. The interventions were multifaceted but interrelated. They included:

- i) Awareness-raising for working children and their families, as well as for policymakers;
- ii) Providing direct social, educational and economic support to working and at-risk children and their families;
- iii) Making vocational training accessible and affordable for children aged 15 to 18 years; and
- iv) Establishing and managing child labour monitoring and referral systems at the municipal and governorate levels.

The ILO has stressed the importance of upstreaming efforts to the national governmental level, focusing especially on national policies and legislation. This document is a contribution to the process of upstreaming and integrating effective child labour-related interventions and concerns into national policies and legislation in Lebanon. This is seen to be especially important in sustaining and coordinating efforts to combat child labour using government resources and authority so that these efforts will not remain fragmented and ad-hoc at the field level.

The specific aims of this document are to:

- i) Analyse and understand the general situation and main determinants of child labour in Lebanon;
- ii) Map existing and related policies and legislation;
- iii) Recommend, where relevant, measures that need to be taken at both policy and legislative levels and support their effective implementation.

The factors leading to child labour in Lebanon, as in many other countries, have been found to be multifaceted, complex and interrelated. In Lebanon specifically these include:

- i) Mounting poverty and deteriorating socio-economic conditions, particularly during the civil war (1975 - 1990) and its aftermath, hostilities with Israel (1982, 1996 and 2006) and other internal factors of instability, such as the 2007 confrontations in the Palestinian Camp of Nahr el-Bared;
- ii) Increased unemployment rates for men and especially women;
- iii) Disparities within Lebanon in socio-economic growth and conditions;
- iv) Discrepancy in the quality of education provided, especially between the private and public¹ school sectors, as the latter (where the majority of children from the poorer sectors of society are enrolled) have deteriorated over the years; and
- v) Regional instabilities affecting vulnerable populations in Lebanon.

In the process of writing this document it was found that some progress had been made in tackling the key determinants of child labour at the national policy and planning level and in aligning national legislation with relevant international labour standards. The struggle against child Labour has been integrated into official government policy and plans at various levels. In 2005 the Government of Lebanon (GOL) adopted a National Policy and Programme Framework (NPPF) on Child Labour prepared by the Ministry of Labour (MOL) and IPEC in coordination with national stakeholders. In light of this effort, the Social Action Plan (a National Reform Plan), designed and submitted by GOL to the 2007 Paris III International Conference for the Economic Support of Lebanon, clearly defined child labour as an important component for attention and reform. It even identified specific areas for action as highlighted in the previous NPPF. All this combined to make the issue of marginalized children, and more specifically children working on the streets, a critical target for government intervention in the 2009 Ministerial Declaration which was echoed in pronouncements made by the current administration. This came in addition to “providing quality and affordable education for all”, which was also reflected in the Social Action Plan. As a consequence, a National Education Strategy was completed in 2010 to that effect. This was followed in 2011 by a specific strategy for children working or living on the streets, produced by the Ministry of Social Affairs. These are only some of the most important government efforts to tackle the issue of child labour.

On another and equally important level, efforts have been made by recent administrations to revise the Lebanese Labour Code, and a new draft Labour Code was announced in February 2011.² The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has repeatedly expressed concern that various amendments to the Labour Code announced in recent years have not been adopted. For example, in its 2009 / 80th Session Observation on ILO Convention No. 138, the CEACR stated that «Considering that the Government of Lebanon has been referring to the draft amendments to the Labour Code for a number of years, the Committee

1) These terms are used in the American sense, with “public schools” meaning those that are publicly financed, and “private schools” those that are fee-paying.

2) Caretaker Minister of Labour Boutros Harb announced the preparation of a new draft Labour Code in a press conference held in Beirut on 11 February 2011. As of November 2011 the draft Labour Code has not been submitted to the Cabinet for endorsement and submission to Parliament.

expresses the firm hope that the Government will take the necessary measures to ensure that the amendments are adopted in the near future». Therefore the CEACR sees the adoption of a new Labour Code as a fundamental step in implementing sustainable action to eliminate child labour.

The most relevant and significant provisions of the draft Labour Code in relation to child labour issues are:

- i) Children under 18 (currently 15) would not be allowed to work in occupations that expose them to danger from working conditions, and they could engage only in non-hazardous work between the ages of 15 and 18;
- ii) The Minister of Labour, instead of the Cabinet, would decide by decree which occupations require employees to have more frequent medical check-ups;
- iii) Children would not be involved in occupations where they have to carry heavy weights and should only lift light weights as decided by the Minister of Labour; and
- iv) Labour inspections would include the informal economy, with the exception of domestic labour and agriculture. This clause is very significant as most child labourers in the informal economy work in small-scale industrial establishments (e.g. spray-painting cars, as car mechanics, in carpentry), or in agriculture (e.g. tobacco cultivation) and in services (e.g. restaurants, coffee shops, grocery shops, etc).

The CEACR has expressed concern over the exclusion of domestic and agricultural work from coverage by the legislation and inspection. It therefore stated that the Code should cover the entire informal sector (CEACR report on the implementation of ILO C.138 for Lebanon/80th session). Moreover, the CEACR has especially urged the Government, as a matter of urgency, to ensure the adoption of the draft amendments to the Labour Code relating to:

- i) The prohibition of sale of and trafficking in all persons under the age of 18;
- ii) The use, procuring or offering of persons under 18 for the production of pornography or pornographic performances, and the use, procuring or offering of persons under 18 for illicit activities.

This is in addition to other necessary measures, including the adoption by the Government of a list of hazardous occupations to be determined as a result of tripartite consultations; in addition to a list of occupations considered to be light work that children aged 13 to 15 can perform. The CEACR also requested the Government to take into consideration, during the review of legislation, the Committee's other comments on discrepancies between national legislation and the Conventions, and underlined the readiness of the ILO to provide the necessary technical help where needed.

The above outlines some of the progress and challenges at policy and legislative levels to date concerning at-risk and working children. More needs to be done, especially the adoption of the new Labour Code and ensuring effective enforcement measures. Effective monitoring mechanisms

need to be put in place, as recommended by the CEACR concerning the implementation of existing laws alongside the proposed amendments, together with relevant new policies and plans. An Inter-Ministerial Committee has been formed on the recommendation of the National Social Plan to monitor the progress of all the relevant new strategies drafted and requiring implementation. These include poverty reduction, social development and national educational reform strategies considered as the most relevant in addressing child labour in Lebanon.

1 • Introduction

In the last two decades there has been remarkable progress and a growth in the literature on the work of children.³ This literature, its accompanying research⁴ and related international conferences⁵ have become increasingly established in the world of development and in child rights rhetoric. The adoption of the ILO Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182), as well as the United Nations Convention on the Rights of the Child, UNCRC, in 1989,⁶ were milestones in creating an international legal framework for the fight against child labour.

The issue of child labour has since become a major source of global concern, including in the Arab States during the last decade.⁷ The phenomenon was recognized as a problem in Lebanon in the late 1990s, subsequently gaining recognition at both governmental and civil society levels. This was when serious efforts to reduce and gradually eliminate child labour were initiated in cooperation with national and international organizations.

Initiatives undertaken in the early 1990s included UNICEF's vocational training programme for children aged 15 to 18 who were already working. The programme covered most industrial areas of the major cities in Lebanon and was implemented in cooperation with the Ministry of Education and Higher Education's (MEHE) vocational training schools and the Ministry of Social Affairs' (MOSA) Social Development Centres (SDC). A more comprehensive programme at a national level was established in 2000 by the ILO International Programme for the Elimination of Child Labour (IPEC). This brought an integrated set of interventions into a focused effort on child labour. They included: i) raising awareness at both the grassroots and the policy level; ii) school dropout prevention programmes, especially through education and the provision of social services; and iii) facilitating withdrawal and rehabilitation efforts through the provision of direct services to working children. A wide range of governmental and non-governmental organizations were involved, including the main tripartite partners, Ministry of Labour (MOL), General Confederation of Lebanese Workers (GCLW) and Association of Lebanese Industrialists (ALI), in co-operation with the Ministry of Interior and Municipalities (MOIM) and MEHE, whilst coordinating with other relevant ministries, such as the Ministry of Information (MOI) and the Ministry of Public Health (MOPH) where needed. This initial Lebanon programme was funded by the French Government and ran until the end of 2004. It was followed by a second phase IPEC country programme funded by the US Department of Labour. This phase ended in 2008 and was succeeded in 2009 by a third phase of the programme, which targeted the North of Lebanon and the Bekaa as its priority intervention areas, mainly due to high ratios of poverty and school dropout rates in those two areas.⁸

3) See, e.g., Basu and Van (1998), "The Economics of Child Labour" in *American Economic Review*, 88, pp. 412 - 427; Edmonds, E. (2008), *Defining Child Labour*, IPEC-Geneva; Genicot, G. (2005). "Malnutrition and Child Labour" in *Scandinavian Journal of Economics*, 107(1), pp. 83 - 102; Rogers, C. and Swinnerton, K. (2008), "A Theory of Exploitative Child Labour" in *Oxford Economic Papers*, 60(1), pp. 20 - 41.

4) For example, Bequale and Boyden, 1990; Boyden et al, 1998; Liebel et al, 2001; Niwenhuys, 1996; White, 1996; Myers, 1999; Woodhead, 2004.

5) For example, Amsterdam, Trondheim and Oslo, 1997; Paris, 2000; Oslo, 2005; Geneva, 2009.

6) See below, section 4.

7) For example, basic vocational training programmes for working children were started first in Lebanon in 1997 by UNICEF followed by IPEC country programmes in Jordan and Yemen in the year 2000. Today they are still present in those countries and there are newly established programmes, in Syria, for example.

8) The National Policy and Programme Framework (2004 - 2005) and Project document for third IPEC phase- ILO/ROAS (2008). Italian Development Cooperation funded this phase.

Therefore, since it first began working in Lebanon in 2000, IPEC has focused most of its efforts on direct interventions at the grassroots level in different regions of Lebanon and worked with a variety of governmental and non-governmental partners. However, it is important to note here that there have been some interventions at the intermediate and higher governing levels, which include working with governorates and with municipalities at intermediate municipal levels. For example, during the first phase, two Governors Committees for Combating Child Labour were established and became operational, while during the third phase a Child Labour Monitoring System supervised by the Municipality of Tripoli was established to carry out both monitoring and referrals to the appropriate services.⁹ Thus, while some efforts at upstreaming have been initiated and piloted, much more needs to be done in this respect.

While the first ten years of work on the issue of child labour in Lebanon have been mainly at the grassroots level through pilot project interventions, there has also been work at both legislative and policy levels. This has included a study carried out by the Ministry of Labour showing the possible ways of harmonizing national labour laws with international standards, specifically ILO C. 138 and C. 182. Another example is the drafting of the National Policy and Programme Framework submitted to the Lebanese Government for endorsement (see section 5). Whether at the grassroots level or the legislative level, many lessons have been learnt in these ten years of IPEC operations in Lebanon. The most significant of these is the need to upstream grassroots child labour interventions in order to increase and sustain interventions in the longer term.

Such a move requires policy level dialogue with a view to integrating child labour issues within national development priorities and anti-poverty strategies, thereby mobilizing a critical mass of resources and partners at various levels to work together for common goals. Today it is widely acknowledged that dealing with the complex issue of child labour requires a strong convergence of socio-economic measures supported by sustained political will. These measures include poverty reduction strategies, sound employment policies for adults and creating access to and improving the quality of education.

Many researchers believe that for too long the problem of child labour has been dealt with only from a certain perspective: mainly the need to change attitudes and cultural norms and to raise awareness of the risks and dangers, along with an emphasis on the importance of education. As important as these factors and determinants of child labour are, there is a need to consider the environmental context and the socio-economic situation of a society in which factors leading to child labour exist.

As the famous child rights activist and researcher Jason Hart says:

Research and work that focuses solely or primarily on children's experience in relation to specific issues (e.g. life situation, exploitative labour, health damage, etc.) may be important to bring to light systemized suffering but, taken in isolation, our understanding of the wider political and economic factors – the systems operating over time – that perpetuate situations inimical to children's well-being remains limited.¹⁰

9) These initiatives will be discussed further in section 5.

10) Hart, J. 2008. Business as Usual? The Global Political Economy of Childhood Poverty. Technical Report. Young Lives, (Technical Note 13).

Hart and others¹¹ suggest that local level advocacy to change cultural attitudes and behaviour, rather than contributing to the development of a thorough challenge to the institutions and processes – local and global – that underwrite inequity and exploitation, falls short of efficiently addressing the child labour issue.

Commenting on the United Nations Convention on the Rights of the Child (UNCRC)¹², White argues that, “There is too much emphasis in the process of implementing international conventions especially the CRC on culture and cultural attitudes. This perception underestimates the role of political economy and the need for social, political and economic stability and rights in the first place”.

Against this background, this paper addresses child labour at the macro socio-economic policy and legislative levels, rather than at the grassroots and direct intervention levels.

1.1 Objectives and scope

Ten years of implementation of different initiatives to tackle child labour have shown that small-scale efforts at the grassroots level cannot be the only answer to a phenomenon that is so closely linked to the fragility of Lebanon’s socio-economic environment. Such interventions tend to be limited and fragmented in scope and coverage, whereas successful models need to be upstreamed into prevailing or up-coming related policies, programmes and legislation. Therefore, the effective elimination of child labour, starting with its worst forms, needs to be an integral component of national development efforts.

In light of the above, this study will explore various dimensions of the child labour issue in Lebanon from both policy and legislative angles. It will attempt to examine the perceived causes of child labour and their extent and impact on working and at-risk children in the Lebanese context. However, the primary objective of the study is to examine and map whether and to what extent the issue of child labour has been addressed in the development plans, policies, programmes and laws of the state, both those already in operation and those planned for the near future. This mapping will facilitate future efforts to mainstream child labour concerns, especially in the context of national policies and legislation. The study will also shed light on how child labour could be prevented or reduced at the governorate and municipal levels by applying localized policies and legislation. On the basis of this analysis, the study attempts to:

- i) Identify the major direct and indirect determinants and related consequences of child labour in Lebanon;
- ii) Review the relevant policies, strategies and legislation, national and international (which support or complement the national);
- iii) Identify the direct or indirect implications of these policies and legislations on at-risk and working children; and
- iv) Summarize findings in a conclusion and make some recommendations for future action.

It is important to note here that this study is by no means a comprehensive review of the issue of

11) White, S.(2002 b). Being, Becoming and relationship-Conceptual Challenges of a Child Rights Approach in Development. Journal of International Development.Vol.14, No.8, p. 1095; Hart, J. ibid, in Osseiran, H . Domestic Child Labour in North Lebanon. IPEC-ILO.ROAS (unpublished).

12) To be discussed further in section 4.

working children and their situation in Lebanon. It is primarily an attempt to focus on the potential link between child labour and national development policies and legislation, with the ultimate aim of partially resolving the issue at the national level and on a larger scale in the near future.

1.2 Methodology

The methodology of the study comprises three main approaches; literature review, individual discussions with stakeholders, and national validation. The study relies on both primary and secondary sources of information. For primary sources, personal interviews and discussions were carried out with key government personnel, including from the Ministries of Labour, Education, Social Affairs and Interior, as well as others from workers' and employers' organizations, from grassroots organizations working on child labour issues, relevant international and UN organizations and independent researchers. The secondary sources include government reports, publications and documents, by-laws and policy papers from relevant Ministries, United Nations and donor agencies, independent research, and academic and journalistic sources.

In the process of preparing this report a meeting was organized with grassroots organizations and tripartite partners¹³ in order to brainstorm the range of issues affecting child labour in Lebanon. The discussion was conducted in the light of the stakeholders' experience on the ground, especially those NGOs dealing with at-risk and working children on a daily basis. In light of the findings from this session and following a thorough review of the literature, further meetings were held with national stakeholders, independent researchers and economists in order to verify these findings (which include the potential determinants and consequences of child labour) to learn more about policies and legislation which could be relevant to child labour.

A first draft was completed for discussion with stakeholders. This was presented at a second meeting, held later in the process of preparing this report, during which initial findings were discussed with a view to obtaining more concrete inputs and feedback, in addition to identifying gaps. Further revisions were made to the original draft, which was then submitted for internal ILO review. After reviewing and incorporating the suggestions and comments that arose from the latter, the present draft was finalized and submitted to a technical review meeting composed of national stakeholders, held on 20 October 2011.

1.3 Structure of the report

The first section highlights some of the background to this paper, as well as its purpose and the writing process. The second section provides an overview of the socio-economic and political context especially what led to early school dropout and child labour. The problem of child labour, its magnitude, determinants and consequences are discussed in the third section. The same section also introduces the concept of childhood in Lebanon from a legal as well as a cultural viewpoint. This is important in order to be clear as to precisely which age group is being referred to in this specific context, as this differs in different regions and particularly in different cultures. The fourth

13) MOL and workers' organization representatives were seen separately as they were unable to attend the meeting, whereas a representative of the employers' organization provided feedback and inputs.

section assesses international legal standards on child labour and examines their impact on child labour in Lebanon, especially in terms of revising the relevant national legislation. Moreover, it comments on their impact to date.

Section five of the study also reviews state plans and policies which have a direct or indirect impact on at-risk or working children and their families. It also includes those policies and by-laws of intermediary institutions, such as municipalities, and their potential role in combating child labour. Examples are included here from several IPEC projects which took place with the municipality of Tripoli. The role of Governors is also briefly described, especially in terms of overseeing all governmental and non-governmental activities in their governorates, including those relevant in one way or another to child labour. In addition, this section sheds light on some of the international policies and plans that have a direct effect on national ones, especially the European Union Action Plan (EUAP), which was drafted as direct support to Lebanon's national reform agenda, referred to as Lebanon's Social Action Plan (SAP), which was submitted to the Paris III donors meeting in 2007. Included here also is the UN's relevant MDG objectives, which Lebanon is committed to implementing by the year 2015. Both of these international agendas create an enabling environment for Lebanon's governmental sectors to design and implement and then monitor the progress of plans and policies which have some effect on at-risk and working children and their families. In actual fact, these policies promote poverty reduction in general and improved livelihoods for poor families, and provide social safety nets for them and good quality and accessible education for all. The penultimate section contains concluding observations, including a summary of this mapping, and is followed by a final Recommendation Section, which includes proposed pointers for action in the near future.

2 • Review of Lebanese Socio-economic Issues Relevant to Child Labour

In order to discuss child labour in Lebanon, its causes, consequences and relation to development policies, plans and legislation, some understanding is required of the historical background and socio-economic context of the country, which has often been influenced by internal and regional political factors.

2.1 Lebanon's socio-economic background

Lebanon is a small middle-income country with an open economy, a population of 4.2 million, a diaspora of more than 10 million, and GDP per capita of US\$ 13,638 in 2011.¹⁴ The country is highly urbanized, with almost 85 per cent of the population living in cities. The population peaked during the 1970s, after which there was a gradual decline throughout the 1990s. At that time, approximately 66 per cent of the total population was of working age, 15 - 64 years. According to several sources, nearly one million Lebanese, or almost 28 per cent of the population, live in extremely poor conditions, defined as those living on less than \$US 2.40 per day¹⁵. Regional disparities are significant in Lebanon. These are primarily due to imbalanced regional development strategies including educational strategies leading to imbalanced educational attainment. As a consequence, living standards differ widely across different regions.

The Lebanese economy has traditionally depended on its service sector, in particular banking, tourism, education and real estate. However, the agriculture sector, where it is estimated that the highest ratio of children in Lebanon¹⁶ are employed, has witnessed significant decline over the past two decades. Some attribute this to new policies and plans during the post civil-war reconstruction period, while others blame the inability of the agricultural sector to compete in a globalized and open market economy. It must be stressed that this significant decline in the income-generating abilities of the agricultural sector has led to deterioration in the socio-economic situation of extensive farming areas of rural South Lebanon, the Bekaa and Akkar (from where many families have migrated to suburban areas and where their children now work in the industrial and service sectors).¹⁷

Over the last four decades, Lebanon's economy has been deeply affected by political upheaval, civil unrest, wars and regional factors that have significantly undermined its growth potential. Lebanon suffered almost 15 years of civil war, brought to an end in 1991 by the Taif Agreement. This Accord (as it is commonly known) brought all fighting political parties and leading figures to the table and eventually resulted in a unity government. The Accord was followed by a large reconstruction plan. However, the latter came at a very high price, paid by the Government and the people. This was the result of loans from international donors at very high interest rates and the imposition of cuts in expenditure on the national public sector and its services, which meant fewer services and higher prices, greatly affecting the middle- and low-income groups from which

14) Economist Intelligence Unit estimates, Country Report Lebanon, October 2011.

15) UNDP National Human Development Report for Lebanon 2008 - 2009.

16) Consultation and Research Institute (2002). Child Labour on Tobacco Plantations; A Rapid Assessment. Commissioned and Published by IPEC-ILO.

17) According to NGOs working in suburban areas and camps (e.g. Dar el-Amal, Armenian Relief Cross and others).

most at-risk and working children come.

Soaring prices, coupled with tax increases during and after this reconstruction period, added to the economic pressures on poor families already in need of extra income. There is sufficient evidence that school children in poor areas began to work part-time or left school to work full-time and support the family.¹⁸

The economic situation further deteriorated in 2005 following a series of political assassinations and then hostilities with Israel in 2006 and internal clashes involving Palestinian refugee camps in 2007. All these events contributed to extensive destruction of lives and infrastructure.

2.2 War of July 2006 and internal clashes of 2007

Economic effects on already marginalized families and children

The damage to infrastructure during the July 2006 war and the respective costs, all of which had direct or indirect implications on the schooling and livelihoods of children, are described in the table below.

Table 1. Direct Costs of the July 2006 War

Sector	Damage (million \$)	Damage (per cent)
Transportation	120	4.3
Electricity	160	5.7
Telecommunications	135	4.8
Water and wastewater	40	1.4
Health	15	0.5
Education	45	1.6
Industrial/Commercial (including informal sector)	380	13.6
Agriculture and irrigation	210	7.5
Housing (replacement cost)	1,700	60.7
TOTAL	2,800	100

Source: CDR, 2006, *War Damage Assessment and Restoration Programme, Preliminary Damage Assessment Report*, prepared by Khatib and Alami

18) Outcome of first consultative meeting with NGOs working with at-risk and working children. These included the Al-Safadi Foundation, the Rene Mouawad Foundation, and the Pere Afife Osseiran Foundation.

Damage to sectors highlighted in this colour had the most implications for child labour, increasing school dropout, parents losing means of livelihood and having their children seek work.

The already difficult economic situation in Lebanon, as a result of previous wars, was further exacerbated by the 2006 hostilities, which created new internal economic difficulties and disrupted prevailing economic policies. Industry, services and production were significantly affected, especially those of small-scale farming, tourism, transportation, industrial production and so on. Moreover, this war had inevitable short-term and long-term effects on employment, economic productivity, and income-generation capacity in the informal and formal sectors most affected, economically as well as logistically.

One significant repercussion was that unemployment rose to 15 per cent and a large number of skilled youth left the country. All this in addition to several months of displacement, along with the destruction of schools, especially in those areas mentioned above, which led to further pressure on children to delay or quit their studies¹⁹ in order to help their parents economically.

Shortly after, the clashes in and around the Palestinian Camp of Nahr el-Bared in 2007 resulted in hundreds of dead and injured and displaced almost 27,000 individuals (Palestinian refugees and residents of surrounding Lebanese regions). Moreover, the main infrastructure of the camp and its surroundings, including schools and homes, water and power supplies was destroyed. Unemployment in the area rose to nearly 79 per cent, from pre-conflict levels of 29 per cent. According to NGOs working in Tripoli and Nahr el-Bared, children were highly affected by this. Many could not return to school immediately, while others saw no point in returning at all. The feeling of despair became more and more prevalent, especially amongst Palestinian children.

2.3 Regional disparities and the effects on poor families' livelihoods

Deficits in governance: concepts of citizenship and equity

In Lebanon, where most social, economic, health and education systems are to a large extent tied to confessional structures, it is crucial to identify the role of policymakers in dealing with child rights in general and child labour in particular. This is true despite the fact that citizens' rights were integrated into the Lebanese Constitution from its inception during the French mandate when Lebanon was officially established. As Gaspard said, "The first forty years experienced long-term economic stability (insignificant budget deficits or public debt, strong balance of payments and strong currency and sustained capital availability); however, this success was not accompanied by economic growth and more important social equity"²⁰.

Almost all research since the 1960s shows that half of the Lebanese population lives in poverty, irrespective of how poverty is defined. The basic definition of poverty is that the family spends a relatively high proportion of its income on food, cannot afford to save and is in constant need of

19) NGO meeting, op. cit.

20) Gaspard, T. A political economy of Lebanon 1948 - 2002, The limits of Laissez Faire, Leiden and Boston Brill (2004).

extra support and aid.

The Lebanese Constitution, which recognizes the Universal Declaration of Human Rights as a fundamental pillar for all citizens, also enshrines social citizenship rights. However, these rights face obstacles in the way legislation, programmes and policies are designed and suffer from insufficient enforcement mechanisms.

The result is that children from less privileged segments of society have less chance of getting into a good school, receiving decent health services, and of a decent living and nutritional intake. This appeared to be the case of almost 80 per cent of families of working girls surveyed in a study in North Lebanon; they showed no strong political affiliation to any leader of a major political party.²¹

Poor knowledge and restricted access to resources and services

In short, what ones sees in Lebanon is not a lack of schools or a lack of health care, education or social services, but restricted access to these services. The question is how they can be accessed, whether they are governmental or non-governmental. One way, as discussed above, is through a complex web of societal and confessional networks. Another is through NGOs, some of which have political or confessional affiliations.

In both cases the poor tend to be poorly informed about NGO support and how to access NGO services. For example, a child may be leaving school for simple reasons such as that he or she cannot afford glasses or a hearing aid or school books and stationery. There may be several NGOs at the local or national level to help them but they just do not know about them or have access to them. In some cases, therefore school dropout could be easily avoided if there were more awareness about what is available and how it can be accessed.

When it comes to state services, even if low-income families are aware of them or the relevant centres, they may not understand the nature of the services or that they could benefit from them. People need to be made aware that, depending on their circumstances, they are entitled to such services without the need for external support or interference.

All the socio-economic and political factors considered above have direct implications for at-risk and working children and their families. As they are already from very poor and marginalized families, one or more of these factors can further negatively affect their lives: lack of security, loss of family members (including breadwinners – father or mother), displacement, limited work opportunities, high food and fuel prices and/or suboptimal public services.

21) Osseiran , H., op.. cit.

