

World Vision
الرؤية العالمية

Twenty Years On: Children and their Rights in Lebanon

by Patricio Cuevas-Parra



Twenty Years On:

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World Vision is a Christian humanitarian organisation working to create lasting change in the lives of children, families and communities living in poverty. Inspired by our Christian values, we are dedicated to working with the world's most vulnerable people. World Vision serves all people regardless of religion, race, ethnicity or gender.

World Vision was founded in 1954 and has been active in Lebanon since 1975. World Vision promotes the well being of Lebanon's children and their communities through emergency relief, community development and advocacy.

Through its development projects, World Vision has improved schools, cared for the health of children, supported farmers, protected the environment, created new employment opportunities and provided a brighter future for refugees.

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Introduction by World Vision Lebanon

I feel both honoured and privileged to have the opportunity to endorse the following report. World Vision is a child focused agency and as such, the Convention on the Rights of the Child (CRC) has the strong support of both our international organisation as well as our local representation, World Vision Lebanon. World Vision Lebanon is committed to supporting the CRC and our programmes and projects address many of the significant issues it contains. Civil and economic participation, health care, education and culture are addressed by the sectors that we implement in Lebanon.

As emphasised by the CRC, it is imperative to listen to children and give them the opportunity to express their views. Through the establishment of the World Vision Lebanon's Children's Councils, more than 300 children representing a diversity of Lebanese religious, cultural, ethnic and regional perspectives not only have the ability to make their voices heard, they are educated as to their rights as embodied in the CRC. Through our work with the Children's Councils, our projects and programmes take into account the perspectives of our beneficiaries – the children we serve. World Vision Lebanon is also assisting parents to adopt non-violent and respectful ways of disciplining their children. In the coming year, World Vision Lebanon

will accelerate its work in addressing the scourge of child trafficking in coordination with Lebanon's Higher Council for Childhood.

Lebanon has made great advancement since the adoption of the CRC in 1990. Yet much remains to be achieved – violence against children, child labour and inadequate legal provisions for children still plague the country. World Vision Lebanon believes that working with the government, local and international NGOs, the UN, local communities and their children together, further progress can and will be made. Through our coordination, cooperation and unified voice, children will have a greater possibility of obtaining and enjoying their rights as codified and envisioned by the CRC.



Perry Mansfield
Country Director
World Vision Lebanon

Introduction by The Higher Council for Childhood

Twenty years of the Convention on the Rights of the Child; a convention that constitutes today's framework for social action, as well as development and rights initiatives for children. Lebanon ratified the convention on October 1st, 1990 and established an authoritative body, the Higher Council for Childhood, for following up on and coordinating the implementation of the convention's terms and provisions.

Twenty years on, we pause to reflect, as an institution and a community, on its impact in terms of positive change in the lives of our children. Has the Lebanese society, Government and people, achieved any progress towards the wellbeing of children? Can we affirm that this country of religious and social values, and champion of human rights since its creation, has been faithful to its social and moral heritage? The fact is that many challenges still lay ahead and we are called to persevere in our efforts and determination to provide our children with the highest standards of development and wellbeing.

Today, there is a marked need for increasing our efforts in raising awareness and education on child rights in order to mobilise the community and create a favourable environment for developing

child-friendly decisions, decrees and laws protecting children from all forms of abuse, exploitation and neglect. We are also called to adopt policies and action plans allowing for the coordination of roles and responsibilities and in promoting the effectiveness of interventions.

We should take this opportunity to renew our commitments, from reaffirming the political will to changing mentalities and behaviour, and adopting a scientific approach based on planning, cost-efficiency and impact.

It is our duty towards our children to persist in the fight to make their rights a reality and a daily practice as the rewards are momentous for children, the country and humanity.



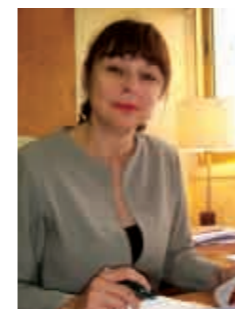
Dr. Elie Mekhael
General Secretary
Higher Council for Childhood

Introduction by World Vision MEER

It is an honour to introduce this child rights study in a time when World Vision MEER is seeking to fully engage in systematic reforms in our region. This process involves national-level improvement of governmental institutions and policies for the most marginalised and poorest children through a combination of legislative passage, scalable pilots, capacity building, and public outreach. Governmental partnering is a common feature and clear themes have emerged as reform targets: child welfare reform, child protection systems and units, disabled children mainstreaming into public schools, anti-trafficking and child labour including street begging, corporal punishment, and refugee children.

