

Action against child labour in Lebanon A mapping of policy and normative initiatives

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EXECUTIVE SUMMARY

Action against child labour in Lebanon effectively began in Lebanon in the year 2000 when the Government of Lebanon (GOL), represented by the Ministry of Labour (MOL) signed a Memorandum of Understanding with the International Programme for the Elimination of Child Labour (IPEC) of the ILO 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 that were implemented over the last ten years in partnership with the MOL, employers' and workers' organizations and other relevant national stakeholders. The main thrust of these projects was primarily 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 Beqaa region (Ba'albak and Hermel).

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

- i) Awareness raising for working children and their families, as well as for policy makers;
- 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 between 15-18 years old; 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, focussing especially on national policies and legislation. This document precisely 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 particularly important in sustaining and coordinating efforts to combat child labour using

governmental 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 which 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 the public 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 has 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 GOL adopted a National Policy and Programme Framework (NPPF) on Child Labour prepared by the 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 governmental intervention in the 2009 Ministerial Declaration which has also been 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 found working or living on the streets, which was produced by the Ministry of Social Affairs. These are only some of the most important governmental efforts in tackling the issue of child labour.

On another and equally important level, efforts have been made by recent administrations to revise the Lebanese Labour Law, and a new draft labour law was announced in February 2011. The ILO Committee of Experts on the Application of Conventions and

Recommendations (CEACR) has repeatedly expressed concern in relation to the fact that various amendments to the labour law 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 [new labour law] for a number of years, the Committee 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 that the parliamentary adoption of a new Labour Law is a fundamental step in implementing sustainable action to eliminate child labour.

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

- i) Children below 18 years (15 years in present law) would not be allowed to work in occupations that expose them to danger due to working conditions, and they could engage only in non-hazardous work between 15 and 18 years;
- ii) The Minister of Labour, instead of the Council of Ministers, would decide by decree which occupations require employees to have more frequent medical checkups;
- 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 agriculture work from coverage of the legislation and inspection. Therefore, it stated that the law 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 to ensure the adoption of the draft amendments to the Labour Law relating to:

- i) The prohibition of sale and trafficking of 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, as a matter of urgency.

This is in addition to other needed measures including the adoption by 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, in which children between 13 and 15 can take part. 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 portrays some of the progress and challenges found at policy and legislative levels to date concerning at risk and working children. More needs to be accomplished, especially the adoption of the new Labour Law and ensure effective enforcement measures. Thereafter

effective monitoring mechanisms need to be put in place as recommended by the CEACR concerning the implementation of existing laws alongside the proposed law amendments together with relevant new policies and plans. An Inter-Ministerial Committee has been appointed 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.