3 • Child Labour in Lebanon

3.1 The conceptual framework of childhood: who is a child in Lebanon?²²

When talking about child labour, child rights and related national and international conventions, legislation and policies, a brief overview of what is meant by “child” – or better still the concept of “childhood” – is needed to clarify what we are referring to in this context. The term “children” and the concept of childhood do not necessarily have universally accepted definitions; the same values or criteria do not apply in every culture, society or even across different classes or groups within the same society or country. The term “childhood” assumes some kind of understanding of what it means to be a child and, by implication, an adult. Children’s rights assume a background framework of knowledge about “human rights” of which children’s rights can be considered a part. Therefore, generally speaking, the stronger the concept of human rights in a society, the greater emphasis there is on child rights and associated policies and legislation.

In his analysis of the concept of childhood across different cultures, Archard (1993, p. 27)²³ wrote:

...Any conception of childhood will vary according to the ways in which its boundaries are set, its dimensions ordered and its divisions managed. This will determine how a culture thinks about the extent, nature and significance of childhood. The adoption of one conception rather than another will reflect prevailing general beliefs, assumptions and priorities. Is what matters to a society that a human can speak, be able to distinguish good from evil, exercise reason, learn and acquire knowledge, fend for itself, procreate, participate in running a society or work alongside its other members?

In essence, what emerges from this analysis is that the notion of childhood depends on how it has developed and been understood over a long period of time, and according to the particular ways it has entered the culture and become a priority in society.

3.1.1 The Lebanese and Middle Eastern concept of childhood

In the Middle East, the child is seen as the crucial link between generations. A child carries the family name from one generation to the next, providing continuity between generations and often, among rich and poor alike, also carries on the family profession, whether as a simple craftsman or a doctor.

Until recently, marriage, child rearing and the concept of childhood were based on assumptions widely accepted by society and individuals of all ages. In the patriarchal societies of the Middle East, children, and especially sons, have always been valued. Children are socialized into gender roles and the consequent division of labour at an early age.

However it has been observed by Fernea (1995)²⁴ that there is little evidence of carefree **childhood**

22) Ideas in this part (3.1) are taken from a PhD Thesis in preparation by Osseiran, H. on Child Labour in Lebanon, and from the book International Child Law by Trevor Buck (2005), Cavendish Publishing

23) Archard, D. (1993), Children, Rights and Childhood. www.books.google.co.uk

24) Fernea, E.W. (1995). Children and Work. In Fernea, E.W. (ed.) Children in the Muslim Middle East. University of Texas Press, Austin

or of **childhood** as an important stage in itself. This has long been reflected in the absence of children's rights policies in and of themselves. For example, it was only in the 2009 Ministerial Declaration that the terms "child rights" or "child labour" were mentioned. There is no national plan or budget allocation for children's rights issues. This is partly due to the perception that responsibility for the child in Middle Eastern society is that of the family, and the father in particular, and has nothing to do with the state. Therefore, improving children's conditions is considered a community and family responsibility more than a governmental one.

This leads to a situation in which solutions through interventions rarely address the root causes of the problems that underlie conditions related to or influenced by socio-political and economic structures. What these problems are and how they impact children are seldom studied or addressed in development policy or legislation (Navarro, 2000)²⁵. Any support for children's needs is still a "welfare" or "philanthropic" matter, even when at times they are recognized as a public responsibility. It is the family that is usually blamed for poor conditions, rather than poor public services that may operate below minimum standards as a result of instabilities and/or inadequate social safety nets.

3.1.2 Who is a child in legal terms in Lebanon?

Lebanon was one of the first Arab countries to ratify the ILO child labour conventions Nos. 182 and 138, in 2001 and 2003 respectively, as well as the CRC in 1991.²⁶ This was soon after the World Summit for Children. However, the legislation relating to children, children's issues, rights, needs and protection are scattered across different laws and are revised from time to time. Consequently there is no special emphasis on children as such and child-related issues remain part of other laws²⁷.

The problem is that most child-related issues, including marriageable age, child custody and so on, are assigned to the Personal Status Law, which covers most family matters. The Personal Status Law comes under the jurisdiction of each religious sect, so the age and terms of custody may differ between different confessional groups.

However, the most widely accepted definition of the child in Lebanon that is not dependent on confession or the Personal Status Law is to be found in the Duties and Contracts Act of the Civil Code, and in some provisions of the Criminal Code. Articles 215 - 218 of the Duties and Contract Act define the child indirectly by determining the age at which a person is competent to be bound by contractual engagements, namely 18 years. In other words, these articles determine the full

25) Navarro, V (2000) (ed.). The Political Economy of Social Inequalities: consequences for health and the quality of life. Baywood Publishing Company Inc. New York. Odibat, A (2001). Human Security and Children's Issues in the Arab Region: Davey Smith G. Deprivation in infancy or adult life: which is more important for mortality risk? European Journal of Population 1996; 12:167 – 85.

26) Ratified on May 1991 and entered into force for Lebanon in June 1991. See www.bayefsky.com/pdf/crc_ratif_table and Save the Children, Sweden, 2008, "Child Rights Situation Analysis for Lebanon".

27) Arab Urban Development Institute, 2006, "Vulnerable Children in Beirut: Status, Problems, Needs and Services Offered, Riyadh, pp. 21 - 22

legal age at which childhood ends, which corresponds to article 1 of the CRC²⁸ and Articles 2 and 3 of ILO Convention No. 138.

3.2 Nature and scale of child labour

Studies on the situation of working children in Lebanon have been mainly qualitative and by sector or geographic location. For example, in 2004 a rapid assessment was done of the garment and footwear sector in the north-eastern and southern suburbs of Beirut.²⁹ There was another on the neurotoxic effects on working children in small establishments in Tripoli in 2003.³⁰ However, to date, the only national data available on the general situation of working children in Lebanon is to be found in the “State of Children in Lebanon 2000” (MICS 2000).³¹ A study commissioned by the ILO and carried out by the St. Joseph University has just been finalized and published early 2012. According to several reports and articles, the child labour situation has worsened with deteriorating socio-economic conditions and increases in school dropout rates.³² Moreover, according to the State of the Children report, the number of children entering the workforce rose from 0.3 per cent of children aged 10 to 4.5 per cent of those aged 14 and 15.1 per cent of 19 year-old. It was also found that the nature of children’s work depended on the area that they came from. For example, those living in urban areas would most likely be working in small industry or service jobs. Those residing in rural and agricultural areas would most likely be involved in agriculture, ranging from tobacco picking and stacking to picking olives and citrus fruits.

The highest number of young working children in Lebanon was also found to be in the North (3.3 per cent), with minimal differences between other regions (less than 2 per cent), as table 2 below shows. As for the older age group (15 - 18 years), the overall percentage was 11.3 per cent with a relatively high proportion in the peripheral regions (North, South, Bekaa). It is important to mention here that those same regions are also well-known for higher rates of poverty, illiteracy, unemployment than other parts of Lebanon. As the following sections show, the interplay between child labour, poverty, and unemployment and poor education is especially apparent in those regions. These same regions have received much less attention and support from central authorities, in terms of education and health services.³³

28) Ibid, p. 22.

29) Association of Lebanese Industrialists and Partners for Development (2002). A Rapid Assessment Study of Boys and Girls Working in Textile and Shoe/Leather Sectors in the Northern and Southern Suburbs of Beirut. Commissioned by IPEC-Lebanon.

30) Nuwayhid, I. and Siddiq, B. (2003) Assessing Neurotoxicity of Working Boys and Girls between ages of 10 - 17 yrs. in Lebanon (supervised and commissioned by IPEC-Lebanon first phase).

31) Produced by the Ministry of Social Affairs. MICS refers to Multiple Indicator Cluster Survey.

32) Age, A. Falling Behind. Fafo (2005); Unipart Gold Lebanon, 2008.

33) PDF, Gender, Education and Child labour, 2004, commissioned and supervised by IPEC-Lebanon first phase and published by IPEC-Geneva

Table 2. Regional distribution of working boys and girls by age (percentage)

Region	Age group 10 -14 years	Age group 15 - 18 years
Beirut	1.3	7.3
Mt. Lebanon	1.3	9.2
North	3.3	14.9
Bekaa	1.7	10.4
South	1.0	12.9
Overall	1.8	11.3

Source: CAS and UNICEF, State of the Children in Lebanon, 2000 (Beirut, CAS, 2002)

Another regional distribution of child labour was proposed in 2002 by CRI when drafting a National Programme and Policy Framework for child labour in Lebanon³⁴. This proposal was the result of a rapid appraisal that tried to assess the geographical distribution of only the worst forms of child labour. As is clear from the CRI map in Annex II, the North is again in the lead with the highest prevalence of child labour, followed by Mount Lebanon, the Bekaa and South Lebanon respectively. The map in Annex II, also produced by CRI, shows the distribution of occupations of working children across Lebanese regions, their areas of prevalence and concentration.

The MICS 2000 study found that almost 90 per cent of sampled working children were not covered by health insurance, despite the fact that the employers of those children are obliged by law to insure them. This applies particularly after a three-month trial period. This is not to mention those children working within family businesses or performing domestic work who are not covered by any insurance, or those working for their families, who are not obliged to insure them as they are not considered to be paid workers. To this effect, MICS 2000 divided the work of children into three main categories: domestic or household work paid or unpaid; work with family; and paid work as part of the labour force.

3.2.1 Paid work as part of the labour force

The following table presents the ratios of working girls and boys in the paid labour force. This table shows that the number of working children – both boys and girls – increases with age. However, it is important to mention that these figures are only estimates as there are many forms of hidden child labour. It is assumed that there is a higher number of younger children working than is recorded or realized. It is also assumed by the study that almost 90 per cent of the working boys and 100 per cent of the working girls (10 - 14 years) in the labour force are Lebanese³⁵.

34) Discussed further in section 5.

35) Arab Urban Development Institute, 2006; p.36.

Table 3. Children's involvement in the labour force by age and gender

Age	per cent of labour force	Proportion of girls
< 10	0	
10	0.3	
11	0.4	
12	1.2	
13	2.6	9.7per cent
14	4.5	
15	6.4	
16	10.7	
17	13.1	12.9per cent
19	15.1	

Source: CAS and UNICEF, *The State of Children in Lebanon, 2000. Multiple Indicator Cluster Survey-MICS, 2000*

3.2.2 Periodicity of work

The table below presents the periodicity of work for girls and boys: seasonal, full-time, part-time or occasional. It shows that fewer girls in the 10 - 14 category work in full-time jobs than boys. However, the difference falls significantly in the 15 - 18 range. This is, of course, what the official statistics say and does not account for hidden forms of child labour, for example in domestic work outside the family home or hidden away in small factories. These forms of labour, usually unaccounted for due to the difficulty in accessing them, will be discussed in section 3.2.7. Another significant difference between boys and girls is in seasonal work in both age ranges (10 - 14 and 15 - 18 years). One explanation for this difference is that most seasonal work in Lebanon is in agriculture, a sector that mainly employs girls.³⁶ This is described further in the following sections.

36) CRI (2002): Lebanon-Child Labour on Tobacco Plantations: A Rapid Assessment (Commissioned and supervised by IPEC-Lebanon first phase and published by IPEC-Geneva)

Table 4. Periodicity of work of working boys and girls by age and gender (percentage)

Periodicity of work	Age groups		15 - 18 years	
	10 - 14 years			
	M	F	M	F
Full time	71.2	8.9	77.6	73.3
Occasional	15.3	12.7	14.8	1.4
Seasonal	10.1	38.2	4.5	25.2
Part time	3.4	40.2	2.9	-

Source: CAS and UNICEF, *The State of the Children in Lebanon, 2000* (Beirut, CAS, 2002)

3.2.3 Types of occupation

Table 5 describes in some detail the major occupational differences between boys and girls in both age groups. The majority of boys in both age groups work mainly in small industrial establishments or in handicraft and craft workshops. The former includes occupations such as car repair, spray-painting, carpentry, shoe-making, and so on. The latter includes making and selling local crafts and items such as soap, souvenirs and fishing nets. The table shows that as the boys grow up they are much less involved in agriculture than girls. On the other hand, young working girls are found in unskilled occupations (91.1 per cent) but later move into other occupations, mostly sales and personal services and unskilled work. What is significant here is that the number of girls working in agriculture increases as their age increases. One explanation for this is that girls are kept at home longer to help with domestic work and agriculture, while boys are sent to learn new skills that will add to the household income.³⁷

Table 5. Occupation of working boys and girls by age and gender (percentage)

Occupation	Age Groups		15 - 18 years	
	10 - 14 years			
	M	F	M	F
Artisan	53.9	8.9	64.1	7.9
Unskilled	12.1	91.1	16.5	34.3
Sales/personal service	25.4		10.8	37.5
Office/reception	1.1		0.2	1.4
Skilled Agriculture	5.7		1.2	5.5
Other	4		7.2	13.4

Source: CAS and UNICEF, *The State of the Children in Lebanon, 2000* (Beirut, CAS, 2002)

37) PDF (2004) op.cit.

Sectors of economic activity

Table 6 presents the major distribution of working boys and girls by sector of economic activity. Detailed information on specific jobs and industries is not provided. As is clear from the table, the main sectors employing both boys and girls are commerce, followed by industry. As described earlier there are many more girls than boys working in the agricultural sector, while there are no girls working in the construction sector.

Table 6. Economic sector of working boys and girls by age and gender (percentage)

Economic Sector	Age groups		15 - 18 years	
	10 - 14 years			
	M	F	M	F
Fishery/agriculture	11.2	50.9	6.9	23.8
Industry	16.6	8.9	22.1	27.1
Construction	11.4		19.9	
Commerce	46.3	40.2	31.2	28.7
Other	14.5		19.9	20.4

Source: CAS and UNICEF, *The State of the Children in Lebanon, 2000* (Beirut, CAS, 2002)

Occupational health and safety and general working conditions

It has been found in general that in Lebanon small- and medium-sized enterprises provide poor health and safety conditions. Therefore both adults and children are exposed to a complex mixture of physical, chemical, safety and ergonomic hazards. Of course young children and teenagers have proved to be much more physically vulnerable to such hazards, as their immune systems are not yet fully developed. Most of the children included in the different studies were over 10 years old. However, children as young as six, both boys and girls, were identified. This was especially true of children working with their families, such as on tobacco plantations.³⁸

The table below summarizes some of the observations that were reported or which could be deduced about children's workplaces.

38) CRI, (2002) op. cit.

Table 7. Observations about workplaces where boys and girls work in Lebanon

Study	Occupation/workplace	Observations/potential hazards
Medicine 1(1995)	Street	Injuries (vehicles/ bullying/ fighting); air pollution; weather 32 per cent : mechanical, heat, and chemical hazards; 25 per cent : heat, humidity, sub-optimal light and ventilation, noise; 48 per cent find their work exhausting and 24 per cent difficult chemical hazards
Ballout et al (1995)	Mixed (urban/rural, small industries, agriculture, groceries)	Small, dirty and dusty work areas (for threading and drying); weather / insect and snake bites (field activities); injuries (field and while threading); chemical hazards
CRI (2002)	Tobacco plantations	
PFD (2002)	Textile and shoe industry	
Nuwayhid et al (1998)	Small industrial establishments (mechanics, painting, carpentry, car body repair)	(including tobacco leaf nicotine) 29 per cent reported an injury; 52 per cent noise; 38 per cent odours; 81 per cent repetitive motion; 86per cent cold in winter; 76 per cent hot in summer chemical hazards Most of them: lack of sanitary hygienic facilities; poor to fair general ventilation and lighting; poor general hygiene and housekeeping; chemical hazards; noise injury/ safety hazards
Nuwayhid et al (2001)	Auto body repair, mechanics, oil and tyres, furniture-painting, barbershop, restaurant, butchery	64per cent : fair-to-poor lighting; 90per cent : fair-to-poor noise (the main source of noise was mostly from outside (traffic, nearby shops)); ventilation was fair-to-poor in the majority of shops, especially furniture-painting and car body repair; no spray booths existed. Vibrating tools in 8 out of 10 furniture-painting shops

Almost all the studies reported the absence of personal protective equipment, as well as logistic or managerial measures to reduce exposure to hazards. It was generally observed that girls and boys do the same work as adult workers and use adult-sized tools. They may, however, be working with them for shorter lengths of time. For example, boys and girls working in the tobacco fields with their families do the same work as their parents with the same equipment but may be expected to produce less³⁹. Boys working in garages or spray-painting use heavy tools, and assume awkward working positions, sometimes lying for hours on their back using dangerous equipment with hardly any protection.

In general it is observed that boys and girls work long hours, with the majority doing more than eight- or ten-hour days. This is obviously above the limit set by the law of 7 hours per day with a one-hour break in between. Almost all of the children worked 6 days per week and sometimes a half-day at the weekend.⁴⁰

In terms of income and other types of benefits, it was observed in most of the studies that younger boys had an advantage over younger girls, with higher salaries and a higher rate of enrolment in the National Social Security Fund (NSSF). This situation was reversed in the older age group, where 34 per cent of boys versus 48 per cent of girls received at least LL300,000 (US\$200) a month, which is the minimum wage, and 0.8 per cent of boys versus 34 per cent of girls were enrolled in NSSF.⁴¹ However in some types of occupations, as described below, children did not necessarily receive any financial or social security benefits. In some cases, children were not paid at all, as their wages were given directly either to their parents or to people to whom the children were repaying debt.⁴² In other cases, the children were considered to be learning a skill for their future and therefore were not paid.

Table 8. Monthly salary and enrolment in the NSSF among working boy and girls by age and gender (per cent)

	Age Groups			
	10 - 14 years		15 - 18 years	
	M	F	M	F
Monthly salary (Lebanese Liras)				
10 - 149	34.5	38.2	32.9	9.1
150 - 299	14.5	8.9	19.8	19.9
300 - 449	5.3		24.4	29.8
450 - 599	7.2		4.2	7.6
600 - 749	2.8		3.9	7.1
750 - 899			1.4	3.5
Not specified	35.7	52.9		
Enrolled in National Security Fund (NSSF)				
No	92.4	100	91.9	66.2
Yes	7.6		8.1	33.8

Source: CAS and UNICEF, *State of the Children in Lebanon, 2000* (Beirut, CAS, 2002)

39) CRI, (2002) op. cit.

40) PDF, (2004) op. cit.

41) PDF, (2004) op. cit.

42) E.g. girls carrying out domestic work in other people's homes, as shown in the study on domestic workers in North Lebanon, op. cit.

3.2.4 Work within the family

Work within the family is quite prevalent in Lebanese culture. This is especially true for agriculture and small workshops and industrial establishments. On the one hand, there is the idea that the child will learn and carry on the family business and, on the other, the child provides free help (in most cases) for a certain period of time. This work ranges from 5.9 per cent of 59 - year old rising to 14.1 per cent of 10 - 14 year old and 21.9 per cent of 15 - 19 year old. Most such work does not generate any form of payment. Boys are mainly engaged in family businesses, small workshops and handicraft establishments, as well as small and large industrial establishments. For girls the most common work within the family is agriculture or domestic work, further described below.

3.2.5 Domestic work

Domestic work may refer to two types of work: within one's own family home and in the homes of others. Here we are focusing especially on the former, as separate figures do not exist for domestic work in the homes of others as defined in the recently adopted ILO Convention No. 189. As presented in table 9 below, involvement of boys and girls in domestic work begins early but there is a sharp increase for girls (ranging from 39 per cent in the 5 - 9 age group to 73 per cent when they are 19 and over) in contrast to a relatively stable proportion (less than 30 per cent) for boys.

Table 9. Children's involvement in domestic work by age and gender

	5 - 9 years		10 - 14 years		19 years	
	M	F	M	F	M	F
Yes	24.9	39.1	30.9	64.6	27.7	73.2
No	74.9	60.2	69.0	35.0	71.3	26.4
Unspecified	0.2	0.7	0.1	0.4	1.0	0.4

Source: CAS and UNICEF, *State of the Children in Lebanon, 2000* (Beirut, CAS, 2002)

It was observed within the scope of the MICS study and another study commissioned by IPEC,⁴³ that the relatively high involvement of girls compared to boys in domestic work is not associated with a higher school dropout rate. This of course means that girls could be facing a heavier burden trying to coordinate school activities and domestic duties, which might eventually affect their school performance and retention rates. It should be noted here that in almost 99 per cent of cases girls' involvement in domestic work and duties within their own family is carried out without any financial reward. On the other hand, the girls' unpaid work at home allows other members of their family (i.e. their mothers and siblings in addition to their fathers) to work in the paid labour force outside the home.

43) ILO-Geneva (2004). Gender, education and child labour. Produced by Partners for Development (Beirut, Lebanon)

3.2.6 Risks of child labour: exploitation, forced labour and trafficking

The degree of risk for child labourers is not always clear. It may be more apparent in some occupations than others and include, for example, children working in small industrial shops, such as car repair shops and garages, carpentry and service jobs, such as grocery stores, restaurants and coffee shops. On the other hand, there are many types of occupations in which children are engaged that are inaccessible or hidden to outsiders where there are unseen risks. These include jobs working at home or domestic work for others. It is generally believed that if a child is working in his or her own home or within the family business then they are safe from exploitation and abuse, but this is not necessarily the case.

Serious researchers like Bourdillon⁴⁴ (2000) have discussed the exploitation of children by their own parents, in addition to their employers. Some have found that exploitation within the home or family enterprise is more problematic than that outside in factories and workshops.⁴⁵ This is especially relevant in situations where the parents themselves are the employers. Such cases are found in agriculture or in small workshops or industrial establishments where the work of the son or daughter is counted as part of their contribution to family survival. In most of these cases the children do not get any financial benefit for themselves or their personal needs and desires.

The role of girls in domestic work has been described earlier, and there is growing evidence that families also involve boys in economic activities within households. NGOs involved in identifying and assessing the situation of working children in small industrial shops, especially car repair shops and garages, have found that exploitation can take several forms, ranging from economic to verbal and sometimes physical abuse.

One of the most serious forms of exploitation and abuse of children is where they fall victim to prostitution and trafficking. There are no official studies on these issues in Lebanon but some observations and reports have been made and unofficially the phenomenon is known to exist.⁴⁶ Young children, particularly street children, are exploited as child beggars by organized gangs, and girls are forced into prostitution, in some cases by their own parents. There are some indications of organized criminal groups involved in the trafficking and sexual exploitation of children. In addition, there are cases in which underage girls are forced into early marriage in exchange for payment to the girl's family, or of underage girls trafficked to Lebanon for the purpose of forced marriage.⁴⁷

According to a report by the Lebanese Bureau for International Affairs, illegal and undocumented child labour overlap and are excluded from official government figures. Consequently, the MICS2 survey was broader in scope in order to incorporate these sectors. For instance, child labour below the legal age-limit is included in the MICS2 survey, but not in official figures.⁴⁸

44) Bourdillon, Michael (2000). 'Child labour and education: a case study from southeastern Zimbabwe.' *Journal of Social Development in Africa* 15, 2, pp. 5 - 32

45) Niewenhuys, O. The Paradox of Child Labour and Anthropology. *Annual Review of Anthropology* 25: pp.237 - 251

46) Integrated Regional Information Networks, Lebanon: Government urged to combat trafficking in human beings, September 22, 2005 [cited December 8, 2005]; available from <http://www.irinnews.org/print.asp?ReportID=491> and the Report of the Committee of Experts on the Application of Conventions and Recommendations for Lebanon on implementation of No. 182 (observation, 2009 / 80th session).

47) UNHCR/Refworld/2005 findings on worst forms of child labour-Lebanon in <http://www.unhcr.org/refworld/country>.

48) See UNICEF, Preliminary Report on the Multiple Cluster Survey On the Situation of Children in Lebanon, prepared by Government of Lebanon: Central Bureau of Statistics, February 2001, available from <http://childinfo.org/MICS2/newreports/lebanon/lebanon.pdf>.

3.3 Determinants of child labour: direct and indirect factors

Child labour has shown itself to be a very complex phenomenon globally, regionally (in Arab States), as well as nationally in Lebanon. Its causes are multiple, complex and context-specific. They are the result of a myriad of macro- and micro-economic, environmental, social, traditional and political factors. Therefore it is important to reflect on the holistic and integrated picture, rather than to give fragmented impressions which might misdirect future policies, programmes and legislation.

When analyzing the different economic sectors and geographical regions in which working children are to be found, there are slight variations in the causes of the phenomenon. However, there are some determinants that tend to apply in all cases. These inevitably include poverty and its various correlates, education and its related costs, accessibility and feasibility for the future and, in Lebanon, factors that are specific to the country, such as the instability factors that have affected the country and the broader regional context.

3.3.1 Poverty and its correlates

One of the most basic universally attributed causes of child labour discussed in the literature, especially in the last 10 to 15 years, is poverty⁵⁰, which is increasingly recognized by all those in the field as a major cause, replacing the notion that child labour is simply a cultural issue, requiring a change of attitudes and norms.⁵¹ Previously it was rarely admitted that there are deeply rooted structural issues in the different societies in which child labour prevails, such as poverty and politics, which need to be addressed.⁵² One of the most significant researchers on child rights once said of Bangladesh that, “in creasingly the core difficulties facing disadvantaged children are attributed to the absence of child rights in Bengali culture and their solution sought in raising child rights awareness. Instead of political economy, this renders culture, ideology or attitudes the key issue”.⁵³

As early as 1997, a UNICEF report stated that; “poverty begets child labour begets lack of education begets poverty”. Another UNICEF report (2006) on the State of the World’s Children continued on the same lines “...poor children are likely to be engaged in labour, meaning missing out on education, and as a result on the opportunity to generate a decent income that would allow them to escape poverty in the future”.

On the other hand, some researchers⁵⁴ also see that poverty involves poor children, poor families and poor communities and maybe even state poverty, and that there is no such thing as child poverty alone. Adopting this concept at least up to the level of family poverty and maybe even community poverty, the following section examines the situation of poverty in Lebanon and how it could be a direct and significant determinant of child labour.

50) For example, for Lebanon in CRI (2002) and CRI (2004) and PDF (a) and PDF (2) and others; and internationally, for example Hart (2008), Jones (2005) and White (2002)

51) This issue has been discussed by Sarah White in her paper

52) This finding concerning Lebanon is an integral part of an ongoing PhD thesis by the author of this report, which goes deeper into the effects of politics on child labour in Lebanon, *ibid*

53) White, (2002); p. 726 in Osseiran *ibid*.