Systemic reforms feature some combination of these approaches: crafting new legislation or significant amendments for child-related services and policies, in whole or part; co-developing National Action Plans officially adopted by national governments as governing strategies; implementing pilot projects to model new systems for eventual hand-over to government; providing governmental capacity training when 'transferring' pilot projects during national scale-up; increasing support for governmental reforms through public campaigning and promoting community mobilisation for governmental reforms.

It is our hope that this book will support this approach, so that we can impact entire nations of children in a sustained way.



Sharon Payt, Esq.
Regional Advocacy Director
Middle East and Eastern Europe
World Vision International

Introduction by Children's Council Board

Child rights are very important, and personally, I find them essential. The most beautiful thing is to achieve all the needs and rights of children, because it is the right of every child to enjoy everything. For example: the right to play, study, express his opinion, have good health, and to be protected from sexual, emotional and physical abuse.

But today in our country, there is still violation of child rights; until now there are children working, out of school, beaten and their opinions are not heard.

For this reason, I ask the Government to help raise awareness among parents and the community on child rights, because there are some who do not know the real meaning.

I hope this request will be accepted in Lebanon first. Lebanon was one of the countries that joined the Convention on the rights that children must enjoy, whatever his colour, gender, or religion. Lebanon has signed the Convention, and reports to the Committee that monitors its implementation, yet many children are still to enjoy the rights that have been promised.

I, as a member of the Children's Council, am very happy to introduce this report. I hope that our voices will be heard and our rights will be respected.



Aline El Shayed
Board Member
World Vision Children's Council

Introduction

This study looks at the state of children's rights in Lebanon twenty years after the adoption of the Convention on the Rights of the Child. It is part of World Vision's advocacy initiative to give a voice to vulnerable children and their communities by ensuring that their rights, conditions, needs and issues are fully considered in existing policies, in the legislative agenda and in the national action plan for children.

Twenty years ago the Convention on the Rights of the Child proclaimed that the *best interest of the child* must be the primary consideration in all decisions concerning the child, and the state must provide appropriate assistance if parents, or other legal guardians, fail in their duties. Today, despite the remarkable progress that has been made but significant challenges remain in relation to participation, protection and provision of children and young people's rights.

Through this study, World Vision is accomplishing one of its organisational priorities by promoting the Convention's principles to ensure that children's initiatives are developed in accordance with the human rights of children.

In releasing this report, World Vision seeks to celebrate the advances in the country, to reflect on the challenges still faced and to encourage Lebanese society to take concrete steps to promote children's rights. The report also calls on Lebanese society to develop mechanisms to fulfil the rights of children as provided in the International Convention on the Rights of the Child.



Patricio Cuevas-Parra
Advocacy Manager
World Vision Lebanon

Aims & Objectives

The main purpose of this study is to identify and analyse the key social themes at the country level focusing on issues of concern to children and young people in Lebanon.

The objectives of the report are to:

- ° Examine the major social justice topics that affect children in the country, their characteristics and legal regulations.
- ° Provide policy analysis and policy alternatives with respect to gaps in policy and implementation.
- ° Explore, reflect and celebrate current promising practices that sustain a child rights-based environment.
- ° Listen to children and give them a space to express their own views through consultation, debate and child-friendly research.

Methodology

This study reviews the national legislation concerning the rights of children and includes an examination of the implementation of the Convention on the Rights of the Child and Optional Protocols in the local context. This report also analyses the country periodic reports to the Committee on the Rights of Child and other additional reports submitted by Lebanon. This study includes information comprised in the Concluding Observations adopted by the Committee in relation to the country reports and interpretation of the content of children's rights provisions from the General Comments issued by the Committee.

The study is based on a review of current literature and analysis of primary research consisting of focus group discussions, structured and semi-structured interviews, self-administered questionnaires and participant observation. Interviews, questionnaires and focus groups involved representatives of local and international non-governmental organisations, government officials, academics, community members and children. Informants were selected from across Lebanon on the basis of their expertise and work on the topics covered in this report.