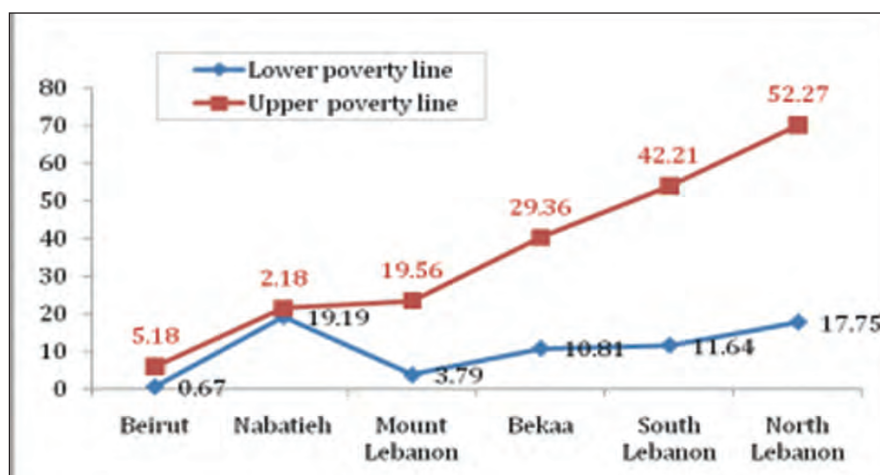
54) Rachel Marcus, John Wilkison and Jenni Marshall in *Journal of International Development* 14, pp. 1117 - 1128 (2002)

i) Brief analysis of poverty in Lebanon: local and global perspectives

MOSA and CAS, financed and supervised by the UNDP, undertook one of the most recent studies on poverty in Lebanon.⁵⁵ The study revealed that 7.9 per cent of the Lebanese population lives in extreme poverty. This means that an estimated 300,000 people cannot afford the basic needs to live and survive. If we count those below the upper poverty line, the proportion of the population affected by poverty rises to 28.5 per cent, which means that those living between upper and lower poverty lines comprise 20.5 per cent, or almost one fifth, of the Lebanese population.

Geographical disparities among the poor are extensive between regions and within individual regions. Figure 1 shows especially the latter disparities. As concerns regions, it was found⁵⁶ that North Lebanon registers the highest levels of poverty, the South is second highest and Beirut is the lowest. However, what becomes apparent in the second table is the disparity of poverty levels within the same region or governorate. For example, the Akkar area suffers the highest percentage of lower and upper poverty lines (20 per cent and 62 per cent respectively) as compared to the Koura/Zgharta area, where poverty rates are 4 per cent and 25 per cent respectively. These regional and inter-regional disparities are important when considering future poverty-reduction strategies in Lebanon. This is especially relevant when it is recalled that child labour has been associated to a considerable extent with the prevalence of poverty and therefore is found mainly in rural areas.⁵⁷ Thus, according to CRI, the concentration of child labour as a percentage of the total active population was noted in areas classified as the most poor, such as Menieh, Akkar, Tripoli, and Hermel.

Figure 1. Distribution of extreme poverty and overall poverty by governorate, 2005 (per cent)



Source: MOSA, CAS, UNDP, 2008 Human Development Report, UNDP Lebanon

55) Produced in 2008.

56) UNDP (2008) op.cit.

57) CRI 2002, op. cit.

The effects of globalization

Furthermore, when discussing poverty and child labour both globally and in Lebanon, globalization and its effects must also be considered.

In a situation such as that in Lebanon, unemployment begins with men losing their jobs and their income. Women are compelled to look for work outside the home in order to maintain living standards. Subsequently, children also either look for work in order to contribute to the family income or become the substitute for their mother in domestic chores (especially girls).⁵⁸

Cornia et al ⁵⁹ state that child labour and school dropout rates are only the first effects of increased poverty resulting from globalization and that more acute forms of social stress, such as malnutrition and eventually mortality, become evident once severe cumulative decline has occurred. Others specify that school dropout rates become high for girls who are kept at home to do domestic work while family members work or go to school. It is important to note here that most of the literature has stressed or at least indicated the trickle-down effects on the girl child.⁶⁰

ii) Poverty and unemployment: a vicious circle

Poverty and unemployment have been closely correlated, especially in a situation where social protection measures such as social and health insurance have limited outreach, particularly for the unemployed. Most of the poor depend on their labour to secure their means of livelihood. The availability of a type of labour appropriate to skills and knowledge and the earnings gained to a large extent determine their potential to escape from poverty. In Lebanon unemployment is clearly a major cause of further poverty.

According to the survey data, 44.4 per cent of individuals in Lebanon aged 15 years and over participate in the labour force, and the unemployment rate is 7.6 per cent. However, significant discrepancies in the participation and unemployment rates can be observed between males and females in all governorates. It was found that about 70 per cent of males aged 15 and over joined the labour force at the national level, while the participation rate for females was only 20 per cent.

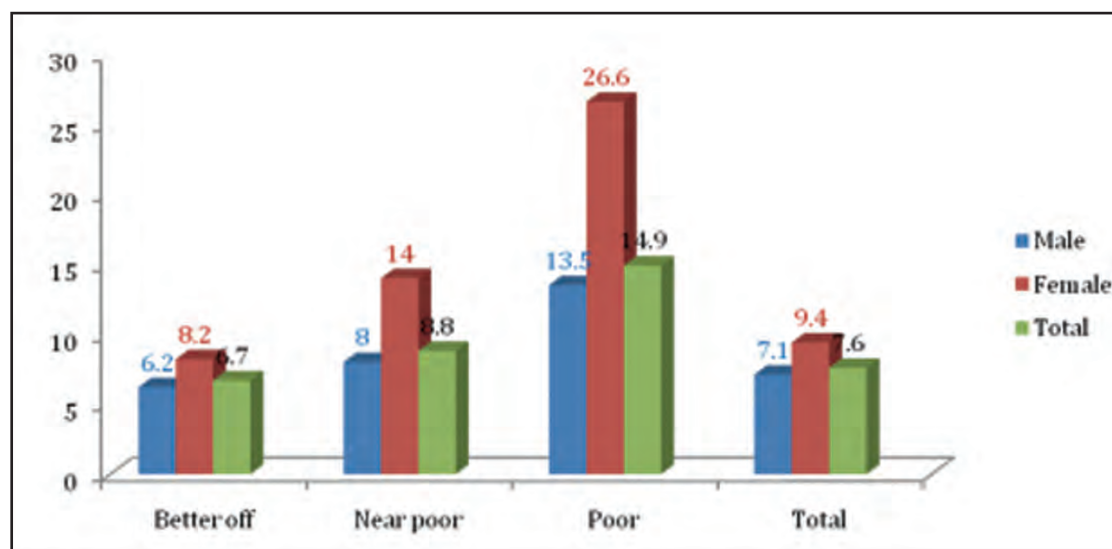
The other major discrepancy in employment was between the poor and the non-poor. Higher unemployment rates were observed in poor families across all governorates of Lebanon, with a difference of 8 per cent between the poor and non-poor (14.9 per cent for poor and 6.7 per cent for non-poor). The poor in general therefore tended to remain trapped in this vicious cycle of poverty. This also includes poor access to quality education, as will be discussed further. Unfortunately, if not provided with the means to break this cycle, child workers tend to be caught up in it.

58) Vasanthi, R *ibid*; Cornia et al, 1988. Adjustment with a Human Face. UNICEF.

59) *Ibid*.

60) Vasanthi *op. cit*; Adenipekun, O. Urged to Counter Effects of Globalisation on Education of Girl Child , May 2004

Figure 2. Male and female unemployment rates



It was also observed that poverty interacts with gender to produce differences in unemployment rates. For example, the unemployment rate for males was 7.1 per cent, while it was 9.4 per cent for females. This situation was observed across all governorates with the exception of Beirut. Moreover, women in poor households were at a greater disadvantage than those of non-poor ones. It is estimated that almost one quarter of all women across Lebanon in poor households are unemployed, with a slight increase of unemployment rates in the Governorates of South and Mount Lebanon.

All these imbalances in the labour market and the strong relationship between unemployment and the prevalence of poverty have had a great impact upon the increase in child labour.⁶¹ This has been observed particularly with women heads of households where single mothers' higher unemployment rate has led to further poverty and an increase in the number of working children in such families.

iii) Poverty and unemployment according to sectors of employment

Even among the employed, those workers who receive only seasonal and not regular salaries, such as in agriculture, construction or trade, are highly prone to falling into poverty. In fact, it is clear from available data that the regions with the highest concentrations of agricultural employment are those with the highest rates of poverty. Examples are North Lebanon and especially the extensive agricultural area of Akkar. Others include Hermel and South Lebanon. Even in those regions, and in others, there also appear to be disparities between urban and rural areas.

Additionally it was observed that salaried employees (especially those in the public sector) predominate among non-poor heads of households. This is basically because salaried personnel

61) CRI, 2002 op. cit.

usually have family insurance, both social and health, either from their companies or from the government if they are government employees. The latter have pensions and other benefits after retirement. On the other hand, self-employed workers in the private sector are among the poor and extremely poor heads of households. The table below shows that most parents of working children have informal private-sector jobs, with negligible numbers in the public sector or formal establishments. It also appears that a large number of mothers of working children are unemployed and stay at home. According to the CRI study, one of the reasons is that most families of working children are large and so need a lot of care and therefore it is the mother and/or the oldest daughter who takes care of daily affairs. Another reason can be attributed to cultural constraints. Working mothers are found in less skilled jobs and, according to a random sample, most work as cleaners.⁶²

Table 10. Distribution of parents per occupation

Occupation	Father's Occupation	Occupation	Mother's Occupation
Agriculture	12	Cleaner	5
Taxi driver	9	Teacher	2
Construction	8	Seamstress	2
Trade	5	Animal husbandry	2
Animal husbandry	2	Agriculture	1
Mechanic	3	Retail trade	1
Immigrant worker	3	Secretary	1
Sewing	2	Housewife	83
Fishing	2		
Butcher	4		
Others	5		
Company employee	5		
Not determined	4		
Unemployed	27		
Total	100		100

What is important to realize here is that poverty is not only highest amongst the unemployed and especially amongst female unemployed, but it is also there that it appears to be the most severe and the harshest type of poverty. It comes as no surprise that this is where child labour flourishes: amongst the poorest heads of household and especially amongst female-headed households. This category is prevalent in some areas of Lebanon, especially as a result of wars in which men have died or where they have been kidnapped or gone missing.

62) CRI, op. cit.

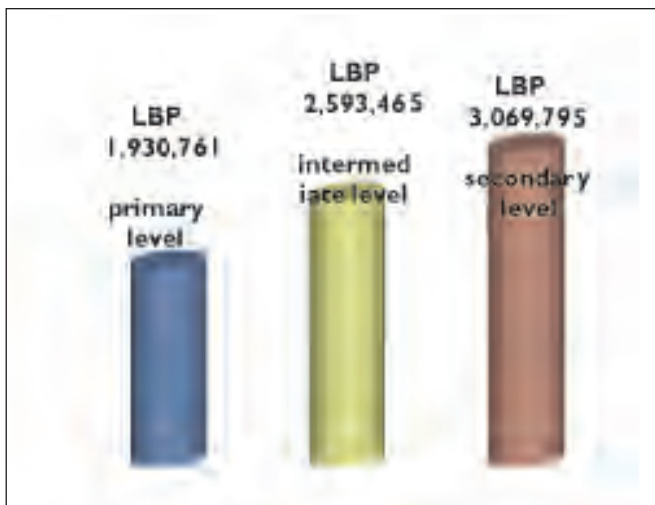
iv) The poverty-education nexus: from school dropout to child labour

It is well known that education plays a role in combating child labour. According to the CRI study, the regions with the highest concentrations of child labour had the worst educational achievements, such as the Bekaa and North Lebanon, which held the lowest enrolment rates and the highest dropout and failure rates in the country.

a) Education and poverty

One of the main reasons given for low educational attainment in Lebanon is poverty, but it is not the sole reason. The gaps in enrolment rates between the extremely poor, poor and better off increase as we move from elementary to intermediate and secondary education. This has been seen to be partly a result of defects in the public education system, which lacks quality, especially when compared to the rather expensive private schools. However, even in public schools where fees are minimal, for a family with several children, they still add up to a sum that many cannot afford, especially when they have to be paid as a lump sum. Moreover, as is clear from the figure below, additional sums are required for school uniforms, stationery, books and transport. This cumulative sum becomes a burden even for not-so-poor families, thereby further highlighting its impact on poor families.

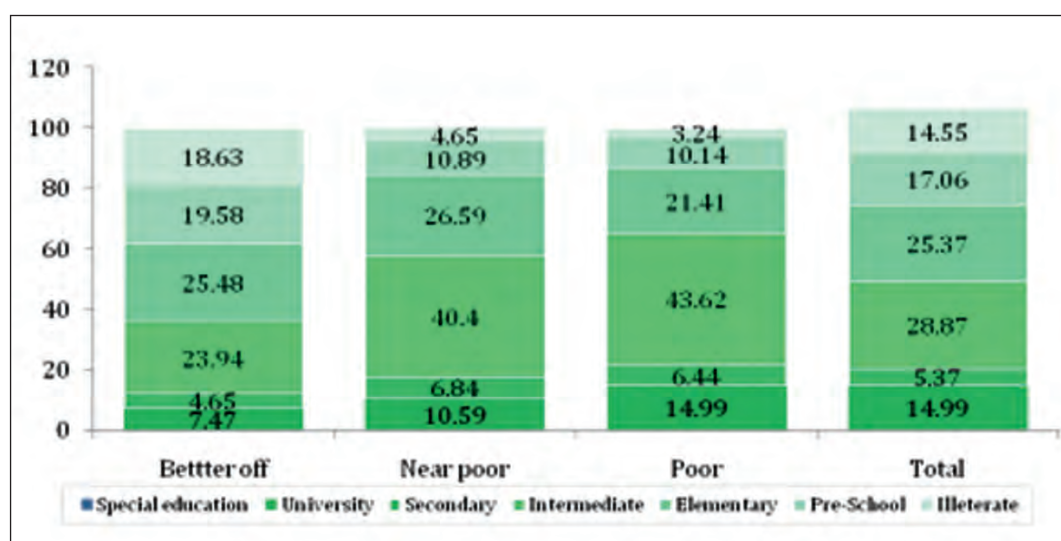
Figure 3. Annual Cost/Student in public sector



Source: National Education Strategy Framework, Ministry of Education and Higher Education, Beirut, March 2010

When children are unable to access quality education or are illiterate, as many child workers are in Lebanon, they are more likely to be trapped in the cycle of poverty. As their chances of reasonable work opportunities and good salaries diminish, so their chances of further poverty increase. The data from MPS, 2004 - 2005, confirms a negative correlation between poverty and educational attainment in Lebanon for individuals over 10 years old. As is clear from figure 4, 8.7 per cent of this category were totally illiterate, while 5.4 per cent were able to read or had only completed pre-school; and an additional 29 per cent had completed elementary education, while almost 15 per cent had finished their university studies.

Figure 4. Educational Attainment and Poverty



Source: National Education Strategy Framework; Ministry of Education and Higher Education; Beirut, March 2010

What is also significant for any future poverty reduction strategies or educational reform policies is that there is a great discrepancy in educational attainment between governorates, and between poor and non-poor regions, with an obvious larger proportion of illiteracy amongst the poor and a lower percentage in the better off households.

To conclude this section, it has been observed that education and the quality of education play a very important role in averting poverty and thus obtaining a reasonable family income, which in turn may at least delay the age at which children start working. This was clear from the systematic relationship between illiteracy and poverty in all governorates in Lebanon. What is also clear is that the illiteracy of the head of household not only leads to family poverty but also to the likelihood of further illiteracy and poverty amongst household members, especially the children.

It was also observed that heads of households with only intermediate levels of education were able to make a difference and be less prone to the risk of poverty than those who were totally illiterate. Conversely, the risk of poverty amongst the better-educated heads of households fell to at least 0.6 per cent. However, it is important to mention here that it was found that if a head of household was non-poor but illiterate, the children still had a better chance of being educated than in a poor household. This means that poverty itself and the lack of resources to secure education are an obstacle in and of themselves, while illiteracy and poverty diminish any chance of breaking the cycle of poverty within a household and therefore increase the potential for child labour.

b) Education quality, access and future returns

The educational system in Lebanon is caught up in an ongoing struggle between the ever-growing private sector and the under-resourced public sector. This situation deteriorated after the fifteen-

year civil war and the extensive spending on infrastructure that followed, alongside cuts in the public sector. Therefore, since the end of the civil war, government funding of the public education sector has fallen significantly. While total spending on education currently exceeds 13 per cent of GDP, public expenditure on education amounts to just 2 per cent of GDP and 8 per cent of total government expenditure.⁶³ It goes without saying that private education is mainly the preserve of the middle and upper classes (with the exception of the free private institutions created mainly for the poor), while public education caters mainly for children from the lower middle class and poorer sectors of society.

Once again we see a correlation between poverty and education and little being done to break this cycle. According to the UNDP, “... Lebanon’s educational system is far from equitable. Enrolment rates, success, retardation, and dropout rates, vary considerably among geographic regions and social and economic groups, and between students enrolled in private versus those in public schools”.⁶⁴

These problems reflect disparities in equity and efficiency in the Lebanese socio-economic system which were discussed in section 2. More specifically the main problems in education can be summarized as follows: i) expensive private education, unavailable to at-risk and working children, leads to better educational and other outcomes for those who can afford it; ii) a substantial amount of state funding goes to private institutions and is therefore not available to improve public sector education for at-risk children; iii) rural areas are disadvantaged in terms of access to quality education, especially in the public sector and, as previously mentioned, a large percentage of working children live in those areas; and iv) the curriculum provided for all children is too rigid and is not adapted to their circumstances, including, for example, children who both work and go to school.

v) Private education has better conditions and better educational outcomes

It is apparent from many sources that there is a distinct difference in quality between private and public educational institutions.⁶⁵ This quality is apparent not just in the background and credentials of the teaching staff, but also in their pedagogical methods and psychosocial approach to dealing with children and their problems.

vi) State funding for private institutions

Most of Lebanon’s private educational institutions have a confessional orientation. In most of cases parents choose a school to match their family background. As well as following the basic national educational curriculum, children in these schools tend to show allegiance to the philosophy of the school, which in some cases may override their sense of national identity.

Yet these schools receive a considerable amount of state subsidy. Figures indicate that in 2008 the Government of Lebanon spent LL 45 billion, or 5 per cent of the total general education budget, on free private schools (excluding university or vocational and technical education) (MEHE budget 2008).

63) UNDP op. cit.

64) Ibid p.132

65) Millennium Development Goals, Lebanon Report 2008; World Bank Educational Appraisal 2010 op. cit.

vii) Rural areas are disadvantaged in terms of access to quality public education

Studies show that the educational attainment of children in the more deprived, less economically developed regions of Lebanon is lower than that of those in other, better-developed areas. Examples can be found in the North, the South and the Bekaa, which are the most deprived areas of the country. The South and the Bekaa exhibit the highest illiteracy rates, with 12.42 per cent in the South and 14.45 per cent in the Bekaa. In the North, almost 43.22 per cent of students finish elementary education and then leave school completely, most probably to work. Beirut and Mount Lebanon, on the other hand, show the highest proportions of university graduates. All show higher educational attainment among their populations than the suburbs or other less developed areas.

It is important to mention that Lebanon does not lack schools per se. On the contrary, Hamdan (CRI, 2005) found that there were enough schools in almost all regions, including rural and agricultural areas. The problem is one of quality. Children in less developed regions who are subject to difficult economic circumstances and the need to work from an early age are presented with low quality education, including an uninspiring school syllabus somewhat alien to their needs, which hardly encourages them to persist in education when they feel that they can be better served working.

viii) Rigid curriculum for all children that is not adapted to their circumstances

There has been an ongoing debate over the differences of opinion between MEHE and UNESCO concerning the regional disparities in education. UNESCO believes that the broad regional tendency to overload curricula and syllabuses to satisfy academic standards, without due regard for rural and other circumstances, should be reconsidered. UNESCO's main concern here is the situation of children in rural areas who are required to work in the agricultural sector and for whom many aspects of the centralized curriculum have little relevance. The MEHE believes that there should be no distinction between regions and that the problem lies not in the curriculum itself but in the way it is taught and administered. UNESCO states that the general weakness in governance adversely affects the national education system and severely penalizes educational development in rural areas.⁶⁶ The result is that children required to assist with domestic work or in the agricultural sector and who go to school often choose to drop out of school and resort to full-time work or simply stay at home.

c) Consequences of regional disparities and poor quality education and schools

The major consequences of the education mentioned above are inevitable: a) an increase in early school dropout or repetition of classes, and b) seeking out informal educational alternatives.

What can be done to improve, this situation? Clearly better classroom methods and school systems might discourage early dropout. Another solution would be to better tailor the curriculum to the needs of the community, perhaps by including the teaching of practical skills and vocational training courses.

66) UNDP (2008). Millennium development goals-Lebanon Report 2008, p. 23, op. cit.

ix) Early school dropout and repetition

Dropout rates are observed to be higher in the intermediate level of education than at primary level: 10.7 per cent at intermediate and 2.7 per cent at primary level.⁶⁷ Class repetition rates are high at both levels, estimated to be between 20 and 24 per cent respectively. Such repetition not only adds financial costs to schools but is also a real burden on families, while the children themselves suffer from loss of confidence through a sense of failure or inadequacy. Many drop out as a result, and in some cases finding work can compensate for the loss of self-esteem the children felt due to failure at school.

x) Informal educational alternatives

Non-formal education could provide a solution for children who have dropped out of school at an early age and have little chance of re-entering the formal educational system or who are forced to quit the school system because of pressure to help contribute to the family income or assume domestic duties to support other working members of the family. One example of a more flexible system to accommodate children under such constraints is to be found in Egypt, where special syllabuses and school hours have been adopted to meet the needs of seasonal workers. Because informal education has traditionally been regarded as inferior to formal education, perceptions need to be changed, possibly with robust support and advocacy efforts by public institutions.

xi) The specific case of large families

In general, apart from the various circumstances discussed above, family size also plays a role in increasing the risk of poverty. In Lebanon poorer families tend to be larger than non-poor families. Moreover, the number of children under 15 living at home and in need of support affects poverty levels. The CAS survey⁶⁸ showed that poor households with no children only account for 4.7 per cent of the total, while those with 6 or more children account for almost 37.7 per cent. It is estimated that 79.5 per cent of all people living in households with children are poor. According to CRI⁶⁹, around 37 per cent of working children interviewed belonged to large families with more than 6 members (7.2 per cent had more than 11 members, 29.5 per cent 6 - 8 members, and 60 per cent 1 - 5 members).

3.3.2 Poor implementation of legislation

In many cases the implementation of legislation relevant to child labour can fall victim to the same process described earlier in section 2, where political allegiance and political protection come into play. For example, a frequent complaint among labour inspectors is that when fines are imposed they are subject to interventions from outside the established enforcement mechanisms.⁷⁰ This means that, even when the appropriate legislation exists, its implementation is not always possible due either to a shortage of government personnel or external pressures.

3.4 Consequences of child labour

Child labour is seen to have effects and consequences at different levels. Some of these include

67) Based on the Social Action Plan Report: Toward strengthening social safety nets and access to basic social services, submitted to Paris III.

68) MOSA, CAS, financed and supervised by UNDP, op. cit.

69) CRI, 2002, op. cit.

70) A Ministry of Labour health inspector interviewed during the preparation of this study explained that sometimes there are external interventions that undermine the enforcement capacity of the labour inspection system.

i) physical, moral and psychological health and well-being, ii) intellectual development and education, and iii) consequences for the economic well-being of the child and the society around him or her. Some of these effects are described briefly below.

3.4.1 Impact on physical health and safety

Most international researchers⁷¹ and organizations, particularly the WHO and the ILO, are primarily concerned with the physical health and safety of working children. The latter has carried out extensive research on these aspects of child labour, including different types of hazards and occupational injuries according to type of job and working conditions. Some of this research took place in Lebanon and included: the tobacco sector in the South of Lebanon and the Bekaa region; the neurotoxic effects in the small industrial establishments of Tripoli; child domestic work in North Lebanon; girls working in the footwear and garment industries in the southern suburbs of Beirut; and fishing in Tyre, South Lebanon.

All the studies took place in the informal sector where the largest proportion of children work but where they cannot be observed. There are many forms of unseen or hidden child labour in the informal sector, especially involving, for example, girls in domestic work in their homes or in small hidden factories, especially in garment and chocolate factories.

It is widely believed that children are much “more liable than adults to suffer occupational injuries, owing to inattention, fatigue, poor judgment and insufficient knowledge of work processes and also because the equipment, machinery, tools and layout of most workplaces are designed for adults”.⁷² It has also been shown that work can have adverse consequences for children’s growth and physical development.⁷³

In the study carried out by Ballout et al⁷⁴ on the preliminary status of working children in Lebanon, it was found that around 5 per cent of the selected cases complained of health problems. These included allergies, backache, headaches and respiratory problems. In another study of children working in the tobacco sector in Lebanon carried out by CRI,⁷⁵ boys and girls aged between 5 and 10 reported regular onset of fever due to exposure to severe sunlight leading to heat exhaustion, along with lack of fluid intake whilst working in the fields. Another common complaint was insect and snake bites. Younger children injure their hands threading tobacco leaves into long chains to hang for drying. In many cases these drying chains hang inside the children’s family homes, leading to passive inhalation of tobacco.

In another study, of the garment and footwear industry in the southern and north-eastern suburbs of Beirut, boys and girls working in the textile and shoe industries⁷⁶ reported heart palpitations (14 per cent), dizziness (48 per cent), and musculo-skeletal complaints (43 per cent). About 47 per cent of the boys and 71 per cent of the girls reported occasional to frequent exhaustion.

71) Bequele and Boyden 1990, p. 3 and Nuwayhid, I. and Siddiq, B. Assessing Neurotoxicity of Working Boys and Girls between ages of 1017- yrs. in Lebanon (commissioned by ILO IPEC-Lebanon, 2003).

72) Bequele and Boyden 1990; p.3.

73) Ambadekar et al 1999.

74) A. Ballout et al. Preliminary study on status of working children in Lebanon (Beirut, UNICEF, 1995) in Arabic.

75) Consultation and Research Institute, Beirut, in 2005

76) Partners for Development and Association of Lebanese Industrialists. “A Rapid Assessment Study of Boys and Girls Working in Textile and Shoe/Leather Sectors in the Northern and Southern Suburbs of Beirut”. Commissioned by IPEC, 2002

Another significant, specific study was carried out by Nuwayhid et al on the neurotoxic effects on children, mainly boys, working in small industrial establishments for car repairs, mechanical workshops, spray-painting and carpentry. The study revealed a higher rate of health complaints than among non-working children, including injuries at work and significant changes in the colour and texture of their nails and skin. More specifically, these children revealed a higher concentration of lead in their blood in comparison with non-working boys (13.5 ug/dl vs. 10.2ug/dl) with a higher proportion of blood lead concentrations above the permissible level of 10 ug/dl. Moreover, the study also showed that those working boys exposed to solvents in the workplace showed poor performance in motor dexterity, memory tests, and reaction speeds, in comparison to non-working boys. The working boys also complained of more headaches, loss of concentration, memory deficits and higher irritability.

Other physical hazards were presented in a study of girls performing domestic work in other people's homes in the region of North Lebanon. These hazards were described as carrying and moving very heavy objects (cupboards, heavy mattresses and sofas), injuries from sharp objects (i.e. knives) and from falling off unstable or unsafe stairs or ladders whilst accessing cellars.

A common finding amongst all these studies was that almost all of the children observed had no form of health insurance or had never been registered in the NSSF. Moreover, none of the working children had ever had medical clearance before starting work or a follow-up medical examination, as required by the law.

3.4.2 Psychosocial impact

Just as important as the negative physical effects that work can have on children are the psychological, moral and mental health consequences that are often overlooked. For example, in almost all types of child labour, children faced some form of verbal abuse, sometimes along with physical abuse, which severely affected their self-esteem. This is equally true for children working in informal establishments or in agriculture and especially for those doing domestic work in other peoples' homes. The latter reported being called "idiot" or "donkey" quite often, especially when they perform work that is not seen as up to the standard of the home owners. Young domestic workers are not only cursed by the adult housekeepers but also sometimes by their own parents. Sexual harassment was not reported by the children in the different studies, though it is a well-known fact and has been reported by key informants, especially concerning girls.

Boys and girls working on tobacco plantations did not report physical or sexual abuse or illegal trafficking. However, they did report incidences of physical and verbal abuse by parents. They also felt that the work was boring and left them no time for socializing and leisure activities.⁷⁷ Nuwayhid et al reported no differences between 78 urban boys (10 - 17 year-olds) working in small industrial shops and 60 non-working boys regarding anxiety, hopelessness, and low self-esteem, measured using translated validated scales. All the boys were asked to draw pictures of themselves at home. Working boys drew themselves outside the house five times more frequently than the non-working

boys. Moreover, an overall negative impression was observed almost 10 times more frequently in the drawings of the working as compared to non-working group. Although both groups had a large deficit in their mental age as reflected by the draw-a-person scale, no statistically significant difference with respect to the gap between the actual age and the mental age was noted. The same boys were asked about their future prospects. Close to 40 per cent of both groups expected to travel when they were older. Working boys saw themselves working in a manual (blue-collar) job 4.5 times more often than their non-working peers and were more confident about attaining a decent job later. Using the same scales as Nuwayhid et al,⁷⁷ the textile and shoe industry study reported that girls working in the textile industry reported lower self-esteem, higher anxiety, and higher hopelessness than boys working in textile and shoes.

Most of the children, especially those working in closed areas, such as domestic workers or workers in hidden factories, felt a great sense of boredom and monotony in their lives and had hardly any time for friends or leisure activities.

Almost 20 per cent of girl child workers saw themselves as ignorant or with low self-confidence. The other 80 per cent would describe themselves as ignorant but productive; here they are talking about economic productivity which is important in their own and their families' lives. One girl said that she liked her work, which was part-time, because it allowed her to go to school and she was able to buy her books and give some money to her family. So here satisfaction is relative. The totally unsatisfied 20 per cent just wished that they could stop work and go back to school or vocational training, such as hairdressing.

However, what was clear from most studies of children working in the different sectors in Lebanon was that girls showed lower self-esteem and more hopelessness than boys. It has been suggested that one of the factors leading to this situation is the way girls, as opposed to boys, are treated by their parents, especially their fathers. Girls are in many cases raised with the aim of getting them married as soon as possible; this is especially true in poor and big families. Parents do not see the point of wasting resources on a girl when this is going to be her fate.

When the girls working as domestic labourers were asked about their aspirations in life, almost 90 per cent responded that they would like to get married and have children. They gave the same answer when asked how they saw themselves in the future. So their dreams or aspirations were not different from how they perceive themselves. This is significant as they could only dream of what they knew and saw around them in their social context and not beyond. However, this image also fits with that of their families and communities. At the same time, it seems that the idea of marriage and having a family of their own forms a kind of escape from the present. This escape may present itself in other forms both for boys and girls and includes smoking, sniffing thinners and taking soft to hard drugs.

It is easy to see how these children, working under very stressful conditions and for long hours away from their homes and family scrutiny, become vulnerable to exploitation in drug trafficking

77) Ibid.

or even sexual and other illicit activities. Some children have even been involved in carrying arms or throwing bombs on behalf of certain militias in return for money. All this seriously affects their mental equilibrium, leading to instability and depression. It is also common for children working in such hostile conditions to become violent and engage in delinquent behaviour.

3.4.3 Effects on intellectual development

As mentioned earlier, in many cases working children are to a large extent deprived of formal schooling or attendance at educational centres, including cultural centres, libraries, and the like, which restricts their intellectual development and creative abilities. All of this together conspires to limit their future prospects of improving their lives.

Being cut off from schooling and the means to acquire knowledge leaves the child and his/her family ignorant of available services and, more importantly, their rights. Knowledge empowers and without it and without the means to obtain what they are entitled to, the children remain trapped in their situation.

3.4.4 Socio-economic consequences and impact on human resources

The economic aspect of child labour has been widely debated by scholars, researchers, and trade unions, along with international organizations, including the ILO. According to some trade unions, child labour can contribute to the problem of adult unemployment.⁷⁸ Children are willing to take up jobs with conditions and wages that adults find unacceptable. Moreover children are less demanding and more compliant than adults. This allows employers to drive up their profits, even at the expense of exploitation of children. If the employers were hiring adults they would have to pay higher wages and enrol them in social and medical insurance schemes, thus helping to lift families out of poverty.

Some scholars⁷⁹ also explain how children's work slowly degrades society's ability to develop its human capital. As child labour means low levels of education, this means low-skilled and low-paid employees, which in turn means a continuous cycle of poverty. Therefore, as Boyden has stated, "child work should be assessed in terms of comparative advantages and disadvantages for children and should be examined in the light of opportunities forgone and the opportunities gained due to work".⁸⁰

78) For example, Mr. Butros Saadeh, the focal point for child labour at the Confederation of Lebanese Workers, explained during an interview conducted while preparing this report that many employers would rather employ children than adults as they pay them less and do not feel obliged to provide social benefits and health insurance for them. This ultimately leads to adult unemployment.

79) See, for example, Edmonds E.V. Child Labour. In T.P Schultz and J. Strauss, eds. Handbook of Development Economics, Vol.4, Holland; Fan, S. 2004. "Relative wage, child labour and human capital" Oxford Economic Papers 56 (2004), pp.687-700

80) Op. cit.

4 • Existing International and National Legislation

As discussed earlier, the causes and consequences of child labour are complex. Dealing with it requires incremental, specific action, such as raising awareness of its risks and dangers, and providing educational support and leisure activities for the children. However, these are not sufficient in themselves to deal with such a wide problem. That is why since its early days the ILO has concentrated on tackling the issue at the legislative and policy levels throughout the world in order to deal with the root causes of child labour as well as some of its effects.

This section will therefore focus specifically on past and current legislation, as well as legislation that is planned or in the process of being endorsed by Parliament or the Government. Although our main concerns in this paper are national policies and legislation that focus on child labour, international legislation with a significant impact and implications will also be discussed.

4.1 National and international legislation

A variety of approaches and legal steps have been taken or are under discussion in the battle against child labour and the promotion of child rights, particularly at the national legislative level. These are designed to prevent at-risk children from entering child labour.

4.1.1 International legislation

The first focus is on international or supra-national principles and standards or legal interventions achieved by international organizations such as the UN and more specifically the ILO and UNICEF. By adopting international conventions and encouraging member states to ratify them these international organizations seek to prevent and limit child labour. The main discussion will be of those conventions directly related to the protection of children and more specifically those referring to child labour.

i) Historical perspective

The first wide-ranging human rights declaration was the Declaration of the Rights of the Child adopted by the League of Nations in 1924, although the ILO had already begun adopting more focused Conventions dealing with children at work (see below). The Declaration was not a binding treaty but at least raised the question of children's rights internationally and set some guiding principles for those working in international child welfare. Some criticized the Declaration on the grounds that it portrayed the child as a passive rather than an active agent capable of asserting his or her rights.

The Declaration was revised by the United Nations in 1959 to become the Universal Declaration of the Rights of the Child. This time the wording was much stronger and the language of rights

was evident in its ten principles, which were more explicit than previously. Certain analysts see the Universal Declaration as the forerunner of the UN Convention on the Rights of the Child, 1989 (CRC),⁸¹ which has become a universal template for the legal rights of the child in international law, in spite of criticism by child rights activists, researchers and commentators.⁸²

ii) The CRC

In relation to child labour, Article 32 of the CRC provides that:

- a) States Parties recognize the right of the child *to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development*
- b) States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - a) Provide for a *minimum age or minimum ages for admission to employment*;
 - b) Provide for *appropriate regulation of the hours and conditions of employment*;
 - c) Provide for *appropriate penalties* or other sanctions to ensure the effective enforcement of the present article.

This has various limitations, in particular its lack of specificity, but it does lay down some broad principles. Unfortunately, because it is limited to employment as such, it does not necessarily apply to subsistence activities carried out by children under the control and supervision of parents so long as they do not interfere with their education. This seems to be true for both economic and non-economic activities carried out by children within the family.

Two areas of particular significance in this Convention are:

- ⇒ Most of the rights of the child, especially those related to civil and political rights, can only be met by implementing the rights of the parents. For example, in order to improve the standard of living for the child, the standard of living of the parents and the family as a whole needs to be improved. In order to ensure that a child has an identity, the parents and family must have one. This is of particular relevance to many Palestinian Children in Lebanon who take a legal identity.⁸³

Art. 27 of the CRC (the child's right to an adequate standard of living) also provides a useful legal standard, namely that parents have the primary responsibility for securing favourable living conditions. By implication, the State here has a secondary responsibility to assist parents and other carers in these tasks and "in case of need *provide material assistance and support programmes*, particularly with regard to nutrition, clothing and housing". Art. 27 thus provides a useful structure, defining the relationship between parents and State, through which the right to an adequate standard of living can be made operational.

- ⇒ It is important then when talking about rights of children to talk about favourable living conditions in the society in which the child lives. Freedom of expression,

81) Van Bueren, G. 1994. The International Law on the Rights of the Child.

82) Buck, T.2005. International Child Law.

83) Not all Palestinian refugees residing in Lebanon have a recognized status, so nor do their children. The latter do not have access to many rights, especially access to services available through the Lebanese public system. Moreover, where UNRWA has been giving some form of services to Palestinian children, it has difficulties in extending such services to children of Palestinian mothers and non-Palestinian fathers.

for example, can be conducted more effectively only when a society has created reasonable conditions of economic security and social order.

In this respect, the CRC provides a unique vehicle for examining how a community can constantly revise and set priorities in relation to children. Therefore when Lebanon ratified the CRC in May 1991, it committed itself to the implementation of its principles and provisions with regard to the establishment of the necessary domestic policies and legislation. The possibility of implementing the CRC in Lebanon was greatly enhanced by the endorsement by the Lebanese Parliament of the ratification of ILO Conventions Nos. 138 and 182.

4.1.2 ILO standards on child labour

Since its establishment in 1919, the ILO has adopted a number of Conventions with accompanying Recommendations aimed at setting standards for the employment and work of children in specific sectors and occupations (i.e. fishing, mining etc.). This led to the adoption of Convention No. 138 (1973), which was ratified by Lebanon in 2003.

The main aim of the Minimum Age Convention, 1973 (No. 138) was to consolidate all earlier sectoral conventions on minimum age into one, thus requiring Member States to pursue a national policy designed to ensure the effective abolition of child labour and gradually raise the minimum age for employment or work to a level consistent with the full physical and mental development of young people (Article 1, Convention No. 138). Every ratifying Member State is required to specify a basic minimum age for employment or work that is not less than the age of compulsory schooling, or in all cases not less than 15 years old. In cases where national circumstances do not allow for this, 14 years may be determined initially as the minimum age for work, until circumstances allow it to be raised to 15 years. The minimum working age for Lebanon became 14 years following ratification of the Convention. The new draft Labour Code aims to raise it from 14 to 15 years.⁸⁴

The accompanying Recommendation No.146 suggests measures to reinforce Article 1 of the Convention. It highlights the need to give high priority to the needs of children and youth in national development policies. Moreover, as many issues are interrelated here, it calls for enforcing special measures for poverty reduction and alleviation and for ensuring full employment of the family in order to encourage children to go back to school since their employment would thus be unnecessary at this stage. The Recommendation also calls for the reinforcement of necessary social measures for children and their families to that effect.

Although C.138 allows for flexibility due to different levels of development, it came to be perceived as complex and difficult to ratify. Therefore the debate on core labour standards continued in the early 1990s, pointing to the need to have a specific standard on what then were called exploitative or unacceptable forms of child labour.⁸⁵ From this discussion came the adoption by the ILO of the Worst Forms of Child Labour Convention, 1999 (No. 182), focusing on the worst forms of child labour as defined in its Article 3:

84) The CEACR reports on the implementation of C.138 (for the years 2009 and 2010) have strongly urged the Lebanese Government to adopt the draft Labour Code, which would raise the minimum working age to 15 and resolve a number of other problems in the implementation of ILO standards. The CEACR has also noted, concerning Article 2, paragraph 1, of the Convention, that the new Lebanese Labour Code needs to cover self-employed children as well as those in the informal economy, including agriculture and domestic work.

85) IPEC-ILO (2010); Accelerating Action Against Child Labour: Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 2010.

- a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- b) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Along with Convention No. 182 came Recommendation No. 190 with provisions to be applied along with the Convention, the most significant points in the Recommendation being the bases upon which the kind of work described in Article 3(d) of the Convention should be identified. These include:

- ⇒ Work which exposes children to physical, psychological or sexual abuse;
- ⇒ Work underground, under water, at dangerous heights or in confined spaces;
- ⇒ Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- ⇒ Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents and processes, or to temperatures, noise levels, or vibrations damaging to their health;
- ⇒ Work under particularly difficult conditions such as work for long hours during the night or work where the child is unreasonably confined to the premises of the employer.

States that have ratified this Convention are required to take the necessary measures and steps to implement its provisions and to *design policies, legislation and programmes to that effect*. Legislation should be drafted along with related penal legislation and appropriate sanctions. Through Recommendation No. 190, Member States are strongly encouraged to mobilize all potential partners within the country to carry out the programmes necessary for children and their families to prevent them from engaging in the worst forms of child labour as well as withdrawing them and providing them with necessary rehabilitation services. These national partners range from governmental departments to civil society organizations and local administrators (such as governors or municipalities), as well as other individuals. The viewpoint of working children themselves and their families is very important in these programmes and should always be taken into consideration.

What is also important in this Convention and Recommendation, as well as in Convention No. 138, is that Member States are required to prepare their own national list of hazardous occupations,⁸⁶ in addition to a list of occupations to be categorized under Convention No. 138 as “light work”,⁸⁷ which could be considered more permissible at a certain age. These lists are usually endorsed by the main tripartite partners: the Ministry of Labour, and workers’ and employers’ organizations, along

86) A new draft list has been prepared by the tripartite partners as a result of a study carried out by Dr. Iman Nuwayhid from the American University of Beirut (2008). See Annex III.

87) This has yet to be done in Lebanon.

with other relevant partners to be consulted when needed. Crucial to the implementation of the Conventions is the establishment of appropriate child labour monitoring mechanisms at national as well as local levels where appropriate. Last but not least, it is important to mention here that the Conventions and Recommendations provide guidelines for what should be done or achieved, but they also provide flexibility for the ratifying States to seek the most context-appropriate method of implementation.

Interrelatedness of international conventions

The ILO supervisory system and the UN Committee on the Rights of the Child – supervising the implementation of the Convention on the Rights of the Child – complement one another. For example, this takes place by referencing information received under the respective reporting systems, as well as through comments made by the supervisory bodies. When the UN Committee on the Rights of the Child examines periodic country reports, it has urged States Parties to ratify Conventions Nos. 138 and 182 if they have not already done so.⁸⁸ Therefore these UN system conventions form an integrated binding framework, when all are ratified by a country such as Lebanon, in promoting children's rights as well as human rights as a whole.

4.1.3 Assessment of the impact of international legislation to date and review of remaining gaps

Lebanon's commitment to child protection and to dealing with child labour in terms of ratification of international conventions (and its attempts to bring national laws into line with them) dates back to 1972 with the ratification of the ILO Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90), applied by Decree No. 9824 of 22 /6 /62. The Decree prohibits the employment of minors under the age of 18 at night, in any public or private industrial establishment except in specific cases. It also gave minors who were working at night a period of rest of not less than 13 consecutive hours between the two work shifts. However, among the most significant ratifications to date were those of ILO Conventions Nos. 138 and 182, as well as of the UN CRC.

Lebanon was one of the first countries to ratify the CRC, in 1991, despite the fact that it had just come out of a 15-year civil war that had destroyed the socio-economic fabric of the country and seriously undermined the effectiveness of its institutions. The country continued to show its good will towards the protection of children and their rights and signed several regional Arab, as well as international, conventions. These include:

- ⇒ ILO Labour Inspection Convention, 1947 (No. 81), with the purpose of organizing labour inspection in industry and commerce;
- ⇒ ILO Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90) in 1972, related to minors' work at night;
- ⇒ ILO Minimum Age (Industry) Convention (Revised), 1937 (No. 59);
- ⇒ ILO Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77) and Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78);

88) IPEC-ILO Accelerating Action Against Child Labour, op. cit., p.14.

- ⇒ ILO Forced Labour Convention, 1930 (No. 29) in 1977, concerning prohibition of compulsory work in all of its forms (for all including minors);
- ⇒ ILO Maximum Weight Convention, 1967 (No. 127) in 1977, concerning the maximum weight which could be carried by workers, including minors;
- ⇒ ILO Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15) in 1977 concerning the minimum age of stokers and their assistants;
- ⇒ ILO Minimum Age (Sea) Convention (Revised), 1936 (No. 58) in 1983;
- ⇒ ILO Certification of Able Seamen Convention, 1946 (No. 74) in 1983 concerning efficiency certificates for sailors (including those under 18 years of age);
- ⇒ CRC in 1999, and its Optional Protocol on the sale of children, child prostitution and child pornography in 2004;
- ⇒ ILO Benzene Convention, 1971 (No. 136), in 1999;
- ⇒ Arab Labour Organization Conventions Nos.1 and 18, dated 24 / 5 / 2000 pertaining to delimiting the working conditions of children under 12 years of age, and child labour as addressed in ILO Conventions respectively;
- ⇒ ILO Worst Forms of Child Labour Convention, 1999 (No. 182), and approved application of Recommendation No. 190 in conjunction with it on 2 / 8 /2001, mentioned above;
- ⇒ ILO Minimum Age Convention, 1973 (No. 138) on 5 / 6 / 2003, also mentioned above.

i) Impact on national legislation

The ratification of these international conventions has had a significant positive impact on the development of national legislation, decrees and amendments to existing laws regarding the protection of children in general and their protection from child labour in particular. The table below shows some of the existing legislative achievements to that effect.

Table 11. Child labour-related legislation to date and its significance

Year	Type of legislation	Aim	Significance
1962	Decree 9824 dated 22/6/62 ratifying ILO C.90	- Prohibited employment of minors under the age of 18 at night in any private or public industrial establishment, except in specific cases. - Provided for those in the workplace at night to have at least 13 consecutive hours of rest between two shifts	These working conditions were in place as early as the early 1960s

1977	Decree 7707 dated 25/6/77 ratifying ILO C.59	Prohibited the employment of minors in any private or public industrial establishment; but allowed them to work in places where individuals from the same family work, except in jobs that are by nature dangerous to the health, life and morals of workers.	This refers especially to formal industries/factories
1977	Decree 70 dated 25 /6 /77 on ILO C.77 and ILO C.78	- Concerning medical tests of minors. It is illegal to employ minors in any industrial or non-industrial establishment without a medical certificate of fitness to perform such work - Moreover, minors must undergo an annual medical examination until they reach the age of 21 in risky and unhealthy work environments	
1977	Decree 70 dated 25 /6/ 77 on C.29 and indirectly related to children, as it includes all workers	- Prohibits all compulsory and obligatory work in all its forms - This only excludes compulsory military service, civil service duties or work as a consequence of a conviction by a court of law	
1977	Decree 70 dated 25 /6/ 77 on C.105	Similar to C.29 on compulsory work, but with greater emphasis on prohibiting compulsory work as a means of coercion or political penalty for differing in opinion from the prevailing political, social and economic system	
1977	Decree 70 dated 25 /6/ 77 on ILO C.127	Concerning maximum weight. It prohibited minors from carrying heavy weights at work but allowed light weights. Both heavy and light weights were to be defined by the Cabinet.	

1977	Decree 70 dated 25/6/ 77 on ILO C.15	Prohibited the employment of minors under the age of 18 as stokers or stokers assistants on board ship	
1983	Decree 1005 dated 9 /9 /83 on ILOC.58	Same as the above convention but allowing children to work on ships where only individuals from the same family work. This exception could be for 14 yrs. old too	
1983	Decree 1005 dated 9 /9/ 83 on ILO C.74	Provides that an efficiency certificate should be given to a sailor who is fit to work, but who is under 18 years of age.	
1998	Law No. 686	Made public education free and compulsory until the age of 12. However, implementation decrees not yet implemented.	Very important law but with no implementation tools and therefore ineffective to date. However, new education strategy realizes this problem (discussed in section 5)
1999	Decree No. 700 25 /5/ 1999	Prohibited employing juveniles under 16 or 17 in hazardous occupations the nature of which constitute a threat to their life, health or morality	
1999	Amendment	Of two annexes of the Labour Code specifying industrial jobs that constitute the greatest risk to children's lives	A list of the most hazardous occupations has been updated by the MOL and workers' and employers' organizations in 2008 under IPEC-Phase II project (See Annex III)
1999	Law No. 91 14 /16/ 1999	Amended article 25 of the Labour Code with regard to the conditions of employment of juveniles in handicraft establishments	

2000	Law No. 207 26/ 5 / 2000	Included amendment of article 26 of the Labour Code prohibiting the employer from discriminating between workers by gender with regard to the nature of the job, the wage and recruitment	
2000	Article 46 of the Public Budget Law and “annexed” budget for the year 2000, dated 14/ 2 / 2000	Stipulates the doubling of penalties for infringement of the Labour Code	
2000	Article 50 of the Public Budget Law and “annexed” budget for the year 2000 dated 14 / 2 /2000	Applied half-price entrance for children aged 18 and under and disabled persons to archaeological and tourist sites, museums, exhibitions and public transport	This would facilitate at-risk and especially working children’s access to intellectually stimulating places. Moreover, it could make transport more affordable to and from work, as well as to school, if the family cannot afford school bus.
2000	Article 80 of Law No. 220 dated 29 /5/ 2000 amending article 14, paragraph (d), of the Lebanese Social Security Code	Provides social security benefits and cover for sons and daughters until the age of 25, when their parents, whether male or female, are covered by social security	This reduces a great burden on insured parents who are in especially low paid jobs (this applies to government jobs). However, the problem remains for uninsured parents, who are the great majority of parents of targeted children.
2000	Decree No. 4265 dated 25/10/ 2000	Includes medical procedures at hospitals and public institutions, contracted by the Ministry of Health	This facilitated by law children’s access to medical facilities, especially those supported by the Government. However, this law does not always apply automatically.

2001	Law No. 335 dated 22/08/2001	Authorizes the Government to ratify ILO C.182 on the elimination of the worst forms of child labour and to take immediate measures for such elimination	This means that the Government has to take appropriate legal, economic and social measures in that respect.
2001	Decision No. 1130/m/2001 dated 10/9/2001, Article 41	Stipulates that “Employees in the education sector are prohibited from inflicting physical punishment on pupils, or addressing verbal retribution that is humiliating and against the principle of education and personal dignity.”	This still needs an efficient monitoring and reporting system
2002	Law No. 400 dated 5/6/2002	Authorized the Government to ratify ILO C.138 concerning minimum age for admission to employment	
2002	Law No. 414 dated 5/6/2002	Authorized the Government to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	
2002	Law No. 422 dated 6/6/2002	Protection of juveniles in conflict with the law or at risk	This includes especially children found working on the streets or as victims of prostitution or pornography. Those working in small establishments are less affected as their employers are punished first.
2002	Decree No. 9091 dated 15 / 11 / 2002	Related to setting the standards of public school buildings in general pre-university education	This has become part of the new education strategy to be discussed in section five

2002	Signature of optional Protocol of CRC dated 11 / 2 / 2002	On the involvement of children in armed conflict	This needs monitoring and implementation tools and mechanisms as there has been a recent trend, especially in North Lebanon, for children to be armed and recruited by local militias and political groups for a certain amount of pay
2003	Circular of the Public Prosecutor of the High Court no. 6/s/2003 dated 7 /2/ 2003	Prohibited persons under 18 years of age, regardless of sex, from entering bars and nightclubs during the day or at night.	Again this needs appropriate tools and mechanisms for implementation
2003	Decision No. 47 dated 18 /2/ 2003	Exempting children in preschool, first and second grade at public schools from payment of registration fees	This was a temporary measure so it does not have long-term implications. However, it has been included in Lebanon's National Action Plan, to be discussed further in section 5
2011	Law No. 164 dated 24 /2/ 2011	Prohibiting trafficking in persons, with a special paragraph on those under 18 years of age ⁸⁹	This needs implementation tools especially in terms of providing proper training for police at borders and general security in airports, ports and at borders to detect processes and means of trafficking, such as false identity documents and information

89) Information provided during conversations held with MOL officials while preparing this study. However, critics of this new law say it focuses on criminalization rather than protection from and prevention of trafficking (as described specifically by Dr. Elie Mikhail, Secretary General of the Higher Council for Childhood).

ii) Practical and legal limitations to the efficiency and enforcement of the law

As mentioned earlier, the legislation and procedures dealing with the protection of children and child labour have received attention from national policy-makers. However, further harmonization with ratified international conventions, especially the CRC, C.138 and C.182, is needed⁹⁰. In practice, however, the real impact on the ground remains limited. The challenge is not to produce more legislation, but to implement existing legislation. Practical tools are needed for implementation on the ground in order to make a difference and this would require robust and sustained action. The application and enforcement of relevant national legislation suffers from significant systemic gaps.

A second major limitation arises from the situation in which children and their families find themselves. This includes poverty, unemployment, regional discrepancies in income and educational levels, unequal development and distribution of state services, and the deepening entrenchment of systemic inequalities that might further marginalize communities. As discussed by Sarah White, caution is needed when considering taking children out of their context in any development or child rights work: “abstracting children from their context obscures the need to address their specifics of poverty in the context of their families and their communities”.⁹¹

Therefore any improvement in the situation of children also requires an improvement in the overall economic and social context and therefore the development of policies and plans that serve all marginalized groups alike.⁹² Appropriate socio-economic, educational and health policies could provide more room for the realistic implementation of legislation and related enforcement mechanisms.

iii) The remaining policy gaps

In spite of Lebanon’s ratification of major relevant Arab and international conventions, many of them have still not become a part of Lebanese law. Further legislative procedures are required before they can actually be implemented as part of domestic law. Below is more detailed analysis of the various relevant sectors, especially labour, education, health, social and cultural affairs.