To complement the data collected, a children's consultation called "Children Make Their Voices Heard" was conducted. Four hundred boys and girls were consulted for their views on issues which affect them. Children were selected through purposive sampling of children involved in World Vision programmes in order to gather perspectives from different religious and ethnic backgrounds, geographic regions and rural and urban areas. This participatory consultation aimed to discover how well children understood their rights, what they thought about them and their positive or negative experiences in exercising those rights. The methodology of the consultation included self-report questionnaires, focus groups discussion and face-to-face semi-structured interviews. Quantitative data generated from the questionnaires was analysed through a statistical software package and compared with data from interviews and focus groups, analysed according to theme.

Twenty years of the Convention on the Rights of the Child

The United Nations General Assembly adopted the Convention on the Rights of the Child on 20th November 1989, which entered into force in September 1990. This is the most highly ratified instrument in international law 193 states have signed and ratified the Convention. Only two countries have not yet ratified the Convention: Somalia and United States.

The Convention has impressive, substantive content that provides civil, political, social, economic and cultural rights for children. Civil rights include the right to a name, the right to acquire a nationality, the right to privacy and the right to an identity. Political rights comprise the right to freedom of expression, the right to opinion, the right to freedom of association and the right to have access to information. Economic rights cover the right to be protected from economic exploitation and the right to an adequate standard of living. Social rights encompass the right to education, the right to the highest attainable standard of health and the right to benefit from social security. Cultural rights include the right to rest and leisure and the right to participate in cultural life and arts.

The Convention addresses the particular human rights of children and sets minimum standards for the protection of their rights. The rights guaranteed by the Convention cover a broad range of issues related to provisions, protection and participation. Provision rights ensure the right to access goods and services, like food, health care and education. Protection rights guarantee protection of children

from abuse, exploitation and armed conflict. Participation rights comprise the notion of children as active citizens in decision-making processes in issues that affect their lives¹.

The Convention is a legally binding instrument and countries that have ratified the Convention have certain obligations, such as taking action to ensure the realisation of all rights in the Convention for all children in their jurisdiction, ensuring that domestic legislation is fully compatible with the Convention and submitting periodic reports to the Committee on the Rights of the Child².

The Convention has established a monitoring system to ensure implementation of its provisions and to examine progress made by States Parties in achieving the realisation of the obligations undertaken in the Convention. This function is carried out by the Committee on the Rights of the Child that is composed of eighteen international independent experts elected by States Parties taking into account equitable geographical distribution, principal legal system, expertise on human and children's rights and experience working with non-governmental organisations.

The Committee meets three times a year and conducts its monitoring role through the examination of periodic reports submitted by States Parties to the Convention. All States Parties are requested to submit periodic reports to the Committee on how the Convention has been implemented. Signatory countries must submit their first report two

years after acceding to the Convention and then every five years. According to guidelines developed by the Committee, a periodic country report should provide the following information: measures adopted as a follow-up to the suggestions and recommendations made by the Committee, measures taken to monitor progress, allocation of budget and other resources devoted to children, statistical data disaggregated by gender and age and obstacles encountered³.

Once the examination period ends, the Committee adopts the 'Concluding Observations' that contain the findings, subjects of concern and recommendations to the State Party. The Committee also reviews additional reports related to the two Optional Protocols to the Convention that countries have ratified.

Lebanon and the Convention

Lebanon signed the Convention on the Rights of the Child on 26th January 1990 and ratified it on 30th October, 1990. The Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography was signed on 10th October 2001 and ratified on 8th November 2004. The Optional Protocol on the Involvement of Children in Armed Conflict was signed on 11th February 2002 but has not yet been ratified.

Lebanon has submitted three country reports to the Committee on the Rights of the Child in 1994, 1998 and 2006. A consolidated fourth and fifth report will be submitted in 2011 according to the recommendations of the Committee.

Lebanon has accomplished the duty to report, established in article 44 of the Convention. The country has also achieved the duty to inform, set up by article 42 which requires States Parties to make the principles and provisions of the Convention widely known to adults and children. Several publications and awareness sessions have been conducted to inform the public about the periodic country reports and the concluding observations issued by the Committee.