Labour Legislation

The Lebanese Labour Code was adopted and entered into force in 1943, soon after Lebanon’s independence in 1942. Specific laws concerning the protection of minors (children) were adopted early on. It was realized that child protection was needed and a significant amount of legislation was therefore passed over time; however, the age of what was referred to as a minor was quite controversial and developed with consecutive laws. It is also clear from the earlier descriptions that Lebanon was always very committed, at least politically, to ILO labour standards and the related conventions, especially concerning child workers. Therefore, as indicated in table 15 above, the most important achievements in labour legislation concerning children and child labour have included the following:

90) The CEACR comments (Observation C.138 and C182 2009 / 80th Session) urge the GOL to adopt the new Labour Code and, moreover, to review the Committee’s comments on the discrepancies between the relevant national and ratified international instruments. In addition, it invites the Government to consider ILO technical assistance for this purpose.

91) White, S (2002b). From the politics of poverty to the politics of Identity? Child Rights and working children in Bangladesh. *Journal of International Development*. 14, pp. 725 - 735.

92) Osseiran, H (PhD Thesis) op. cit.

- a) Setting the minimum age of employment according to the risks and dangers that a job entails. For example:
 - ⇒ raising the minimum age of work from 9 to 14 years⁹³
 - ⇒ Allowing boys and girls of at least 17 years of age to work in risky industries, after approval by the Minister of Labour and obtaining a medical certificate approved by the Ministry of Public Health, provided that this does not interfere in their formal or informal education and vocational training provided by relevant authorities.
- b) Classification of occupations which constitute a serious danger for children's lives: those that have a severe affect on the life, health, moral or psychological health of children (see Annex III for a draft list of the most hazardous occupations prepared for consideration in 2008).⁹⁴
- c) Limiting working hours to six hours for those under 18 years of age and giving them a rest period of not less than 13 consecutive hours between 2 working shifts, in addition to an annual vacation of not less than 21 fully paid days, and prohibiting absolutely any assigned overtime work for youth or forcing them to work during their daily or weekly rest period or during holidays and days off.
- d) Prohibition of discrimination based on gender.
- e) Doubling the penalties for infringement of labour legislation.
- f) Also very important are the steps taken in the draft new Labour Code (yet to be endorsed) for the prohibition of the worst forms of child labour, which include employing children in very hazardous occupations or occupations that harm their moral, physical and psychological health. These include their use in illegal activities such as prostitution, pornography, bonded labour, drug trafficking and armed conflict.⁹⁵ Their employment in any of these activities will be considered a crime and the perpetrator is to be punished.
- g) The recent (September 2011) adoption by the Cabinet of Law No. 146 concerning the trafficking of all persons, with a special emphasis on those under 18 years old, is of great importance.

However, in spite of the legislative achievements to date, according to the CEACR several challenges remain, of which the most prominent include the following:

- ⇒ The Lebanese Labour Code (specifically Article 7) excludes the following categories from its provisions: domestic workers working in houses other than their own, workers in agricultural undertakings unrelated to trade or industry, and institutions in which only family members work and where the child is considered to be under the supervision of the father, mother or guardian. In effect these categories are excluded from the minimum age of employment and from the services and disciplines stated

93) As for the minimum age for admission to work and C.138, Article 2, paragraph 2, the CEACR previously noted that the information from the Government stated that Section 19 of the new Labour Code will prohibit the employment of children before they complete 14 years (i.e., beginning of 15 years). However, the Committee is still asking the Lebanese authorities to speed up the process of adoption of this new Labour Code.

94) A draft list of hazardous occupations has been submitted to the Council of Ministers along with a Draft Decree prohibiting hazardous work (as issued by Advisory Opinion No. 239 of the State Council on 26 May 2009) and is awaiting final endorsement.

95) The draft amendments to the Labour Code relating to the prohibition of the sale and trafficking of all persons under the age of 18 have only recently been endorsed by the GOL (through Law No. 164 of 24 /8/ 2011).

in the law.⁹⁶

- ⇒ Article 3, paragraph 3 of C.138 concerns the authorization to undertake hazardous work from the age of 16. The Committee previously noted that section 23(1) of the Labour Code prohibits the employment of young people under 15 years of age in industrial projects and activities which are physically demanding or detrimental to their health. The Committee observed that this provision was not in line with Article 3(3) of the Convention, to the extent that it appeared to allow young persons aged between 15 and 16 years old to perform hazardous work.
- ⇒ As for clause (d) of C.182, concerning hazardous work, the Committee has urged the GOL to address i) Palestinian children and ii) the special situation of girls, including those in domestic work, at present been omitted from the legislation.
- ⇒ Among the most significant remaining challenges in the implementation of C.138, C.182 and the CRC and related national legislation is the lack of consistent and continuous data on at-risk and working children. For example, the Committee's Direct Request on C.138 2009/ 80th Session, asks the Government to provide statistical data on the employment of children and young people by age group, extracts from the reports of inspection services, and information on the number and nature of contraventions reported.
- ⇒ Decree No. 3273 dated 26 /6 /2000 delegated to the Occupational Safety and Health personnel at the Ministry of Labour the task of supervising the implementation of all laws and decrees pertaining to working conditions and circumstances and protection of employees during the performance of their jobs. This included the supervision of implementation of the provisions of ratified ILO Conventions, especially C.182 and C.138, and imposing appropriate sanctions.

However, there remain two main problems of implementation as described in an earlier section: the first is the inadequate number of labour inspectors to cover all Lebanese regions and the need to strengthen the functioning of the whole labour inspectorate;⁹⁷ the second is the intervention of politicians to cancel any penalty imposed on an employer (belonging to a particular party or sectarian group). These two issues have proved to be significant obstacles in implementing any legislation or legislative measures which could help in the prevention of child labour or at least in protecting the rights of children at work.⁹⁸

- ⇒ In addition to the above obstacles, another administrative challenge is that non-registered professions remain outside the scope of labour inspection. Unfortunately, many working children are found in small unregistered establishments. However,

96) During the validation meeting held on 20 October 2011, the representative of the Ministry of Labour explained that, although the agriculture sector was excluded from the amendments, it was identified in the new list containing the worst forms of child labour in Lebanon (pending endorsement by the Cabinet). This means that hazardous work in agriculture could be subject to labour inspection.

97) As described by CEACR-2010 comments on implementation of C.182

98) a) Lebanon ratified ILO Convention No.81 on Labour Inspection in 1962. Its purpose is to organize labour inspection in industry and commerce. The Committee of Experts has expressed reservations regarding some aspects of the implementation of this Convention, which are not directly relevant to the present study.

b) Lebanon has not ratified ILO C. 129 on Labour Inspection in Agriculture, however. This covers cultivation, animal husbandry, livestock production and care, forestry, horticulture, the primary processing of agricultural products by the operator of the holding or any other form of agricultural activity.

here other solutions have proven effective over time in Lebanon and will be discussed further in section 5. Briefly, these involve the authorities of local governorate bodies and municipal councils, as in many cases it is they that authorize the operation of such unregistered informal establishments, so they have authority over them. The CEACR has constantly urged the GOL to take the necessary measures to ensure the adoption in the near future of the draft amendments to the Labour Code regarding the informal economy and self-employed children (see Observation, CEACR 2009 /80th Session on Lebanon's application of C.138).

Draft Labour Code

The Ministry of Labour has been revising the Labour Code for over a decade now. The latest draft Labour Code, which remains under consideration, includes a number of provisions relevant to child labour. These include:

- ⇒ “Children under 18 years of age (15 at present) may not work in jobs that expose them to any danger as a result of their nature or working conditions. Children may work in other jobs at the minimum age of 15 years of age (14 at present) and 13 in light work only.” This means that children under 18 may not work in any of the occupations listed among the worst forms of child labour. Here implicit reference is made especially to jobs in informal industrial shops and establishments, such as small factories, car mechanics and spray-painting workshops, where the majority of boys work. Girls under 18 may not work in places where they are exposed to health and psychological hazards, such as footwear and garment factories or hazardous service jobs such as in bars and other night shift jobs.
- ⇒ The Minister of Labour determines (at present the Cabinet does so) by decree the occupations that require employees to have more frequent medical check-ups. This should provide more protection for child workers because it makes it easier to address this matter through ministerial decisions.
- ⇒ Children should not be compelled to carry heavy weights and may only carry light weights as decided by the Minister of Labour (previously: “Employees should not be compelled to carry weights other than those which are light”). This means more explicit protection for children, as they are clearly identified in the proposed amendment and, again, a ministerial decision would regulate this matter.
- ⇒ “Labour inspection will cover the informal sector, with the exception of domestic labour.” This is a very significant clause as most child labour exists in the informal sector, such as in small industrial establishments (e.g. spray- painting, car mechanics workshops, carpentry), agriculture (e.g. tobacco cultivation) and in services (e.g. restaurants, coffee shops, grocery shops).

Education

The main legislative achievement concerning education is, of course, the adoption of Law No. 686 in 1998, which made education free and compulsory until the age of 12. Although it was very significant at the time of its adoption, the age for compulsory education has now become 15 in order to bring it into line with the new minimum age of entry into employment and work, also 15. As significant as it was, the law never came into real effect as specific implementation decrees have still not been issued. However, as described earlier, some steps were taken in 2003 to help in the implementation of the law, including temporary exemption of children in preschool and first and second grade in public schools from registration fees, establishing public schools in almost all regions of the country, and subsidizing school books in order to ensure equal opportunities for all students.⁹⁹

In spite of the importance of these steps, they remain randomly applied and have been accomplished only sporadically.¹⁰⁰ For example, the exemption from school fees took place in the year 2003 after some families had already paid them and only after pressure from the trade unions to do so. Implementation decrees are needed to enforce the law and ensure that all students have equal opportunities for schooling, irrespective of their financial means. In addition to this main obstacle of accessibility, there remain other legislative challenges regarding the education system in Lebanon, the most significant being the following, which mainly affect the quality of teaching in the public sector:

- i) Absence of laws to ensure the recruitment of qualified teachers
- ii) Absence of laws and regulatory frameworks and mechanisms governing the process of contracting qualified teachers.

Health

Decrees Nos. 162 and 4265, issued in 1999 and 2000 respectively, addressed the matter of child medical care and allocated special sections of hospitals and medical centres for the special medical care of children. It also set the number of beds and vacancies for children in these hospitals and medical centres. These measures were designed to ensure proper health care for children. In spite of the importance of this step, a lot more needs to be done to ensure equal access to health care for children, regardless of whether or not they are insured through their parents (parents' insurance, especially in government jobs, automatically provides the children with medical insurance), especially as most working children belong to families whose breadwinners work in semi-skilled and informal, uninsured jobs. Further legislation and mechanisms are required to ensure that all children have equal access to preventive as well as curative health care and that they do not need the support of political parties or sectarian politicians in order to gain access to these basic rights. This is especially true for accidents involving children working in the informal sector (15 - 18 year-olds).

99) Support with school books and exemption from school fees were temporary measures for that year and were not repeated.

100) See CEACR observation on C. 138, 2009 /80th Session, Article 2, paragraph 3 on Compulsory Education.

Social Security

One of the most significant developments in the Lebanese Labour Code has been the ability of children to benefit from their parents' social security fund and public employees' social and medical benefits. Both of these assured wider health coverage and family compensation for other family members. Again, this has proven very helpful and progressive for many children, but more needs to be done for the children of uninsured parents, especially as most parents of child workers work in the informal sector and have no insurance cover.

Protection of Integrity

Another significant step forward in terms of social protection of children has been the adoption of Law No. 422. Under this Law, increased measures have been put in place to protect children from maltreatment and abuse. Anecdotal evidence and preliminary research suggest that in situations of increased social tension and/or illegal status in Lebanon, children become more vulnerable to acts of violence and have less access to protection measures. Iraqi children, Palestinian children, working children, children from low-income families, children with disabilities, children of migrant workers, and children in post-conflict areas are believed to be particularly vulnerable. The Criminal Code and Law No. 422 outline penalties for perpetrators of all forms of sexual and gender-based violence, including rape, seduction, profligacy, incitement to adultery, offence to public morals, and child prostitution.¹⁰¹

Under this law, protection measures, such as removing the child from his/her home can be triggered by civil society and by the child him/herself. At the same time, this law attempts to deal with existing discrepancies in the legislation with regard to children.¹⁰²

Culture and Leisure

Because children are entitled under Lebanese law to rest and leisure during their free time, the Lebanese Government adopted a reduced entrance fee of 50 per cent for children under 18 and disabled persons in article 50 of its Public Budget Law of 2000. This includes entrance to historical and tourist sites, museums, exhibitions and public transport. This of course applies to all children alike and would especially benefit those working children who cannot afford access to such places and transport fares. These reduced costs could also help working children to awaken their intellectual and educational abilities and allow NGOs caring for working and at-risk children to expose a greater number to these places.

101) Save the Children, Sweden.2008. Child Rights Situation Analysis for Lebanon, p.8

102) Ibid p. 56

5 • Review of State Policies, National Plans and Strategies, and Concrete Interventions

5.1 Government plans and policies

5.1.1 The political umbrella of all policies: the Taif Agreement

The Taif Agreement, which was signed by almost all Lebanese fighting factions at the end of the civil war declared:

- On the political front:
 - Lebanon is a democratic parliamentary Republic based on respect for public freedoms especially, freedom of opinion and ideology, and on ***social justice*** and ***equal rights and responsibilities*** amongst all its citizens without discrimination.
- On the socio-economic development front:
 - That ***equal economic, social and cultural development of all regions*** of Lebanon is one of the main pillars of a stable and united state.
 - The need to achieve comprehensive social justice through ***economic, financial and social*** reform.
 - The need to adopt a unified, comprehensive development for the country which is capable of developing all Lebanese regions alike, especially at the social and economic levels, and empowering the resources of municipalities and unions of municipalities to that effect.
- On the educational front:
 - The need to provide and make education compulsory at the primary level.
 - The need to improve the quality and logistics of the public educational and technical vocational training sectors and develop them to meet the market needs of the country.

So far these clauses have not been fully implemented. In spite of efforts to introduce a civil status law, the relationship of Lebanese citizens to the state continues to be mediated by the confessional groups to which they belong.

5.1.2 Post-civil war reconstruction and economic plans

Major policies and plans were adopted, which focused on the rehabilitation and development of infrastructure, especially electricity and telecommunications, as well as on vital public facilities, such as the airport and port, water supply, wastewater, hospitals, schools and roads. Consecutive plans were drafted and adopted, including the Five Year Plan and others prepared for the Paris I and Paris II donor meetings. While these plans focused on reconstruction and rehabilitation of

physical infrastructure, little was done to incorporate them into a global approach addressing major macro-economic imbalances, enhancing development sectors, and reforming public institutions.¹⁰³

There was much less focus during this period on social issues and needs. Economic development and growth were not directly linked to social development. In order to alleviate poverty, provide social justice for all citizens alike and ensure the rights of children, there needs to be the political will to ensure a unified vision for social and economic development. In light of this and as a result of an extensive mobilization and awareness-raising campaign carried out by IPEC in cooperation with the Ministry of Labour, employers' and workers' organizations and relevant NGOs the Government responded by endorsing a National Policy Document specifically targeting child labour.

i) National Policy and Programme Framework

A specific National Policy and Programme Framework on child labour was developed in 2004 - 2005 by the Ministry of Labour through the Consultation and Research Institute and commissioned by IPEC Lebanon, first phase. It was the first time that a policy paper specific to child labour had been developed by a Lebanese ministry. The paper was developed in a participatory manner involving consultations with the different bodies concerned throughout – those within the National Steering Committee and those outside it. Moreover, consultations were held with governmental and non-governmental institutions and specialized individuals, in addition to workers' and employers' organizations. This national mobilization effort led to the official endorsement of the document by the Lebanese Government in 2006, officially placing child labour on its national agenda.

ii) The Social Action Plan: Towards Strengthening Social Safety Nets and Access to Basic Social Services

As described earlier, the post-war plans and policies were mainly aimed at reconstruction, leaving limited space for socio-economic development. In the view of many Lebanese researchers¹⁰⁴ this has led to a significant degradation of the standard of living of Lebanese people, high rates of poverty and poor availability and access to state social, health and educational services. The need to reduce poverty and discrimination with a more contextualized set of development goals was becoming increasingly evident. This was the aim of the Government's Social Action Plan (SAP), which was a pillar of the Economic Reform Plan submitted by the Government to the Lebanon Donors Conference (LDC) Paris III in 2007.

SAP identified social reforms and outlined a variety of interventions, such as safety-net mechanisms, cash transfers and the overall reform of education and health services. Moreover, it was the first national plan which actually mentioned child labour and school dropouts, describing some of the causes (e.g. poverty and poor quality education) and prescribing some remedial measures (also on poverty alleviation, social development and justice, and improvement of the education system). The tables below describe in more detail those aspects of the SAP with direct or indirect implications for child labour.

103) UNDP (2008) National Human Development Report, op.cit., p. 45.

104) For example, Kamal Hamdan, Lebanese economist and head of the Consultation and Research Institute (in an interview for this document, November 2010).

Table 12. Relevant Contents of the Section on Improving Social Indicators

Field	Objectives	Implementation	Potential implications for child labour
a) Social Strategy	i) Formulation of a comprehensive social strategy by GOL	Inefficient social spending has led to absence of a comprehensive framework for social policy. There is duplication of effort and waste of resources. In addition, there is little systematic targeting in existing programmes, compounded by a deficiency in standard data on poverty and social indicators	-At-risk children and their families need a coordinated social support system to help prevent school dropout and early entry into the workforce -Systematic targeting of families of working and at-risk children is needed
	ii) Establishment of an Inter-Ministerial Committee (IMC) to coordinate Government efforts and draw up an overall social strategy ¹⁰⁵	Composed of all concerned ministries, i.e. MEHE, MOPH, MOL, MOF and MOE. Has recently (2011) developed a Comprehensive Social Strategy based on previous efforts by primary parties in social sectors, especially those who have worked on sector strategies or even overall strategies, and will define the roles and responsibilities of each ministry in order to avoid duplication	Explained in more detail below
	iii) IMC will take charge of M&E of SSNP's, the overlapping of ministries and establishment of a social database	Committee members will coordinate to establish and use the social database to improve targeting and reduce waste of resources. There will be regular assessment of existing social safety nets to identify areas of improvement and potential savings	IMC members need to be exposed to the potential needs of at-risk and working children and potential ways of targeting them (e.g. through CLMS's already set up or through NGOs, schools and school support programmes)
b) Improving the Efficiency of Social Programmes	i) Improve targeting and delivery mechanisms in order to develop an efficient social safety net system	-Targeting the poor needs to be conducted with more accuracy and flexibility, while seeking to have a computerized system. - SDC's of MOSA and local municipalities, along with local development projects, will work together to identify household eligibility and monitor compliance to conditions	In addition to IMC members, SDC's of MOSA and municipalities should be given guidance on how to target at-risk and working children and their potential needs for prevention of school dropout or withdrawal from work or withdrawal and rehabilitation. Moreover, they need to learn how to deal with their families.

105) The operations of the Inter-Ministerial Committee were paralyzed for some time and it was only reactivated recently (October 2011).

Table 13. Social Safety Nets

Field	Objectives	Implementation	Potential implications for child labour
a) Reducing Poverty	i) Provision of cash or in-kind assistance to poor households and large families with children either not enrolled in school or under the legal age to work	Programme will target up to 6,500 households which meet a number of conditions (not enrolled in school or working children). Support will be given by MOSA, provided that children comply with a number of conditions (complete compulsory education, participate in literacy classes, etc.) Annual cost of programme estimated at US\$ 4 million with an average US\$ 600 per household/year	-This objective is specifically directed at at-risk and working children -This programme is being pilot-tested at present by MOSA with impact yet to be seen - Providing cash assistance to families, even in small amounts is controversial
	ii) Establishment of a programme to address the problem of working children and children at risk of delinquency	This programme aims at intervention through vocational training, life skills, support, bringing children back to school, improving health and legal conditions, etc. Details of programme need to be studied. Cost of programme estimated at US\$ 6 million.	As this objective and the related programme directly concern working children, it needs to include child labour experts and expertise in order to have maximum impact
	iii) Design and adopt a unified system for the exemption of poor households from payment of social services fees	Social services fees here include public school fees, health care and hospitalization costs. An automated system of beneficiary households would be established to identify beneficiaries and issue unified electronic cards at a later stage. IMC would be responsible for identification of beneficiaries (by involved ministries and NGOs). Costs: up to US\$ 1 million.	

b) Improving Access to Primary Education	i) To deal with the problem of high school dropout rates in public schools, GOL will launch a special programme for poor students and their households to reduce education costs for these households	-This will be done through in-kind donations or exemptions. -The programme should target schools and regions that are carefully selected on the basis of performance indicators of public schools and school reports of specific cases that need direct support. -Total estimated cost is up to US\$ 1 million/year.	There needs to be an effective monitoring system established for children who are at risk of dropping out of school in order for the programme to have maximum impact
	ii) GOL will improve ongoing food programme	-There will be an assessment and identification of schools in poor areas with high prevalence of malnutrition, in cooperation with concerned ministries and stakeholders. -Cost estimated at US\$ 2 million.	-There have been some successful experiments in Jordan in this respect, which have extended nationwide through Ministry of Education and Army and international organizations - This practice remains controversial, however.¹⁰⁶
	iii) MEHE will prepare a programme to ensure basic education for all by supporting students at risk of repetition and dropout and those with special needs	-This will be through the provision of school books and stationery and waiving registration fees in public schools. -MEHE will also support vocational and technical training in different fields. - This project targets students enrolled in basic education. -Cost estimated at up to US\$ 9 million.	- This will obviously have direct impact on at-risk children

106) Representatives of national and international organizations in validation meetings about the study expressed different views on this matter.

c) Improving Access to Basic Health Care	Enhancement of existing school health programme	-This is an ongoing programme which brings in line ministries (MEHE, MOPH and MOSA), international organizations (UNICEF and WHO) and specific NGOs and covers all primary schools in Lebanon. - Programme will be improved through, for example, expansion to basic education, provision of schools with first aid kits, enhancing reporting capacities etc.	- This should be helpful in identifying children with any health problems (especially physical or sensory) which may be affecting their achievement at school and, if treated, may prevent their dropping out ¹⁰⁷
d) Local Development	Establishment of local development	-Main aim of this programme is to reduce regional disparities in access to basic infrastructure and especially employment opportunities. -MOSA, along with concerned ministries and municipalities, will launch small scheme development projects, of which the development of small-scale enterprises is the most relevant. -Cost is estimated at US\$ 12 million.	Parents and older siblings of at-risk and working children could benefit from the potential employment opportunities and small enterprises. However, they need to be well linked to these projects during the course of targeting by the project ¹⁰⁸
	ii) Establishing a mapping system for local development projects	-Aim is to ensure coordination amongst current actors in local development, avoid duplication and waste of resources and strengthen safety nets in local communities.	-Again this needs to be well linked to the potential target group (i.e. families of at-risk and working children). - Results of mapping need to be produced and disseminated in a simple way so as to benefit all those marginalized families who are in need of them.¹⁰⁹

While the inter-ministerial committee mentioned above was formulating the overall social strategy, the concerned social ministries were working on developing their own sector strategies. The basic

107) Many children have been found by NGOs to leave school and work early for unidentified health reasons that make them unable to learn or study adequately (e.g., hearing/sight problems, etc.).

108) There may be many relevant projects but potential beneficiaries have no knowledge of or access to them, as described in the first section. This is especially true of the poorest and most vulnerable families.

109) Here the reference is specifically to those livelihood projects which could benefit families of at-risk and working children.

outlines of these sector plans are described below. Next to each is how child labour could potentially be integrated into them directly or indirectly (i.e. by helping families of at-risk or working children, etc.).

Table 14. Roadmap for social sector policy reforms

Ministry	Strategy	Potential implications for / integration of child labour issues
MOSA	Main Strategy: restructuring MOSA's relationship with NGOs to improve quality and efficiency of its services and interventions In addition MOSA will: i) promote rural development projects according to new standards ii) develop programs that will extend the role of MOSA to other vulnerable social groups and households iii) complete the automation of the Ministry with e-links to SDCs iv) enhance the efficiency of SDCs as an instrument for integrated local development v) complete the setting-up of a comprehensive social database	The reform and reinforcement of the role of the SDCs at the community level is of prime importance to the child labour issue, for reasons including the following: i) very suitable to identify at-risk families if well trained to do so ii) could identify needs of those families and their children within their own context and neighbourhoods iii) in cooperation with the families and children, identify priority intervention areas and plan accordingly iv) link plan to available resources and results of mapping (mentioned earlier) v) carry out local M&E programme of family and children's progress
MEHE	Main strategy: develop an education strategy to improve efficiency, reduce waste, and promote and expand access to good quality basic education	N.B. This is explained in detail below

The SAP identified social reforms and outlined a variety of interventions, such as safety net mechanisms, cash transfers and the overall reform of education and health services. An inter-ministerial committee was established to oversee SAP implementation. However, due to political instability in the country, the process was delayed. Two main sector strategies of relevance to child labour have been developed: the first by the Ministry of Education and Higher Education and the second by the Ministry of Social Affairs, both described below. As a result of this national effort focusing on major development issues affecting children in education, poverty reduction and more specifically child labour, these issues were addressed in the 2009 Ministerial Declaration. They were

also echoed in the references to education and social policy in the 2011 Ministerial Declaration¹¹⁰.

iii) 2009 Ministerial Declaration

This was the first time that a Government Declaration included the issue of children, child policy and specifically children living on the street, as well as working street children. This was in addition to previous Governments' commitments to equal social development across the regions and the need to raise the minimum age for compulsory education. In these respects the Declaration stated:

In the general statements section:

- When the opportunity arises, the Government will seek to ensure that all Lebanese benefit from economic growth so that it reaches all regions alike on an equal basis. This means combating poverty first and reducing the economic and social discrepancies amongst Lebanese, with the aim of reconstituting the middle class, which constitutes one of the main pillars of stability in Lebanon.
- The Government will work towards designing a social policy that would ensure basic needs for all citizens and improve the quality of social services provided by the Government so that it would reach the highest number of marginalized groups.
- Design policies and plans to transform the social service system from a social welfare to a social development system, concentrating especially on marginalized groups such as women, children, the elderly and the disabled.
- Look into a Higher Council to design social policies, its role being planning, coordination between policy planners and social providers for these development plans and the development of a social data base.

Under a paragraph titled ***“poverty alleviation and dealing with the issue of street children”***, the following statements are most relevant:

- To deal with the problem of street children and ***child beggars*** and ***to put an end to this problem***
- To work on the implementation of the Convention on the Rights of the Child.
- Reduce the level of severe poverty by 50 per cent by the end of 2015.

Under a paragraph headed ***“Education and Higher Learning”*** the following statements were also directly or indirectly relevant to at-risk children and those who could be early dropouts:

- The adoption of scientific and educational recruitment policies and incentives within a national framework for human resources.
- Work towards the ***implementation of compulsory education up to the age of 15*** and the spread of kindergartens, especially in remote areas.
- Installation of appropriate ***school support programmes to prevent school dropout***.

110) See paragraphs 19 and 23 of the Lebanese Cabinet's ministerial statement, July 2011.

iv) National Education Strategy

The National Education Strategy, which was published in 2010, was developed as a result of the recommendations of the National Social Action Plan and the 2009 Ministerial Declaration. However, as mentioned earlier, it was up to line ministries to develop their own sector plans in coordination with the IMC so that no duplication of programmes would occur, and complementarities of programmes and services would be achieved. The National Education Strategy focused on a set of five priority objectives: i) to make education available on the basis of equal opportunity; ii) to create quality education that contributes to building a knowledge society; iii) education that contributes to social integration iv) education that contributes to economic development and; v) governance of education. The main concern here will be those aspects that affect dropout, retention and repetition, technically as well as administratively. Direct technical aspects are not the only potential reasons for dropout or repetition, and there are other administrative issues which could indirectly lead to the same place. The tables below give further detail on those aspects of the Strategy directly or indirectly relevant to the issue of child labour.

Table 15. Five priorities of National Education Strategy and related programmes and objectives

Priorities	Programmes	Objectives
I. Education Available on the Basis of Equal Opportunities	1. Early Childhood Education	◆ Increase the percentage of 3 to 5 year-olds enrolled in public kindergartens.
	2. Improving Retention and Achievement	◆ Decrease repetition rates through the development and implementation of appropriate mechanisms
	3. Development of Infrastructure	◆ Adequate and equitable distribution of school facilities in all regions
II. Quality Education that Contributes to Building a Knowledge Society	1. Professionalization of the teaching workforce	◆ Promote the professional development of the teaching workforce and devise mechanisms for the efficient distribution of teachers in public schools
	2. Modernization of School Management	◆ Modernization of school systems and activation of the School-based Management Model
	3. Achievement Assessment and Curriculum Development	◆ Curriculum development in a manner consistent with national needs and global trends

III. Governance of Education	1. Institutional Development	◆ Enhance the workflow effectiveness between the various units of MEHE in order to provide a better service for citizens
		◆ Develop a Management Information System that supports the process of education policy formulation and administrative decision-making
		◆ Development of procedures and practices that allow the practical possibility of moving from an “item-based” budget to the preparation and management of a “performance-based” budget
		◆ Assess the effectiveness of sector development programmes through indicators and specific data

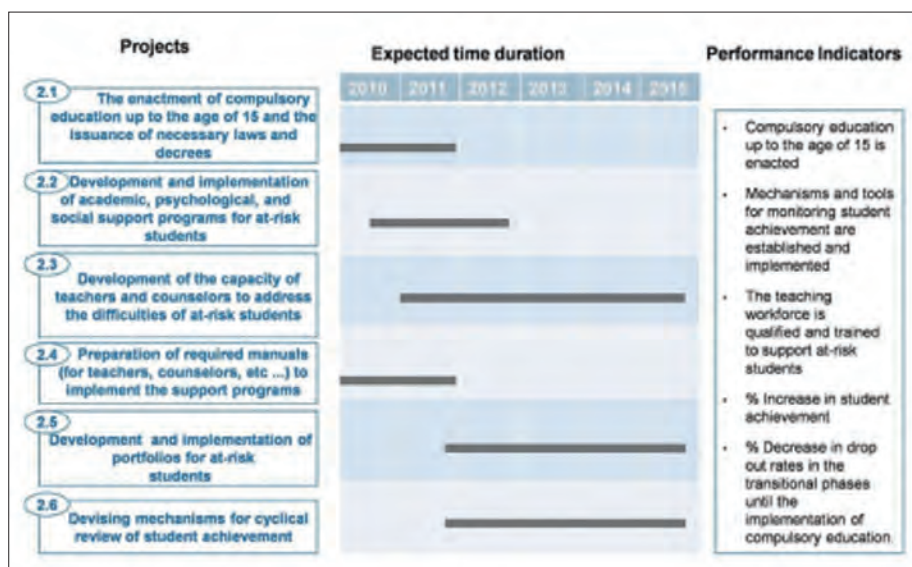
Source: information taken from MEHL, *National Education Strategy Framework*, March 2010

- Most directly relevant to at-risk and working children
- Less directly relevant to at-risk and working children
- Supports reforms in policies and administration which would ultimately affect at-risk children

Diagram 1 provides further detail on the different and most relevant components of the National Educational Strategy Objectives described above and its related Education Sector Plan. It is shown below in terms of its original schedule (although this does not necessarily mean that everything has already been implemented) in order to assess its potential implications for child labour now and in the future. It presents an approximate timeframe and an idea of when and where child labour specialists could intervene to integrate and discuss significant related matters. The programmes shown above that are of relevance to at-risk and working children are described, with the most relevant first and the least relevant last.

Diagram 1. Projects most directly relevant to child labour

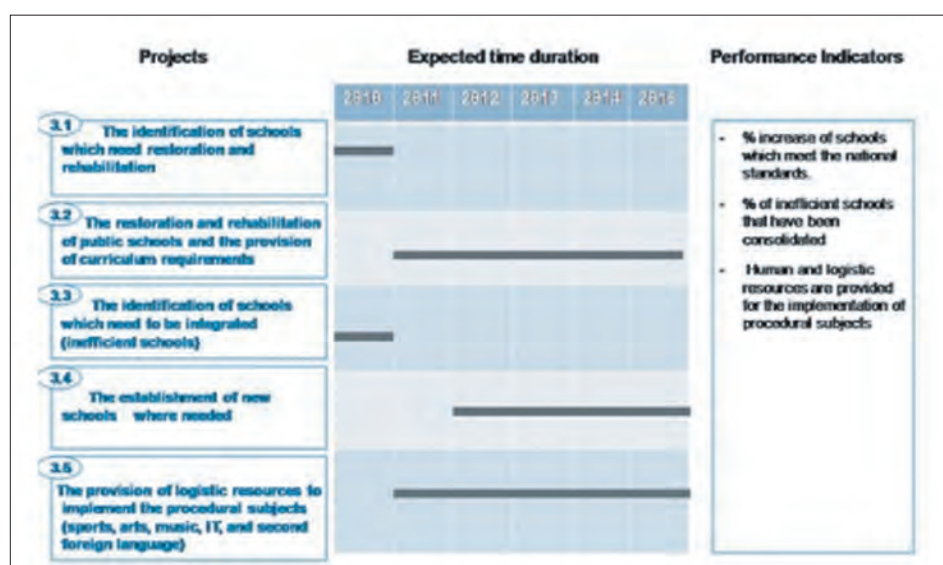
Improving Retention and Achievement Programme	Main Objective: Decreasing repetition rates through the development and implementation of the appropriate mechanisms
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(Source: information taken from MEHL, National Education Strategy Framework, March 2010)

Diagram 2. Projects with less direct impact on at-risk and working children

Programme Development of Infrastructure	Main Objective: adequate and equitable distribution of school facilities in all regions
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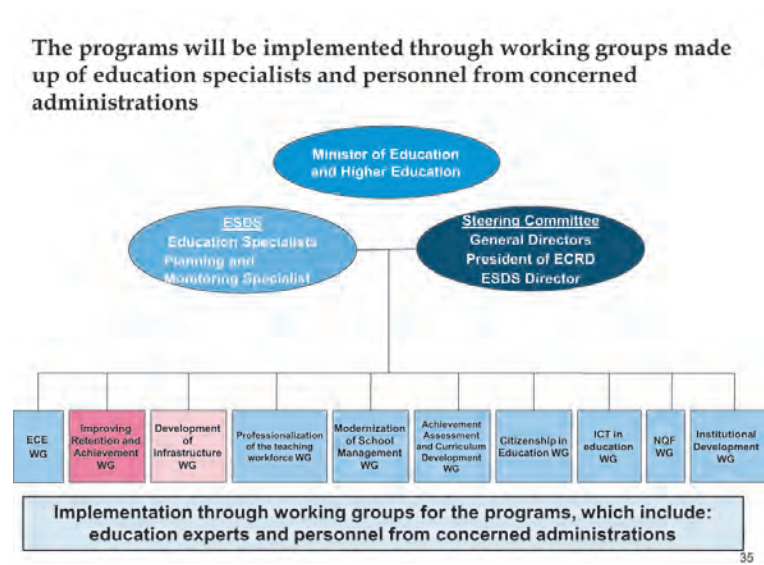


The equal development and distribution of infrastructure for schools is also crucial in dealing with the issue of child labour, as in some regions there may not be any schools to go to and the child would have to travel, which entails extra burdens and costs. On the other hand, there may be schools that are inadequate for learning: unwelcoming appearance, dilapidated walls or rooftops, no proper bathrooms or bathrooms in need of repair, etc. These are all factors that lead to an environment incompatible with learning. The importance of structural and logistical arrangements cannot therefore be overlooked as one of the important factors leading to early school dropout or never even starting school.

Last but not least is the significance of governance in education, one of the programmes described briefly earlier. It is important to shed light on this umbrella programme within the National Educational Strategy. Without good governance, none of the other programmes can be achieved. This has remained a chronic problem for decades. Therefore any reform on governance of education should have a trickle-down effect on all students, but especially the at-risk and marginalized.

Any intervention in any of the fields mentioned above needs to take place within the Ministry’s working groups, which have been set up to implement this sector-strategic plan and framework. Below is an illustration of the parties and personnel involved, as well as the division of working groups under this plan.

Diagram 3. Parties and working groups involved in the sector strategic plan



A group in which it is important to include a child labour specialist

A group to which special recommendations on child labour issues should be made

v) The National Social Development Strategy of Lebanon

This strategy was developed in light of several factors: incoherence of the social approach and vision for social development in Lebanon over many years; concentration on reconstruction of the physical infrastructure while neglecting the social needs and responsibilities of the state; the Ministerial Declaration of 2009 and the need to draft a Social Pact;¹¹¹ and, last but not least, the request by other countries at the Paris III Donor Conference, which called for the establishment of a national social development strategy, as well as the EU Action Plan.

This strategy focuses on the social aspects of the different sector strategies without being a mere sum of their parts. It is actually the product of a collaborative effort by the different Ministries: Education, Health, Labour, Interior, Justice and Social Affairs. The Ministry of Social Affairs (MOSA) has provided the Secretariat of the Inter-Ministerial Social Committee (IMC), with the specific task of steering, coordinating and integrating the different ministerial contributions. After reviewing and issuing a final draft, MOSA transferred the strategy document to the Cabinet for discussion and adoption, after which the strategy became that of the Lebanese Government. Although there had been previous attempts to formulate social strategies in Lebanon, according to MOSA this is the first comprehensive NSDS formulated with the support of all ministries concerned.

The tables below show the fields and action that could have direct or indirect implications for at-risk and working children. This does not mean that other aspects are irrelevant.

Table 16. Strengthen Social Protection

Categories	Action	Implications
I-Protection Schemes	Create a contributory unemployment insurance programme which protects individual and family income during periods of involuntary unemployment	This is crucial for parents of at-risk and working children
a) Develop an unemployment fund		
b) Eliminate discrimination in protection schemes	Extend the coverage of protection schemes to all workers, regardless of gender, nationality, physical status, or <i>type of employment</i> , including the elimination of all forms of gender discrimination in NSSF laws	This is very important for non-Lebanese working children, especially Palestinians, the second largest nationality after Lebanese The implications would be greatest for parents and children who are seasonal workers or work in the informal sector

111) MOSA, September 2010. The Social Pact of Lebanon. The Social Pact is one of the Objectives of the Ministerial Declaration of the Government of December 2009.

c) Provide livelihood assistance to vulnerable households	Create a mechanism that combines formulas and community-based approaches to identify families with various types and levels of need and establish coordination mechanisms between SDCs, municipalities and NGOs to provide technical assistance	- Families of at-risk and working children need to be specifically targeted. This requires training of focal points within SDCs and relevant NGOs on identification of those families and children and potential ways for helping them
II) Protection of marginalized groups a) Eradicate the worst forms of child labour and keep children off the streets	Establish a comprehensive social, health and educational programme to protect working children, and enforce the Higher Council for Childhood's strategy to address the problem of street children	Again, to have maximum effect, this needs child labour expertise to deal with the problem, design the programme and monitor its progress

Table 17. Provide Quality Education

Categories	Action	Implications
I-Basic formal education a) Education available on the basis of equal opportunity	i) Improving retention and achievement; decreasing repetition rates through the development and implementation of appropriate mechanisms ii) Development of infrastructure; adequate and equitable distribution of school facilities in all regions N.B. Other important aspects have been discussed in the earlier National Strategy for Education (i.e., those to do with improving the quality of education, governance of education etc.)	

II) Vocational and technical education	Interventions here also overlap with those of national education strategy	Improves the situation for those children who are either working and following a vocational training programme or who have dropped out of school and need a feasible alternative
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Table 18. Improve opportunities for equitable and safe employment

Categories	Action	Implications
Working Conditions		
a) Encourage and enforce formalization of enterprises and workers	Institute intra-governmental coordination mechanisms and provide establishments with low cost, simple procedures to encourage them to register their businesses and gradually enforce the protection of all employees by requiring a labour contract even for temporary and seasonal workers	This would definitely have direct implications for working children (15 - 18 year-olds) by improving their working conditions and providing them with social protection
b) Ensure a safe work environment	Reinforce laws and empower labour inspectors to enforce the strict application of health and safety at work standards	Again this would provide health and safety protection measures for children who are working in poor conditions

vi) A Draft Strategy for the protection, rehabilitation and integration of street children¹¹²

As a result of the National Social Development Strategy, a specific strategy for children working or begging or just living on the streets was to be drafted. This strategy was recently finalized (2011) by the Higher Council for Childhood. Its main development objective is to review and revise the policies, legislation and other measures to ensure better legal protection for street children.¹¹³ Revisions of child protection legislation should include:

- Revision of the minors' protection law (422), to include children on the street (living, begging or selling) and to provide the law with implementation tools.
- Revision of article 610 so that selling or begging on the streets would no longer be considered a crime for children under 18.

112) As stated in the title of the draft strategy, the term "street children" here means both children working or begging on the street and those living on the street. In Lebanon, the former group predominates.

113) Draft National Strategy for the prevention, protection, rehabilitation and re-integration of street children. Produced by the Ministry of Social Affairs and the Higher Council for Childhood in consultation with other relevant governmental and non-governmental partners.

- Severe punishment should be imposed on adults who use children to sell or beg on the streets or take their income. There should be no exemptions. As in the exemptions in the existing law, it would be provided that, where it was established that the adults needed this money for their livelihood, the punishment would be more severe if the adults were not the children's parents.

These are only examples of the revisions suggested in the draft strategy; more is included on child protection measures. As they are not within the scope and aims of this document, they will not be discussed here.

vii) Draft National Strategy for the Prevention and Protection of Children from all forms of abuse and maltreatment

Again, as a result of the National Social Development Plan, especially in relation to child protection, the Higher Council for Childhood, in coordination with concerned national stakeholders, prepared a draft strategy for prevention and protection of children from all forms of abuse and maltreatment. The main principles of this strategy include the following:

- providing full protection for all categories of children from all forms of abuse, maltreatment and neglect within different entities (family, welfare, educational, rehabilitation and boarding institutions, workplaces and when arrested).
- a multi-faceted approach to prevention, including immediately in any case of especially serious maltreatment of a child, and then providing rehabilitation and re-integration.
- a rights approach, to ensure that the rights of children are primary rights based on the best interests of the child and are dealt with in a comprehensive manner.
- partnership and coordination among all concerned parties, including governmental administrations, non-governmental organizations, international organizations, the private sector, universities, workers' organizations and media.
- participation of children themselves in the activities under the strategy and respect for their rights in planning, expressing opinions, implementing and monitoring the strategy.

5.2 Initiatives at the municipal and governorate levels

i) A Comprehensive Project for Combating the Worst Forms of Child Labour in Tripoli-North Lebanon

After reviewing the by-laws of the MOIM and its section on municipal councils, it is apparent that these councils have extensive authority of which the most relevant aspects for helping at-risk and working children are:

At the educational Level

- To contribute to public school fees in accordance with the regulations of the different schools.
- To monitor educational activities and progress within public and private schools and to prepare specific reports on them for the relevant educational authorities.
- To establish and manage public schools, technical schools and kindergartens where and when needed in the geographical areas that they cover.

Health and safety Issues

- To provide a licence for renting registered shops, restaurants, coffee shops, entertainment places, etc.
- To monitor everything to do with individual as well as public health and safety, as the health and safety inspection inspects all major services and shops, such as groceries, butchers, restaurants and coffee shops, hotels, barbers, brothels, bakeries etc., and in general any shop involved in the preparation of food and drink, entailing the monitoring of all individuals who work in such places.
- To ensure the protection of individuals and shops from fire, explosions, and flood, ensure the operation of fire brigades, and monitor all places in which inflammable and explosive materials are stored and determine the amounts of these materials such places may store and how to ensure safety measures regarding them.

Social monitoring and support

- To combat begging on the street (which includes children's work, such as selling small items between cars on highways).
- To issue licences for temporary selling on the street and in public squares, such as selling clothes, food items or even coffee and ready-made foods and providing chairs and tables for use during consumption.
- To provide support to needy and disabled individuals and families as well as to NGOs, clubs and other health, social and sports activities.

This authority provided by the by-laws is clearly useful in supporting projects which include: i) preventing school dropout by ensuring payment of fees and monitoring potential school dropouts; ii) ensuring formal education or vocational training; iii) ensuring some form of health and safety inspection and monitoring of workplaces, especially those listed in by-laws; iv) preventing children from working on the streets and providing for their rehabilitation; v) supporting marginalized families and individuals; and vi) supporting civil society organizations which help at-risk and working children in different ways. Knowing that these were among the policies of the municipal authorities, the two following projects were carried out by IPEC and the Municipality of Tripoli.

Project 1: A comprehensive project for the prevention and elimination of the worst forms of child labour in Tripoli (2002 - 2004)

This project included the establishment of a local action committee of eight NGOs (which dealt with children's issues and specifically child labour) linked through the project to a main coordination, rehabilitation and referral centre for working children in Bab el-Tibbani in Tripoli, one of the poorest industrial areas of Tripoli. The aims of the centre were to: i) identify at-risk and working children and their families, carry out a needs assessment for them and then, with the help of the coordinating NGOs and the municipality, try to meet their needs; ii) to coordinate with an already

established higher Governor's Committee which included all relevant governmental representatives (health, social affairs, education, etc.) to meet the needs that could not be dealt with at the level of the local action committee; and iii) to help in establishing a system for monitoring workplaces, in addition to issuing new policies/decrees/decisions which could serve at-risk and working children. The municipality here was to support the centre, its staff and running costs over the long term.

However, due to completion of IPEC phase I, which had established and supported this project, the appointment of new management and a change of mayor, the project encountered difficulties in continuing at the expected level. Eventually it was taken up by the individual NGOs at the NGO level only. This lasted until another IPEC project came into effect during the third phase of IPEC's presence in Lebanon. This recent project concentrated its efforts on establishing a child labour monitoring and referral system under the umbrella of the Municipality of Tripoli.

Project 2: The establishment of a Child Labour Monitoring System in Tripoli and environs (2010 - 2011)

This project established a Child Labour Committee under the coordination of the Municipality of Tripoli. The committee is composed of relevant governmental and non-governmental agencies which could help in the following: i) identification of at-risk and working children; ii) identification of workplace hazards; iii) follow-up of at-risk and working children in order to ensure their needs and to prevent them entering the worst forms of child labour; iv) ensuring the health and safety of workplaces where children (over 15) are working; v) ensuring the removal and rehabilitation of those working in the worst forms of child labour; and vi) providing all with the needed preventive care and rehabilitation. This project is ongoing and proving successful. However, it needs a strong political and administrative will to continue and expand to other municipal areas and regions of North Lebanon, as well as other governorates.

5.3 A potentially supportive environment: international policies and plans

Although the concern in this paper is mainly the mapping of national policies which could directly or indirectly be effective in dealing with the child labour issue, some major international policies and plans are related to the national ones. They support national reform plans and policies and support national budgets in the economic, social, educational and health fields. One major action plans is the EU-Lebanon Action Plan, which is part of the European Neighbourhood Policy. Furthermore, since Lebanon is committed to achieving the Millennium Development Goals, UN programmes work closely with Lebanese governmental and non-governmental agencies to achieve them.

5.3.1 European neighbourhood policy (EU-Lebanon Action Plan)

The European Neighbourhood Policy (ENP) is part of the European Union's response to the

Government of Lebanon's Ministerial Declaration described earlier, which was approved by Parliament in July 2005. The Government then presented an agenda of essential political and economic reforms to the international community in September 2005 and received support for it. On the basis of this agenda the Government undertook to prepare a multi-annual political and economic programme containing detailed and concrete reform measures. The challenge for the Government is to ensure the implementation of the "National Agenda" of priorities and objectives through appropriate programmes of political and economic reforms. These objectives are to be met through a process led by the Lebanese and reflected in Lebanon's own reform programme, and supported where necessary by the international community, including the European Union. Thus, the European Neighbourhood Policy offers through its Action Plan a strategic tool for the EU to assist Lebanon in its reform process, of which the National Social Action Plan described earlier and the National Education Reform Strategy are major components.

This Action Plan, which is essentially a political document, presents a set of priorities for action within the scope of concern of this study:

- ⇒ To establish a comprehensive human rights strategy, including protection of the rights of minorities, marginalized populations and non-citizens.
- ⇒ To promote sustainable development policies and actions, and design and implement a comprehensive social development strategy that contributes to poverty reduction.
- ⇒ To develop the transport, energy, water and information sectors and networks through sector liberalization, investment in infrastructure and interconnections with EU networks.

The Action Plan then defines more detailed actions that are needed regarding the above. The table below reflects those actions that are most directly relevant to child rights and child labour under the first priority stated above.

Table 19. Establish a comprehensive human rights strategy, including protection of the rights of minorities, marginalized populations and non-citizens

Field	Specific action required	Implications
Promotion and protection of the rights of women and children	Promote the rights of the child	Indirectly aims to prevent child labour, especially in its worst forms. This ensures that the child has education, time for rest and play and is not abused physically or economically. So even if a child does work, it is intended to ensure that the work is not harmful or abusive
	Develop a child welfare strategy and related national action plans and formulate a child protection policy targeting neglected and abused children	Directly affects child labour through a comprehensive strategy of prevention and rehabilitation
	Enhance protection of the rights of children and intensify efforts gradually to eliminate child labour	Directly affects the child labour issue, making it clearly visible in its own right. This had a direct effect on the National Action Plan of the National Reform Agenda (as described earlier)
	Reinforce the fight against trafficking in human beings, especially women and children, and smuggling of illegal migrants, as well as activities to prevent trafficking in human beings and to reintegrate victims	Especially important for trafficking of children and using them in bonded labour in Lebanon

Promotion of fundamental social rights and decent working conditions, including core labour standards	Develop a dialogue on fundamental social rights and decent working conditions, including the role and independence of trade unions	The promotion of decent working conditions and the role of trade unions will help to prevent abuse of working children (1518- year-olds) and to ensure the rights of their working parents
	Ensure adherence to and enhance the effective implementation of core labour standards as defined in the 1998 ILO Declaration on Fundamental Principles and Rights at Work and related ILO Conventions	Application of C. 138 and C. 182 will be enhanced, in addition to the other fundamental principles and rights at work that apply to working children (15 - 18 years) as well as to their working parents
	Ensure implementation of the relevant International Labour Conventions to which Lebanon is party	Again the promotion of C. 138 and C. 182

Table 20. Promote sustainable development policies and actions, and design and implement a comprehensive social development strategy that contributes to poverty reduction

Field	Specific action required	Implications
Social development, employment and poverty reduction	Strengthen social safety nets and reform the social security system, improving their efficiency, targeting and coverage, while gradually reducing subsidies, tax exemptions and economic distortions	Improving all those factors that are among the causes leading to child labour could significantly reduce new entries into child labour and further protect at-risk children from dropping out of school
	Adopt a comprehensive strategy for social development and poverty reduction. Improve statistical data related to poverty, including poverty survey, household incomes and expenditures and regional disparities	Same as above. The planned specific actions would have a significant impact on the families of at-risk and working children

Develop a strategy for reforming the pension system	Alleviation of wide scale poverty, especially of retired heads of households and their families, caused by the poor state of the Lebanese pension system
Develop reform and strategic plans aimed at improving the quality of education and vocational training and their relevance to the labour market	This has direct implications on the MEHE, which has finalized its Education Reform Strategy and Plan, which, if implemented effectively, would greatly reduce school dropout rates and would also provide good quality alternative education for those who are working
Improve public service delivery, particularly in health and education and other social services, with access for all, and avoid the duplication of government subsidies between the public and private sectors	This would improve the livelihood of all poor families and therefore encourage the continuation in education of their children and decrease the perceived necessity of sending them to work at an early age

Table 21. Develop the transport, energy, water and information society sectors and network through sector liberalization, investment in infrastructure and interconnections with EU networks

Field	Specific action required	Implications
Education, training and youth	Continue and enhance a policy dialogue between Lebanon and the EU on education and training	New approaches to prevent school dropout or to return children to school could be addressed
	Ensure access for all, especially for the poor, to high quality education	Would have direct impact on school enrolment, retention and performance rates (preventing early school dropout)
	Reform primary, secondary and vocational education to improve quality; ensure human resources development for teachers, professors and administrative bodies	This has become part of the new MEHE strategy and its effective implementation would significantly reduce early school dropout; improve performance and help children to reach higher levels of education

This was designed as a five-year plan. The European Commission strongly believes that the execution of this plan in support of the Lebanese National Agenda requires serious commitment from the political authorities to endorse and implement administrative reform which improves the efficiency and effectiveness of public administration. The following statement in the EC Action Plan is very significant: Special emphasis must be put on control, accountability and transparency to achieve “good governance”. This requires an update of legislation, especially with regard to redefining the missions and responsibilities of ministries and public agencies and consequently restructuring these organizations and mobilizing competent and motivated human resources.

5.3.2 The UN Millennium Development Goals (MDGs)

Lebanon has always been committed to the United Nations. One of the most important UN Declarations endorsed by the Lebanese Government concerns the Millennium Development Goals (MDG), adopted by the United Nations General Assembly in 2000. This Declaration, endorsed by 191 countries, pledged to achieve eight goals and 21 targets by the year 2015. The MDGs to be achieved by the Lebanese Government of most relevance to the issue of child labour include those relating to: i) poverty reduction and hunger eradication; ii) achieving universal education for all; and iii) improving mother and child healthcare. These targets are more specifically described in Annex IV.