In Lebanon, the Higher Council for Childhood has the responsibility to prepare and submit the periodic progress reports to the Committee on the Rights of the Child. This institution was established in 1994 as the body in charge of formulating national strategies and plans of action in compliance with the Convention on the Rights of the Child. The Council is comprised of representatives from the government, non-governmental organisations and international organisations that work together to develop policies regarding child care and development aligned with international human rights and child rights conventions.

The Council seeks to implement the general principles of children's rights in order to improve the situation of children in Lebanon and ensure their right to survival, development and protection and to elaborate a national plan for the dissemination of the principles of the Convention on the Rights of the Child within social, educational, cultural and media institutions for raising awareness on children's issues, among other responsibilities.



1. Violence Against Children

The Convention on the Rights of the Child has explicitly stated that children have the right to be protected from all forms of violence. This right is guaranteed under articles 19, 28 and 32 of the Convention. Violence refers to all acts that cause direct physical, mental or sexual harm or suffering and includes threats of such acts⁴. Physical violence, such as beating or smacking, mental violence, such as emotional abuse or name-calling and sexual violence such as molestation or rape are all forms of violence relevant to the Convention.

Lebanon and the rest of the Arab countries have yet to develop proper legislation to prevent violence against children⁵. This fact highlights a trend throughout the region where domestic violence is considered a private affair in which the state must not interfere. The dominant patriarchal culture of Lebanese society and the absence of judicial procedures to regulate domestic violence mean that children are placed in a vulnerable situation.

Article 186 of the Penal Code states that corporal punishment is legitimate at home when imposed by parents for disciplinary purposes. The same article allows teachers to physically discipline students.

Another issue that affects prevention and punishment of violence against children is that Lebanese legislation hands the regulation of family matters over to the different religious sects in the country, which deal with these topics through their own legal procedures and courts. This situation creates legal uncertainty and in many cases overlapping legislation.

Currently, the only law that refers to the prevention of children's violence is Law 422 on juvenile justice. This law, passed in 2002, has had limited implementation due to a lack of financial resources and lack of training in its principles and procedures. In addition, the merging of two topics as diverse as domestic violence and juvenile justice in the same law might bring negative consequences in the application of the law, such as allocation of resources for implementation and the establishment of the courts to prosecute cases and sentence the offenders.

Under international human rights standards, the prohibition of violence against children needs to be explicitly banned by law and this prohibition must protect all children without discrimination, in

all settings, including home, schools, care institutions, work place and communities. To address violence against children, Lebanon needs to carry out a comprehensive policy reform process and to review the legislation in order to remove any legal defence or justification that authorises corporal or humiliating punishment. The Committee on the Right of the Child⁶ affirms that it is required to explicitly prohibit corporal punishment and other cruel and degrading forms of punishment, in civil or criminal legislation, in order to make it clear that it is as unlawful to hit a child as to do so to an adult, regardless of whether it is termed discipline or reasonable correction.

Forms of violence that affect children

Lebanese society witnesses different types of violence in settings that cut across all social classes, religious denominations and ethnic groups. Violence emerges in its diverse forms: physical violence, psychological violence, sexual violence and harmful traditional practices⁷.

Physical violence includes beating, punching, kicking, caning, hair-pulling, ear-twisting, hitting with an object such as a wooden spoon, stick or belt, burning with cigarettes, embarrassing and

Convention on the Rights of the Child, Article 19

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

humiliating physical positions, maiming, denying food or forced ingestion, among other forms of punishment. This is the most extensive type of violence and is usually accepted as a form of conflict resolution, as an educational tool and as punishment for inappropriate conduct⁸. The Committee on Rights of the Child⁹ note this type of punishment is invariably degrading and is wholly incompatible with the Convention on the Rights of the Child.

Boys and girls experience high levels of physical violence in different settings such as the home, school, streets, care institutions and work place. Corporal punishment is accepted and justified in Lebanon as means of discipline and education. Rarely is this type of violence reported to the competent authorities. A qualitative consultation study¹⁰ conducted by World Vision indicated that four out of five children interviewed experienced some form of corporal punishment at schools. A different World Vision assessment conducted in a Palestinian refugee camp found that 60.2 % of interviewees had the perception that children in the camp experienced violence¹¹.