6 • Summary of Conclusions

The Lebanese Government began to intensify its engagement on child labour issues in early 2000. This was made official through the signing of the first Memorandum of Understanding (MOU) between the Government of Lebanon, represented by the Ministry of Labour, and the ILO International Programme on the Elimination of Child Labour. This MOU led to a series of direct action programmes tackling the issue of child labour at different but interrelated levels: i) awareness-raising for children and their families; ii) direct social, economic and educational support for at-risk and working children and their families; iii) providing alternative means of education, including vocational training; and iv) the establishment of child labour assessment, monitoring and evaluation mechanisms. As a result of this process, IPEC-ILO reached a stage where it determined that direct action and support at grassroots level was not enough and that there needed to be greater effort directed at the national policy and legislative levels in order to upstream effective and successful piloted projects.

However, as stated at the beginning of this paper, child labour is not an isolated category within development work. This means that the problem of child labour cannot be tackled without relating it to a multiple set of determinants and consequences. Therefore, when related policies and legislation are mapped, it is necessary to look, for example, at policies and legislation related to poverty, education, employment or unemployment, and at the equal or unequal distribution of state services.

Consequently, this document includes a mapping of existing and proposed child labour-related policies, and legislation already adopted or under review. These are categorized and summarized below as national policies and plans, and legislation. Some are child labour-specific, others affect child labour in preventive as well as rehabilitative terms. Policies and legislation cannot be separated from each other, so the two categories overlap in places.

It emerges strongly from the study that it has been difficult, and sometimes impossible, to adopt coherent and consistent planning, implementation and enforcement for the elimination of child labour because of deadlocked procedures for adopting the necessary legislative reforms and putting these policies into place. This is due, among other factors, to divided government and the struggle for sectarian domination and influence. Until there is a more unified policy voice, interventions to alleviate child labour may produce temporary and local improvements but are unlikely to constitute a unified national policy and programme.

6.1 Summary of national policies and plans

The National Policy and Programme Framework for Child Labour (NPPF) was the first official policy paper specifically focusing on child labour, first drafted in 2002 and adopted by the Government in 2005. It brought the issue of child labour onto the agenda of the National Social Action Plan (SAP),

a pillar of the Economic Reform Plan submitted to the international Lebanon Donor Conference, Paris III, 2007. SAP identified the need for reforms at several levels. These included providing cash transfers, safety net mechanisms and comprehensive reform of education and health services. In addition, it was the first **comprehensive national plan to be discussed in an international arena that actually mentioned child labour in addition to school dropouts**, describing some of their determinants (poverty and poor quality education) and prescribing certain remedial measures (poverty alleviation, social justice and development, along with improvements in the education system, especially to prevent early school dropout and increase educational attainment).

The issue of child labour, marginalized children and children working on the street was later integrated into the 2009 Ministerial Declaration. This represented a high-level national commitment to implementation. In addition, priority was given to the provision of quality education for all children and the prevention of school dropout.

New strategies across various sectors were developed which focused on at-risk and working children. Those strategies of special significance to our topic included the National Education Strategy (NES) and a Draft Strategy for the Protection, Rehabilitation and Integration of Street Children.

National Education Strategy (NES)

The NES was developed and completed in 2010 as a result of the recommendations of the National Social Action Plan and the 2009 Ministerial Declaration. The new Education Strategy focused on five main priority objectives. Although all are relevant to the prevention of child labour, the most significant include: i) making education available on the basis of equal opportunity; and ii) providing quality education that contributes to building a knowledge society.

The main issues pertaining to child labour here are improving retention rates and educational achievement; and decreasing repetition rates through the development and implementation of appropriate mechanisms, to be achieved through the following:

- i) Provision for compulsory education up to the age of 15 and the adoption of the laws and decrees necessary to achieve this
- ii) Development and implementation of academic, psychological and social support programmes for at-risk children
- iii) Improving teachers' and counsellors' capacity to address the needs of at-risk students
- iv) Preparation of manuals for teachers, counsellors, etc., to assist them in implementing support programmes
- v) Development and implementation of portfolios for at-risk children

All these interventions are designed to provide help directly to students at risk of dropping out

of school, whether for educational, social, psychological or financial reasons, as well as to those students who work and go to school. The projects emphasize personalized, individual portfolios for at-risk students, providing customized support depending on identified specific needs. Of particular significance is the raising of the minimum age of compulsory education to 15, which corresponds to the minimum age of employment in the new draft Labour Code.

The National Social Development Strategy of Lebanon

In tandem with these developments, the Ministry of Social Affairs has developed two strategies: i) the National Social Development Strategy for Lebanon (NSDSL); and ii) the Draft Strategy for Protection, Rehabilitation and Integration of Street Children.

- i) The NSDSL is actually the product of a collaborative effort among the Ministries of Education, Health, Labour, Interior, Justice and Social Affairs. The Ministry of Social Affairs (MOSA) tasked the Secretariat of the Inter-Ministerial Social Committee (IMC) with steering, coordinating and integrating the different ministerial contributions. After reviewing and issuing the final draft, MOSA transferred this document to the Cabinet for discussion and adoption. Although there had been previous attempts to formulate social strategies in Lebanon, according to MOSA this is the first comprehensive NSDS formulated with the support of all concerned ministries. This strategy addresses many important factors that contribute to the prevention or solution of the child labour issue. It also addresses the problem head-on. Under one of its components, “protection of marginalized groups”, the main aim is “to eradicate the worst forms of child labour and keep children off the streets”. The mechanism for achieving this is: *Establishing a comprehensive social, health and educational programme to protect working children, and enforcing the Higher Council for Childhood’s strategy to address the problem of street children.*
- ii) This brings us to MOSA’s second strategy, focusing directly on street children. In 2011 the Higher Council for Childhood set out the main objectives of this strategy: to review and revise policies, legislation and other measures to ensure better legal protection for street children. For seen revisions of child protection legislation included:
 - revision of the minors’ protection law (422) to include children on the street (living, begging or selling) and to accompany this with implementation tools;
 - revision of article 610 so that selling or begging on the street would not be considered a crime for those under 18 years of age;
 - severe punishment for adults who use children to sell or beg on the street in order to take their revenue. Unlike the existing law, which provides exemptions for adults who need such money, there will now be no exemptions. At the same time, the penalties are more severe if the offending adults are not the parents of the children and depending on the situation in which they have placed the children.Other revisions in the draft strategy on child protection measures are not discussed here as they fall outside the scope of this paper.

6.2 Summary of national legislation and recent developments

Through its body of international labour standards, the ILO has been a reference for further strengthening existing national legislation to tackle child labour in Lebanon, especially through Conventions Nos. 138 concerning minimum age for admission to employment, and 182 on the worst forms of child labour. The former was ratified by the Lebanese Government in 2003, the latter in 2001. As a follow-up to these ratifications and with technical assistance from the ILO, a new draft of the Labour Code was prepared to harmonize relevant labour legislation with C. 138 and C.182. The most important amendments concerning child labour are:

- i) That children under 18 years of age (currently 15) may not work in occupations that expose them to any dangers resulting from the nature of the work or working conditions, that the minimum age for admission to employment would rise to 15, and the acceptable minimum age for light work would become 13.
- ii) The list of hazardous occupations in line with Article 3 (d) of C. 182 has been revised through a new study carried out in 2008 by MOL and IPEC and agreed upon by the tripartite constituents (Annex III).
- iii) The Minister of Labour will determine (at present it is the Cabinet that does so) by decree the occupations that require employees to have more frequent medical check-ups.
- iv) Children will not be required to carry heavy weights and will be allowed to carry only those weights determined in a ministerial decision.
- v) Labour inspection will cover the informal sector, with the exception of domestic labour and agriculture, although the worst forms of child labour in agriculture will be subject to labour inspection.¹¹⁴ This is a significant clause as most child labour takes place in the informal sector, as discussed earlier in this paper.
- vi) Law No. 414 was issued by the Lebanese Parliament on 5 /6/ 2002 in response to an urgent request from the UN Committee on the Rights of the Child and the ILO CEACR for harmonization with the UNCRC and ILO C. 182, Article 3, clauses (a), (b) and (c). This law authorized the Government to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which it did in 2004.

As stated in section 5, Lebanon had passed important legislation concerning working children and the protection of children in general prior to signing the international conventions discussed. However, it is important to mention here that, in spite of the ratifications, many of these revisions have yet to become part of Lebanese law. Further legislative steps are required before they are actually implemented as part of national law. Stringent implementation will be of crucial importance to their effectiveness.

114) As mentioned earlier, hazardous work in agriculture was included in the new list of the worst forms of child labour and would therefore be covered by labour inspection within this framework.

6.3 Summary of governorate and municipal action

Sometimes overlooked are policies at the governorate and municipal levels that directly or indirectly support marginalized children and their families, including at-risk and working children. Such regional policies have proven effective in dealing with child labour in Lebanon at several levels, including the following:

Education

- Contributing to public school fees in accordance with the regulations of the different schools
- Monitoring educational activities and progress within public and private schools and preparing specific reports on them for relevant educational authorities
- Establishing and managing public schools, technical schools and kindergartens where and when needed within the assigned geographical areas.

Social monitoring and support

- Combating begging on the street, which includes children selling small goods among cars on the roads
- Providing support to needy and disabled individuals and families, as well as to NGOs, clubs and those providing health, social and sports activities.

6.4 Summary of supportive policies and plans at the international level

Alongside the national strategy, there are international programmes in support of local efforts that often include budgetary support. One major policy in this regard is the EU-Lebanon Action Plan, which is part of the European Neighbourhood Policy. Another is linked to Lebanon's commitment to the Millennium Development Goals whereby the UN works closely with Lebanese governmental and non-governmental agencies to achieve those goals.

The EU-Lebanon Action Plan contains a set of priorities for action. Most relevant to child labour are:

- ⇒ To establish a comprehensive human rights strategy, including protection of the rights of minorities, marginalized populations and non-citizens. Under this general objective, the following specific actions are required:
- ⇒ Promote the rights of the child
- ⇒ Develop a child welfare strategy and related national action plans, and formulate a child protection policy targeting neglected and abused children
- ⇒ Enhance protection of the rights of children and intensify efforts gradually to eliminate child labour
- ⇒ Reinforce the fight against trafficking in human beings, especially women and children, and smuggling of illegal migrants, as well as activities to prevent trafficking in human beings and to reintegrate victims

- ⇒ Ensure adherence to and enhance the effective implementation of core labour standards covered by the 1998 ILO Declaration on Fundamental Principles and Rights at Work and related ILO Conventions.

This document also promotes social development, employment, poverty reduction, improvements in the education sector and provision of quality education for all.

Through this Action Plan, the European Neighbourhood Policy provides a strategic tool for the EU to assist Lebanon in its reform process, especially in its major components, the National Social Action Plan and the National Education Reform Strategy described above.

7 • Recommendations¹¹⁵

As mentioned at the beginning of this paper, child labour is not isolated from other factors. When examining the phenomenon of child labour, the roles played by poverty, education, employment or unemployment, equal or unequal distribution of state services, etc. must also be taken into account. In order to be sustainable, any plan to further tackle this issue must also tackle its contributing factors. This document has described the major recommendations for action across the various sectors within the respective national and international proposed policies, plans and legislation.

The key components to be tackled in relation to this complex issue include the following:

7.1 Laws and regulations

7.1.1 Legislation to be adopted

It is vital that the Labour Code be amended, as frequently promised by the Government and recommended by the ILO Committee of Experts and other international bodies. If the Labour Code is adopted in the present form of the draft, this would:

- Raise the minimum age of admission to employment and work to 15
- Raise the age of admission to hazardous or dangerous work to 18
- Raise the minimum age for light work to 13. The Committee of Experts has noted that, pursuant to Memorandum 58 / 1 of 20 June 2009, the Ministry of Labour set up a committee in consultation with employers' and workers' organizations to formulate a statute on light work, among other labour standards. The Committee also noted that the Ministry of Labour, in coordination with ILO-IPEC, was preparing a study on the classification of occupations undertaken by working children, within the framework of the ILO-IPEC programme "Supporting the national strategy for the elimination of child labour in Lebanon, third phase", so as to formulate this statute on light work.
- Extend coverage of the law to children in the informal sector as well as those in the formal sector. The Committee of Experts has noted that the draft amendments to the Labour Code would regulate the following categories of work, presently excluded from coverage: (a) workers in households in Beirut; (b) agricultural undertakings unrelated to trade and industry, which shall have their own legislation; and (c) undertakings that only employ family members under the management of the father, mother or guardian. It also noted that the draft would not cover the fourth category of workers excluded from labour law coverage: government departments and municipal bodies with respect to daily and temporary workers not covered by the regulations governing officials.
- Extend coverage of the law to at least some categories of hazardous work in agriculture for children between 15 and 18, although it would not extend the full coverage of labour law generally to agriculture. A "Draft Decree on the prohibition on employing children before they are 18 in work which is likely to jeopardize their health, safety or morals" (Draft

¹¹⁵) The tabular overview below presents some initial recommendations, which have been debated during technical review meetings and dedicated consultations with constituents and key national stakeholders.

Decree Prohibiting Hazardous Work), was issued by Advisory Opinion No. 239 of the State Council on 26 May 2009, and was to be promulgated following approval by the Council of Ministers

7.1.2 Amendment of of child protection legislation

Amendment of child protection legislation should include the following:

- Amendment of the minors' protection law (422) to include children on the street (living, begging or selling) and to accompany the law with implementation tools.
- Amendment of article 610 so that selling or begging on the street would no longer be considered a crime for children under 18.
- Severe punishment should be applied to those adults who use children for selling or begging on the street, or take their revenues.

7.1.3 Implementation of legislation

Law No. 686 / 1998 relating to free and compulsory primary education has not yet been applied because of the economic conditions of the country and insufficient educational facilities. Measures should be taken to increase the size of the labour inspectorate to ensure that numbers are adequate to cover all regions of the country. It is also necessary to ensure that the findings of labour inspectors are enforced without external influence being applied, which weakens legal processes.

7.2 Ensuring political awareness and commitment

The effective elimination of child labour, starting with its worst forms, needs to be an integral component of national development efforts. Without political commitment from all quarters, little can be achieved. This is particularly difficult in Lebanon, where sectarian and regional divisions have sometimes impeded effective action. This means securing support from:

- The Cabinet, especially the Ministers of Labour, Education, Social Affairs, Health, Interior and Media
- Members of Parliament, especially those from marginalized areas with most child labour
- Parliamentary committees: a) Motherhood and Childhood b) Education
- Governors, especially of those governorates where child labour is most prevalent
- Mayors and their municipal councils, especially in those areas where child labour is most concentrated
- Makhateer (local mayors) in neighbourhoods with high concentrations of child labour
- Political parties, religious and other leaders and policymakers who could have political impact on the child labour issue in their respective regions.

Table 22. Possible means of mobilizing the target groups

Target Group	Possible means of mobilization	Examples of potential useful resources
Members of Parliament	Through information meetings at special parliamentary sessions	i) Key parliamentarians (to be oriented first), ILO ROAS and child labour practitioners. ii) UNDP technical assistance project supporting parliamentary committees iii) ILO-IPU handbook (on C.182) designed for parliamentarians
Relevant Parliamentary Committees	Arrange for briefs and hearings on child labour and all related issues (causes, consequences, relevant policies and plans) for committees in a pre-organized session for both committees	The above resources, in addition to heads of both committees (who have to be well-informed first) N.B. This was piloted in phase one (2003) with the Committee for Mother and Childhood, as well as the Committee for Education and proved successful
Governors	A meeting designed for Governors in the presence of senior officials of the MOI in order to explain their potential role in limiting child labour in their governorates	i) The issue and the potential role of the MOI, governors and municipal councils have to be introduced to the Minister of Interior first N.B. The first such meeting took place under IPEC phase I, but only for governors, who were then asked to create governorate committees against child labour in their governorates
Municipalities	i) A similar, more general, meeting should be arranged under the Director of Municipalities ii) More directed and detailed meetings to take place with those municipalities with the highest ratios of poverty and/or child labour	Minister of Interior and Director of Municipalities N.B. Some efforts have been made in this regard but for issues other than child labour

Makhateer	Could arrange specific meetings with heads of unions of makhateer in selected regions	i) Director of Municipalities has to be informed first and advise on regions to be visited ii) Heads of makhateer unions
Political parties, religious and influential leaders	i) Heads of influential political parties in selected regions could address their supporters on the issue of child labour and possible means of limiting it ii) Issue could be discussed in Friday and Sunday sermons	i) Heads of parties or those they designate need to be informed about the issue and its different components (i.e., poverty, education, etc.) ii) Religious leaders (Muslim, Christian, Druze, etc.) need to be oriented towards the issue so that they can spread appropriate messages to preachers

7.3 Establishing national authorities dedicated to combating child labour

Since child labour is a phenomenon with multiple interrelated causes and consequences, its prevention and elimination requires multiple interventions at governmental and NGO levels, including by workers' and employers' organizations. The evidence shows that effectively tackling child labour requires a managerial and institutional framework that supports and facilitates coordination amongst different stakeholders. There are two proposals.

7.3.1 Establishment of a Higher National Committee

One proposal is the establishment of a Higher National Committee with a mandate to coordinate the action of the different partners. Such a committee was strongly recommended by the NPPF in 2002 and adopted by GOL in 2005, but never put in place. It was recommended that this Committee be attached to the office of the Prime Minister and include representatives from the Ministries of Labour (including the National Employment Office), Social Affairs (including representation from the Higher Council for Childhood), Interior (including municipalities and mayors), Justice, Education, Information, and Public Health, in addition to representatives of employers' and workers' organizations, professional syndicates, relevant NGOs and UN agencies (e.g., ILO, UNICEF and UNESCO) as technical supporters alongside national technical experts in the field of child labour.

This committee would be a natural development from the present National Steering Committee

on Child Labour and would be further institutionalized within the Government in order to take decisive action. The terms of reference for the Committee suggested by CRI¹¹⁶ when drafting the National Policy and Programme Framework included:

- Coordinate all relevant bodies, in order to avoid duplication, overlap and conflict
- Assimilate all the relevant policies, plans and legislation and their components related to child labour and obtain governmental approval for supervising their implementation
- Raise national awareness on child labour and on the need to implement relevant policies, plans, programmes and legislation
- Monitor the implementation of all relevant policies, plans and legislation
- Produce and disseminate reports and directives for progress of implementation.

7.3.2 Mainstreaming child labour into actions taken by the Inter-Ministerial Committee responsible for the implementation of the National Social Action Plan

Another proposal for tackling child labour comprehensively and at a higher executive level is to include the issue in the terms of reference of the existing Inter-Ministerial Committee, as this committee's main goal is to plan, execute, monitor and evaluate the different components of the National Social Action Plan, which includes a component on child labour. This would be a means of tackling the child labour issue at the highest national level.

7.3.3 The Child Labour Unit of the Ministry of Labour

In addition to the National Steering Committee discussed above, there needs to be a specific management and implementation unit at the grassroots, technical and secretariat levels to coordinate data collection, dissemination of information, preparations for committee meetings and the evaluation and dissemination of results. Currently the most suitable unit for this role is the Child Labour Unit of the Ministry of Labour. However, this unit might require some restructuring and reorganization within the Ministry. Its roles could include:

- Establishing a national data bank on child labour.
- Regularly collecting and analyzing information from all sectors and geographical regions.
- Functioning as a national clearing-house for child labour material, studies and research undertaken at national and international level.
- Functioning as a technical secretariat of the Higher Committee and ensuring intra-governmental follow-up action on executive decisions.
- Monitoring the progress of implementation of child labour-related policies and plans and conveying information to the Higher Committee.

7.4 Securing technical support and policy coherence

The design, review and harmonization of policies and normative initiatives would require a great

116) CRI, NPPF, 2002

deal of effort ensuring that action against child labour is well integrated and coherent with ongoing efforts dealing with socio-economic issues. The Ministry of Labour is well-placed and has a specific mandate to coordinate these efforts. This should also ensure policy coherence across various inter-ministerial initiatives. Its capacity to deliver high-level and evidence-based policy advisory services needs to be significantly strengthened. Areas requiring further attention could include the following functions:

- Providing orientation to responsible bodies at the national and international levels on the issue of child labour, its determinants, consequences and treatment;
- Advising on the activities needed under each specific objective;
- Advising on the resources needed to carry out the different activities (i.e. specific teaching or orientation materials on child labour, effective trainers and organizations) in relevant fields;
- Identifying potential governmental, non-governmental and international partners for implementation;
- Contributing to the design of a system for monitoring and evaluating progress.

7.5 Increasing access to existing services

In Lebanon there is no lack of schools or health-care, education or social services, but there is restricted access to them. The poor tend to be poorly informed about how to access the services available, whether provided by NGOs or Government at different levels. Information on how to gain access to these services should be more widely disseminated.

7.6 Funding of public schools

As is evident from the study, while there is a significant amount of funding for schooling, a large proportion of spending is directed towards private schools and the share of public funding for public schools has decreased. As the poor have access only to public schools, measures should be taken to ensure that sufficient funding is provided to these schools, given the role of free, available and compulsory schooling in preventing child labour. The curricula and staffing of these public schools should also be reviewed.

7.7 Monitoring and evaluation

Monitoring and evaluation should be carried out at all levels

In the field, monitoring and evaluation should cover both policies and plans, and legislation.

i) Policies and plans should be monitored at the level of:

- The Higher Committee for Child Protection and the Elimination of Child Labour or the Inter-Ministerial Committee (specifically a team working on the child labour issue).
- The Child Labour Unit of the Ministry of Labour.

ii) Monitoring and evaluating the application of legislation requires, in addition to the Higher Committee, close involvement of other elements of the national enforcement machinery, such as Ministry of Labour labour inspectors and other relevant enforcement branches. Additional feedback and reporting mechanisms involving legislative bodies, including relevant parliamentary committees require careful consideration.

Data gathering

Among the most significant challenges in the implementation of C. 138 and C. 182 and the CRC and related national legislation is the lack of consistent and continuous data on at-risk and working children. For example, the Committee's Direct Request on C. 138, 2009 / 80th Session, asks the Government to provide statistical data on the employment of children and young people by age group, extracts from the reports of inspection services, and information on the number and nature of contraventions reported.

Bibliography

- Adenipekun, O. 2004. "Urged to Counter Effects of Globalisation on Education of Girl Child". www.allAfrica.com
- Age, A. Tiltnes 2005. "Falling Behind". Fafo.
- Ambadekar et al. 2009. "The Health Impact of Child Labour in Developing Countries: Evidence from cross country data".
- Archard, D. 1993. "Children: Rights and Childhood". London: Routledge.
- Association of Lebanese Industrialists and Partners for Development. 2002. "A Rapid Assessment Study of Boys and Girls working in textile and shoe/leather sectors in the northern and southern suburbs of Beirut". Commissioned by IPEC-Lebanon.
- Ballout, A. et al. 1995. "Preliminary Study on the Status of Working Children in Lebanon". Beirut, UNICEF (Arabic)
- Basu and Van. 1998. "The Economics of Child Labour". American Economic Review, 88, pp. 412 – 427
- Bequele, A. and Boyden, J. 1990. "L'enfant au travail". Fayard, Paris
– and – (eds.). 1998. "Combating Child Labour". International Labour Office
- Bonnet, M. 1993. "Child Labour in Africa". International Labour Review, 132, pp. 37189-.
– 1999. "Le travail des enfants: Terrain de luttes". Editions Page Deux, Collection Cahiers Libres.
- Bourdillon, M.F.C. 2000. "Child Labour and Education: A study from South Eastern Zimbabwe". Journal of Social Development, Vol.15, No. 2
- Boyden, J. L. And Myers, B. M. 1998. "What Works for Working Children". UNICEF and Save the Children. Sweden
- Boyden, J. 1996. "Childhood and the policy makers: A comparative perspective on the globalization of childhood". (taken from) A. James and A. Prout (eds.). Chapter 9 "Constructing and Reconstructing Childhood: Contemporary Issues in the Sociological Study of Childhood". United Kingdom, Falmer Press
- Buck, T. 2005. «International Child Law». United Kingdom. Cavendish Publishing
- Chossudovsky, M. 1997. "The globalization of poverty, Impacts of IMF and World Bank reforms, Penang: Third World Network", London, Zed Books
- Consultation and Research Institute. 2002. "Child labour on tobacco plantations: A rapid assessment". Commissioned and Published by IPEC-ILO
- Consultation and Research Institute-Ministry of Labour. 2004. "National policy and programme framework". Supervised and commissioned by IPEC-Lebanon first phase.
- Consultation and Research Institute-Ministry of Interior. 2004. "Children working on the streets". Supervised and commissioned by IPEC-Lebanon first phase.

- Cornia, G., Jolly, R. and Stewart, F. 1988. "Adjustment with a human face". UNICEF
- Edmonds, E.V. 2008. "Child Labour". (taken from) T.P Schultz and J. Strauss (eds.) Handbook of Development Economics, Vol.4, Holland.
— 2008. "Defining Child labour". IPEC, Geneva
- Fan, S. 2004. "Relative wage, child labour and human capital". Oxford Economic Papers Vol. 56, pp. 687700-
- Fernea, E.W. 1995. "Children and work". Fernea, E.W. (ed.) "Children in the Muslim Middle East". University of Texas Press, Austin
- Gaspard, T. 2004. A political economy of Lebanon 1948-2002: The limits of Laissez Faire. Leiden and Boston Brill
- Genicot, G. 2005. "Malnutrition and Child Labour". Scandinavian Journal of Economics, Vol. 107 (1), pp. 83102-
- Ghorayeb, W. 2001. "A legal study of child labour in Lebanon. Compatibility of national legislations with Arab and international conventions". www.clu.gov.lb, submitted to the Minister of Labour and commissioned by IPEC-Lebanon first phase (in Arabic). Beirut
- Hart, J. 2008. "Business as usual? The global political economy of childhood poverty". Technical Report for Young Lives, (Technical Note 13)
- Fan, S. 2004. "Relative wage, child labour and human capital". Oxford Economic Papers Vol.56, pp. 687700-
- International Labour Office (ILO). 2004. Child Labour: A textbook for university students. ILO, Geneva
- Kisirwani, M. 1997. "The rehabilitation and reconstruction of Lebanon". In P.J. White and W.S. Logan (eds.). Remaking the Middle East. Berg: Oxford. New York
- M. Liebel, B. Overwien and A. Recknagel (eds.). 2001. "Working children's protagonism: social movements and empowerment in Latin America, Africa and India". Frankfurt M. and London: IKO.
- LTA and MAJAL. 2008. "Post-war July 2006 reconstruction report case studies: Housing and infrastructure". Beirut, Lebanon
- Lebanese Centre for Policy Studies. 1992. "Post-war institutional development in Lebanon". Beirut, report prepared for America Mideast Educational and Training Services.
- Myers, W.E. 1999. "Considering child labour: Changing responses to the employment of children", Development and Change, Vol.25, No. 4, p. 849
- Myrstad, G. 1999. "What Can Trade Unions Do To Combat Child Labour?", Childhood. Vol.6, p.75
- V. Navarro (ed). 2000. "The political economy of social inequalities: Consequences for health and the quality of life". Baywood Publishing, New York

- Nieuwenhuys, O. 1994. "Children's lifeworlds: Gender, welfare, and labour in the developing world". Routledge
- — 1996. "The paradox of child labour and anthropology", *Annual Review of Anthropology*, Vol. 25, p. 237
- — 2001. "Action research with street children: A role for street educators". *Notes* Vol. 25, pp. 5255-
- Nuwayhid, I. et al. 1998. "Physical and mental health of male children (1017- yrs. old) working in small industrial workshops in urban settings in Lebanon-1997". Ministry of Social Affairs, Beirut and UNICEF
- Nuwayhid, I. and Siddiq, B. 2003. "Assessing neurotoxicity of working boys and girls between ages of 1017- yrs. in Lebanon". Supervised and commissioned by IPEC, Lebanon first phase
- Osseiran, H. 2005. "Domestic child labour in North Lebanon". IPEC, Lebanon second phase
- — Ongoing PhD Thesis. "Child labour in Lebanon: Critical review of policies and programmes"
- Odibat, A. 2001. "Human security and children's issues in the Arab region"
- Partners for Development. 2004. "Gender, education and child labour in Lebanon". Beirut, Lebanon. Supervised and commissioned by IPEC-Lebanon first phase and published by IPEC-Geneva.
- Marcus, R., Wilkison, J. and Marshall, J. 2002. "Poverty reduction strategy papers (PRSPs)—Fulfilling their potential for children in poverty?" *Journal of International Development*, Vol.14, pp.11171128-
- Rogers, C. and Swinnerton, K. (2008). *A Theory of Exploitative Child Labour* in *Oxford Economic Papers*, 60(1): pp. 2041-
- Save the Children, Sweden. 2008. "Child rights situation analysis for Lebanon"
- Seabrook, J. 2001. "Children of other worlds; Exploitation in the global market". Virginia, Pluto Press
- Smith D. G. 1996. "Deprivation in infancy or adult life: Which is more important for mortality risk?" *European Journal of Population*, Vol. 12, pp.167–185.
- Van Bueren, G. 1994. "The international law on the rights of the child". www.fibeam.com
- Vasanthi, R. 1997. "Globalization and child labour". www.revolutionarydemocracy.org
- — Ibid. Cornia et al. 1988. "Adjustment with a human face". UNICEF
- Wilkinson R.G. 1994. "Health, redistribution and growth. In A. Glyn and D. Miliband (eds.). *Paying for inequality: The economic cost of social injustice*". London
- White, B. 1999. "Defining the intolerable: Child work, global standards and cultural relativism". *Childhood*, Vol.6, p. 133
- — (1996). "Globalization and the child labour problem". *Journal of International Development*, John Wiley and Sons Ltd., Vol. 8, No.6, pp. 829839-

- White, S. 2002a. “From the politics of poverty to the politics of identity? Child rights and working children in Bangladesh”. *Journal of International Development*, Vol. 14, No. 6, p.725
- – 2002b. “Being, becoming and relationship – Conceptual challenges of a child rights approach in development”. *Journal of International Development*, Vol. 14, No. 8, p. 1095
- Woodhead, M. 2004. “Psychological impacts of Child Work: A framework for monitoring, research and evaluation”. *Understanding Children’s Work*. ILO, UNICEF, World Bank.

Other related documents

- Arab Development Institute (2006) Vulnerable Children in Beirut: Status, Problems, Needs and Services Offered
- Central Administration for Statistics and UNICEF. The State of Children in Lebanon 2000. MICS-2000
- Ministry of Education (2010) Quality Education for Growth: National Education Strategy Framework-Education Sector Development Plan, 20102015-.
- European Neighbourhood Policy (2007) EU-Lebanon Action Plan.
- European Commission (2010) Progress Report on the Implementation of the European Neighbourhood Policy in 2009. Brussels.
- Integrated Regional Information Networks, Lebanon: Government urged to combat trafficking in human beings, [online] September 22, 2005 [cited December 8, 2005]; available from <http://www.irinnews.org/print.asp?ReportID=491>
- Lebanese Republic-European Neighbourhood and Partnership Instrument. (20072010-) Country Strategy Paper and National Indicative Programme. Riyadh.
- Lebanese Republic (2007) Social Action Plan: Toward Strengthening Social Safety Nets and Access to Basic Social Services.
- Millennium Development Goals, Lebanon Report (2008); World bank Educational Appraisal 2010
- Lebanese Cabinet. Ministerial Declaration of 2009.
- Ministry of Labour (2010). Drafts of new Labour Code.
- Ministry of Social Affairs, September 2010. The Social Pact of Lebanon.
- Ministry of Social Affairs-Higher Council for Childhood (2004). The Third National Report (19982003-). Beirut-Lebanon
- Ministry of Social Affairs-Higher Council for Childhood (2009). Draft Strategy for protection, rehabilitation and integration of street children.
- Ministry of Social Affairs (2011). The National Social Development Strategy of Lebanon-2011.
- MOSA, CAS (1988). Mapping of Living Conditions in Lebanon. UNDP, Government of Lebanon. (2007). Social Action Plan Report: Toward strengthening social safety nets and access to basic social services, submitted to Paris III.
- UNDP-Lebanon (20082009-) National Human Development Report: Toward a Citizen's State.
- UNDP (2008) ,Unipart Gold Lebanon.
- UNDP (2008). Millennium Development Goals-Lebanon Report 2008.
- UNDP (2008). Lebanon Recovery Fund-Annual Project Narrative Report No.12008/
- UNDP-Lebanon (2008). Poverty, Growth and Income distribution in Lebanon.

- UNHCR/Refworld/2005 findings on worst forms of child labour-Lebanon in <http://www.unhcr.org/refworld/country>
- UNICEF, Preliminary Report on the Multiple Cluster Survey On the Situation of Children in Lebanon, prepared by Government of Lebanon: Central Bureau of Statistics, February 2001, 11, 33; available from <http://childinfo.org/MICS2/newreports/lebanon/lebanon.pdf>.

Internet resources

www.ilo.org/ipecc/facts/hazardouschildlabour

www.unicef.org/protection

www.earlham.edu/pols/globalprobs/children

www.workingchild.org/ChildLabour

ANNEXES

Annex 1

List of people met with or contacted for the purpose of the document

1. Governmental Organizations

- Mr. Ramzi Naaman - Director, National Poverty Targeting Programme for Social Safety Nets
- Minister of Labour Advisor (Mr. Boutros Harb) - Mr. Ziyad Sayegh
- Child Labour Unit coordinator at Ministry of Labour - Ms. Nazha Shalita
- Legal Advisor at Ministry of Labour - Mr. Adel Zibyan
- Dr. Jadeon, Advisor to Minister of Social Affairs (Dr. Elie Sayegh)
- Secretary of Higher Council for Childhood at Ministry of Social Affairs – Dr. Elie Mikhail
- General Director of Ministry of Education - Mr. Fadi Yarak
- Education Policy and Planning Specialist - Ministry of Education - Dr. Wafa Kotob
- Administrative Head of Unit responsible for Social Development Centres of Ministry - Ms. Randa Abu Hamdan
- Director of Social Development Centre of Tripoli (belonging to MOSA) - Mr. Majed Eid
- Previous Focal Point and Head of Child Labour Unit at Ministry of Interior (for previous projects with IPEC on working street children) - Ms. Rajaa Mansour
- Mayor of Tripoli - Dr. Nader Sukkar
- Head of Development Office at Municipality of Tripoli and coordinator of child labour monitoring and referral system project - Ms. Safaa Alamedine

2. Workers' and Employers' Organizations

- Focal Point for General Confederation of Lebanese Workers - Mr. Boutros Saadeh
- Focal Point for Association of Lebanese Industrialists - Ms. Nadine Abdel Khalek

3. International Organizations consulted through face-to-face meetings and/or by phone

- UNICEF Child Protection Specialist - Ms. Joanne Doucet
- UNICEF Community Development Officer - Ms. Jumana Nasser
- UNESCO Programme Officer - Dr. Hijazi Idriss
- UNESCO Assistant Programme Officer – Ms. Therese Cregan
- UNDP Policy Specialist – Dr. Hassan Krayem
- UNDP Programme Manager-Social and Local Development Programme - Dr. Raghd Assi
- UNDP Programme Coordinator – Ms. Manal Fouani
- World Bank Project Coordinator – Ms. Zeina Khalil

All of the above were met personally once or more, except Ms. Zeina Khalil who was contacted by phone.

4. Non-Governmental Organizations

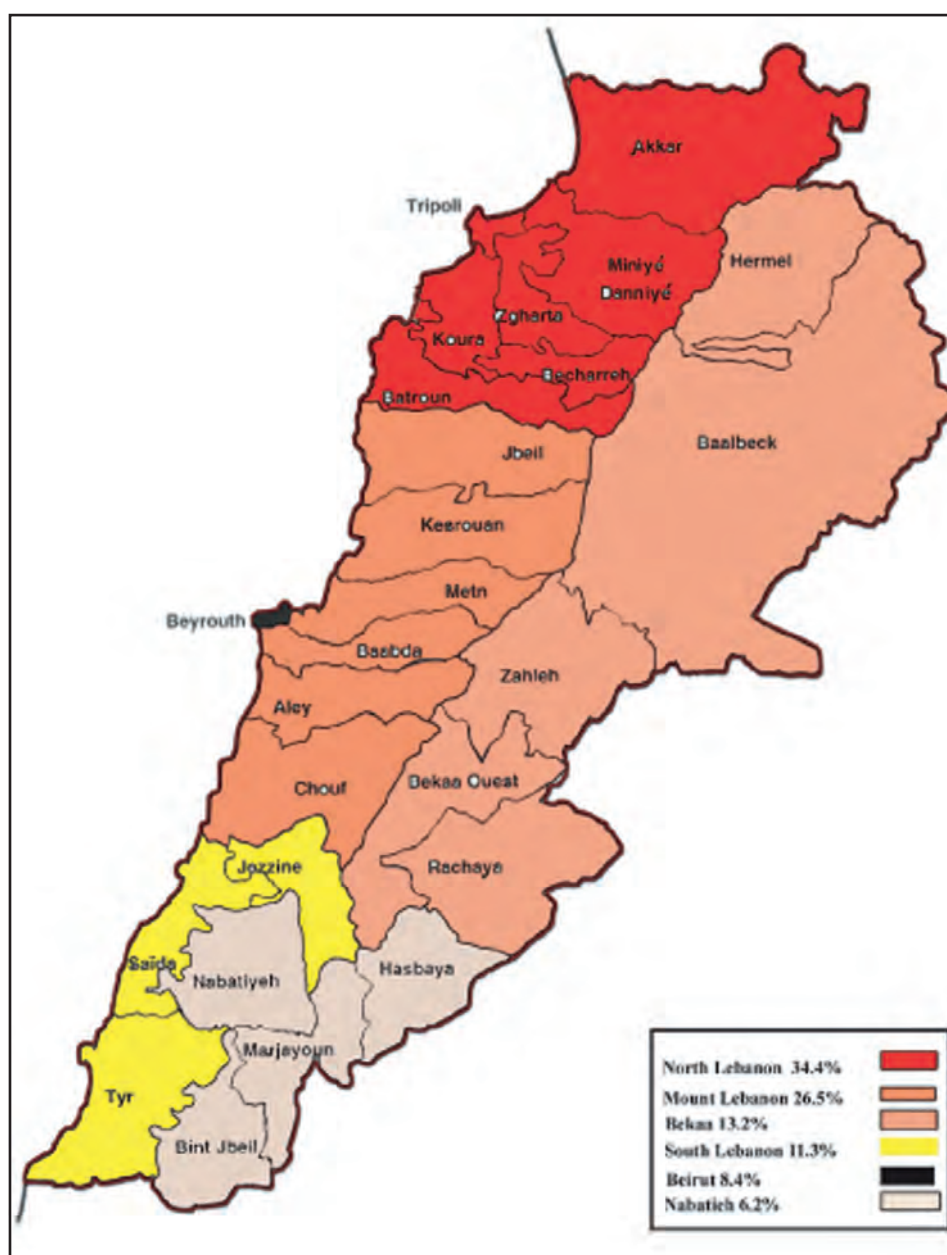
- Representatives of Al-Safadi Foundation, Tripoli
- Representatives of YMCA-Lebanon
- Representatives of al-Liqaa al-Nissai, Tripoli
- Representatives of Pere Afife Osseiran Foundation-Lebanon
- Representatives of UPEL-Lebanon

5. Others

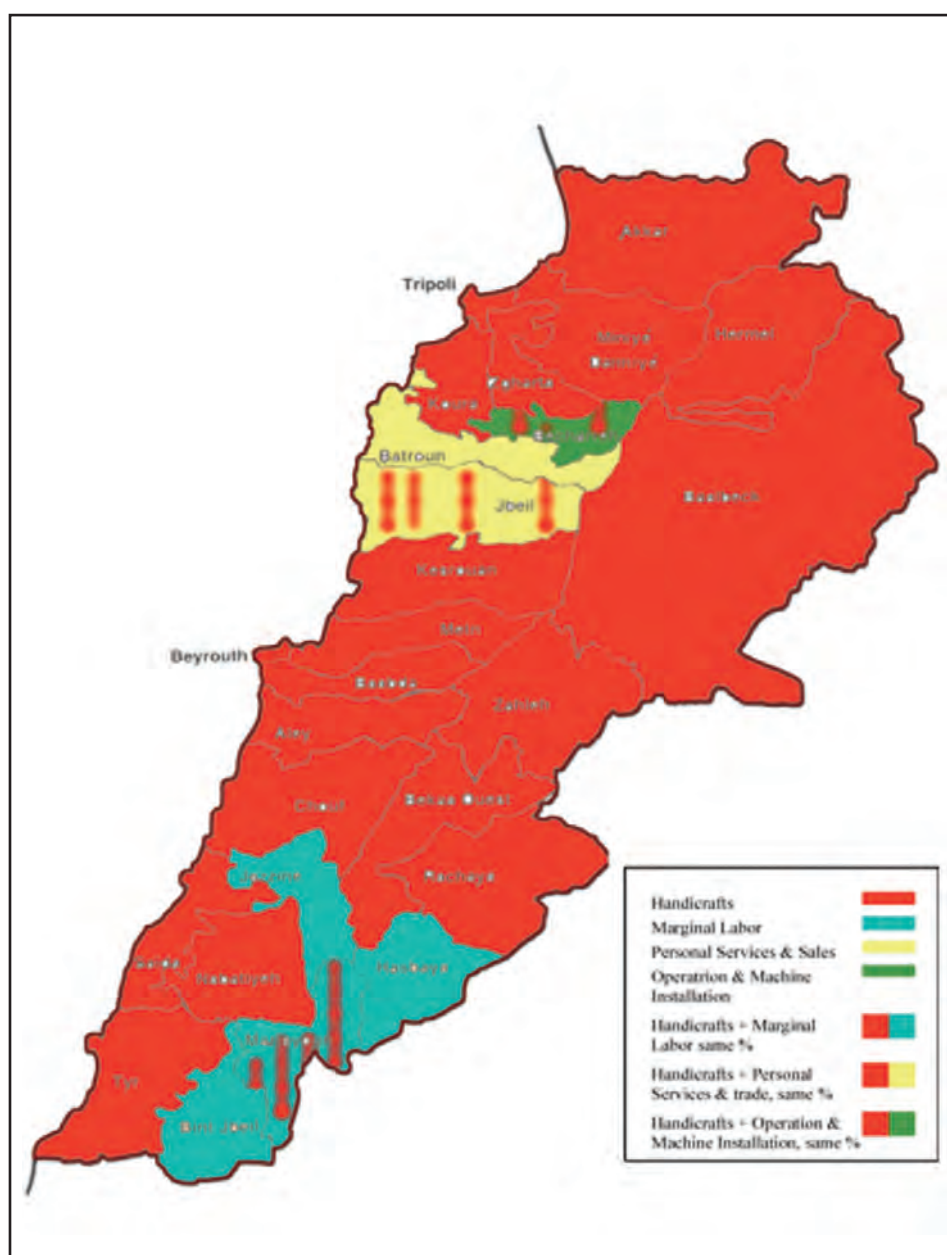
- Mr. Kamal Hamdan Lebanese economist and Head of the Consultation and Research Institute which developed the National Policy and Programme framework for Child Labour in 2002, endorsed by the Government of Lebanon in 2005.

Annex 2

Map 1: Distribution of Child Labour across Lebanese Regions
(Source: CRI 2002)



Map 2: Distribution of Cazas per Dominant Occupation in Child Labour



Annex 3

New List of Worst Forms of Child Labour

New list of worst forms of child labour - prepared through a joint project between the Ministry of Labour, represented by the Child Labour Unit Coordinator at the Ministry of Labour, Ms. Nazha Shalita, in coordination with workers' and employers' organizations, and Dr. Iman Nuwayhid, Dean of the School of Public Health at the American University of Beirut.

As mentioned in the project, there are two categories of child labour.

I. Non-negotiable prohibited occupations and activities

Occupations with physical hazards:

- Activities that require dealing with explosives, possession of weapons, involvement in fighting or war. Note that these activities also involve psychological hazards.
- Working in opencast or underground mines, caves, and quarries.
- Activities that require the use of personal protective equipment to prevent immediate and direct danger.
- Activities that expose the working child to carcinogens, ionizing radiation, or substances that may cause sterility or congenital malformation.

Occupations with psychosocial hazards:

- Any mandatory occupation, including slavery and serfdom.
- Working in houses.
- Working anywhere that requires sleeping or residing outside a parent's house.
- Working in streets or on roads.
- Working in the preparation and burial of the dead.

Occupations with moral hazards:

- Any occupation that exploits the body for sexual or pornographic purposes or for seduction or similar purposes.
- Gambling, bookmaking, horse racing and the like.
- Any illegal occupation or activity, such as drug trafficking.

Occupations that limit the pursuit of education:

- Occupations that limit the child from pursuing school education, vocational training, or special lessons.

II. List of occupations which, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children

Note: These occupations are forbidden for those under the age of 16 but authorized “from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity” (Recommendation 190, 1999) unless it is listed in Category I.

This list is divided into two groups: one relates to occupational hazards and the other to occupations and tasks.

II.a Occupations that expose the working child to any of the following work hazards

- (1) Chemical hazards including dust and fibres:
 - Carcinogens (e.g., Asbestos, Benzene, Chromium)
 - Substances that cause sterility, congenital or physiological malformation, foetal and newborn growth retardation
 - Allergens
 - Neurotoxic agents (toxic to nervous system or mental development)
 - Substances that cause severe illnesses in case of long-term exposure, and substances that have permanent health effects
- (2) Physical hazards:
 - Noise
 - Ionizing radiation
 - Other kinds of radiation – non-ionizing (e.g. infrared, electromagnetic)
 - Increased atmospheric pressure (e.g. diving)
 - Vibration
 - Temperature extremes (hot, cold)
- (3) Biological hazards (Viruses, Bacteria, Parasites and others):
 - Biological hazards carried by vectors such as mosquitoes, flies and pests
 - Direct exposure to biologically contaminated body fluids
 - Direct skin contact such as for those handling animals, especially dead animals
- (4) Ergonomic hazards:
 - Working in positions that are awkward for the spinal cord, joints and muscles, such as kneeling, bending, stretching or contracting for long periods of time
 - Using machines and equipment that are not adapted to the size of the hand or body in general
 - Pulling or pushing heavy loads beyond the child’s ability (No scientific data exist and it is recommended to conduct studies to suggest appropriate standards for Lebanon)

- Lifting and moving heavy loads beyond the child's ability (No scientific data exist and it is recommended to conduct studies to suggest appropriate standards for Lebanon)
- Working in areas with suboptimal lighting, ventilation, humidity and temperature

(5) Psychosocial hazards, including mental and educational:

- Occupations that require night shifts (7 pm - 7 am)
- Occupations that require long working hours (more than six hours per day)
- Occupations that carry responsibilities or require close supervision or orientation from an adult
- Occupations that expose the child to any verbal or physical abuse
- Occupations that hinder the child's pursuit of education

(6) Safety hazards:

- Working at an elevation of two or more meters above the ground
- Working on roofs, ledges, windows or balconies
- Working with sharp and mobile machines
- Working with moving machines
- Working with flammable or explosive material
- Working in confined spaces where air and oxygen are limited
- Operating any vehicle, bus, or van for the transportation of people, equipment or products, regardless of mode of transport
- Working with electrical generators and wires
- Working continuously under the sun or in hot conditions for more than half an hour, on condition that the total number of working hours in a day do not exceed four, including a minimum of five breaks of at least 10 minutes each to allow rest and intake of fluids
- Working continuously in cold and stormy conditions for more than half an hour, on condition that the total number of working hours in a day do not exceed four, including a minimum of five breaks each of at least 10 minutes to allow rest in a warm comfortable place

II.b Occupations in which children should not be employed

(1) Agricultural activities (including family farms) which require the following:

- Driving or operating tractors and farming machines
- Mixing, transporting or spraying agricultural pesticides or fertilizers
- Harvesting or handling poisonous plants (such as tobacco plants, which secrete the toxin Nicotine)
- Climbing high trees or ladders
- Using sharp tools such as steelheads to thread tobacco leaves
- Working for more than four hours a day

- (2) Fishing deep in the sea by diving or using rifles, explosives, or electricity
- (3) Working in slaughter houses or animal slaughter
- (4) Working with dangerous, wild or poisonous animals
- (5) All kinds of work in factories that manufacture tiles, rocks and the like.
- (6) All kinds of work in manufacturing industries which employ more than twenty workers
(Refer to Appendix 4)
- (7) All installation work in electricity, gas, water or steam pipes
- (8) All construction work, including demolition, digging, building, sand blasting, or climbing heights
- (9) Working in small-scale commerce, industrial, and service establishments (less than 20 workers) if exposure to work hazards is high (Refer to Appendix 5)
- (10) Working in hotels, restaurants, clubs, internet cafes that may expose the child to the following:
 - Handling or consuming alcoholic beverages
 - Handling or selling cigarettes and tobacco products, including home delivery of narghile (water-pipes)
 - Delivering any purchases to houses without escort or supervision
 - Being alone with an adult in a room, corner, or an isolated or remote place with no supervision
 - Handling sharp tools and appliances, in a kitchen, for example
- (11) Working in any means of land, air or sea transport.
- (12) Working in places where currency is exchanged or money, jewellery, and other valuables are transported or kept
- (13) Working in health and medical centres that expose the child to the following:
 - Risk of contact with patients, biological fluids, or medical waste and contaminants
 - Risk of exposure to chemicals, medication, gases, or radiation
 - Emotional stress, such as dealing with dying or terminally ill patients
- (14) Working in social institutions for the elderly, physically or mentally disabled, or drug addicts (except for short interrupted periods under the direct supervision of social workers and child psychologists)
- (15) Working in security and personal protection services
- (16) Working in cleaning, garbage collection and sorting, or sewers
- (17) All occupations that require the protection or safeguarding of other people such as lifeguards at the beach or swimming pools.
- (18) Working at horse-racing tracks (hippodromes) or any activity related to gambling on horse racing.

Annex 4

Millennium Development Goals

Goals & Targets	Status of achievement
Goal 1-Eradicate Extreme Poverty and Hunger Target 1: Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day Target 2: Halve, between 1990 and 2015, the proportion of people who suffer from hunger	Most important has been the development of the Social Action Plan (described earlier) by the Lebanese Government which included; i) establishment of social safety net mechanisms to reduce poverty; ii) drawing up an integrated and comprehensive poverty reduction and social development strategy reflecting the Government's vision; iii) implementation of reforms in the ministries of social affairs, education and public health aimed at improving accessibility, efficiency and effectiveness in the delivery of social services - Inter-Ministerial Committee established to monitor the Social Action Plan (described above) - Lebanon Has produced relevant poverty measurement studies aimed at supporting the identification of the socio-economic problems in the country, prioritization of interventions to reduce regional disparities, and planning and implementation of poverty reduction initiatives and policies. - To monitor the change in the living conditions of the Lebanese population, ten years after the production of the 1998 Mapping, the «Comparative Mapping» was produced and published in 2007. The «Comparative Mapping» study adopted the same methodology and used the same indicators as the 1998 study and calculated deprivation using 20045/ data. The study shows that the percentage of deprived individuals dropped from 34per cent to 25.5per cent .
Goal 2 - Achieve Universal Primary Education Target 1: Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling	- The Social Action Plan recommended reform efforts within MEHE, the steps and objectives of which are clearly stated in the Education for All National Plan, the National Educational Strategy, and Education Sector Reform Plan 20072009- - The National Educational Strategy prepared by MEHE aims to provide education in Lebanon on the basis of equal opportunity,

as well as good quality education. This strategy has been endorsed by the Cabinet.

- Lebanon's MDG report of 2008 suggested the provision of the following:

- i) Special incentives for vulnerable groups in the form of mid-day meals, free textbooks or free uniforms, for example. The report added the need for the Government. to involve the community in the provision of such incentives
- ii) Report also added that non-formal or alternative systems of education need to be used for those who have dropped out of school or simply been pushed out of the formal education system
- iii) Specifically to explore the links between formal and non-formal education in all age groups, the provision of learning opportunities for vulnerable groups, such as street children, orphans and others.
- iv) To strengthen and change the image of non-formal education by policymakers
- v) To carry out a teacher development strategy, diversify the delivery system, implement basic education reforms and, most important [for at risk and working children], to have a relevant education with some adaptation of curricula to children's circumstances

N.B. This last issue led to a debate between MEHE and UNESCO. UNESCO argued that the curriculum was irrelevant and should be adapted for rural children who work in seasonal agriculture. MEHE argued that the curriculum should be the same for everyone but that management should be improved. To this effect, the MDG report again made the recommendations below:

- i) First, planners should assist the economically and socially marginalized population groups in rural areas and urban slums, group by group, to articulate their learning needs
- ii) Second, information needs to be gathered and exchanged so as to make the variety of educational opportunities available more transparent, and better suited to the expressed needs of these population groups

Annex 5

List of Members of the National Steering Committee (endorsed by the Cabinet on 20 /5/ 2010)

- 1- Minister of Labour
- 2- General Director of the Ministry of Labour
- 3- Representative of the National Institution for Employment
- 4- Representative of the National Social Security Fund
- 5- Representative of the Ministry of Social Affairs
- 6- Representative of the Ministry of Public Health
- 7- Representative of the Ministry of Justice
- 8- Representative of the Ministry of Agriculture
- 9- Representative of the Ministry of Education and Higher Learning
- 10- Representative of the Ministry of Interior and Municipalities (from Internal Security Forces)
- 11- Representative of the General Confederation of Lebanese Workers
- 12- Representative of the Association of Lebanese Industrialists
- 13- Three Non-Governmental Organizations involved in children's issues selected by the Minister of Labour
- 14- Two members of the Ministry of Labour, one of whom will be designated Secretary of the Committee.

N.B. In the Lebanese case, international organizations are accepted as observers within the committee but not as official members. For example, they cannot vote, but may express opinions and offer advice

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