In schools, children are physically and emotionally punished by their teacher. Humiliation and verbal abuse are commonly used to discipline children. Reports indicate that this tendency is higher in public schools than in private schools¹² due to the higher level of control that parents have in private schools. Some of them also have explicit policies that ban corporal punishment; however reports from NGO workers¹³ indicate that students seldom use these reporting mechanisms due to the lack of secure places to lodge a complaint, lack of confidentiality, fear of reprisal, intimidation and repeat victimisation.

Reports indicate that corporal violence affects boys and girls at the same level and children usually accept this violence because they believe it to be a part of discipline and cultural norms¹⁴. Parents with lower levels of schooling are more likely to believe this violence against their children is a normal part of their education¹⁵. According to a World Vision report¹⁶, children stated that they felt a sense of injustice and unfairness and a great feeling of humiliation after being subject to corporal punishment, especially if spanked in front of relatives, friends or classmates. They also articulated feelings of anger, sadness and difficulties in trusting the caregiver or teacher that punished them.

To ban corporal discipline in schools, the Ministry of Education in 2001 released a memorandum that prohibits educational staff from using any verbal, psychological or physical punishment against students and set up administrative penalties for offenders¹⁷. However, this ministerial memorandum is not legally binding and teachers continue to use corporal punishment on children as part of the education process¹⁸.

In 1993, UNRWA, the UN agency responsible for the education of Palestinian refugees, stated that use of corporal punishment was

unacceptable in schools under its administration. Despite this statement, a study¹⁹ revealed that verbal abuse and physical violence are a common practice in UNRWA schools and this situation may provoke many students to drop out. Another recent assessment²⁰ showed that children in UNRWA schools experience harsh physical punishment for reasons such as making noise, talking in class, failing tests, laughing at other students, not completing homework correctly and even for doing homework beyond teacher expectations.

According to a focus group discussion with teachers²¹, lack of pedagogical training, overcrowded and poorly maintained classrooms were cited to be the most common reasons for teachers to physically punish students, however many of them asserted that low wages, long working hours, family problems, lack of anger management and parents' requests to hit their children as valid reasons to physically discipline students.

Violence perpetrated by teachers against students generates a cycle of violence in schools where this conduct is thought of as acceptable by everyone. As a consequence, students replicate this cycle of violence with their peers, and many children suffer extreme violence from their classmates with complete impunity²².

Children are also victims of emotional and psychological violence comprised of verbal abuse in the form of language that is degrading,

insulting, demeaning or humiliating. This violence also involves confinement and isolation of a child. This type of violence is one of the most difficult to prove in court and Lebanon does not have any law to prevent emotional and psychological violence or to prosecute offenders. A recent report²³ indicates that children feel under constant threat of being humiliated, demoralised or bullied; especially for those who belong to a social or ethnic minority. Children also expressed their concern about the violence they witness on television and video games. Children are frequently exposed to violence on television including fighting, yelling, screaming and murder. The children surveyed said that when they see violence, they experience emotional harm.

Another type of violence detected in Lebanon is sexual violence, which includes subjecting children to direct or indirect sexual acts or behaviours such as inappropriate touching, exposing a child to pornography, rape, sexual abuse, sexual exploitation and sexual harassment. In 2008, KAFA²⁴ with the support of Save the Children and Higher Council for Childhood launched the first research-based evidence on child sexual abuse providing data about the extent of this problem in the country²⁵. This study revealed that 16.1 % of children surveyed had experienced at least one form of sexual abuse,



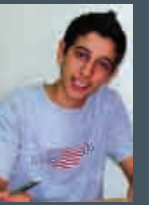
12.5 % were victims of a sexual act, 8.7 % of sexual attempts and 4.9 % were exposed to some kind of pornographic images. According to the same study, child sexual abuse is significantly more prevalent among children who witness violence or children who were subjected to physical or psychological abuse.

Sexual harassment and sexual exploitation are behaviours observed in the country, however there are no laws to ban or penalise these offences. Child sexual abuse and sexual exploitation are considered a taboo topic due to prevailing values, norms and traditions²⁶. The male-dominated culture in Lebanon facilitates and, in many ways, tolerates sexual harassment as an expression of the masculine culture²⁷, especially so for people in a position of power including employers, supervisors, teachers, officials and others. The study conducted by KAFA recommended that sexual abuse needs to be addressed at the national level despite the traditional and cultural taboos and stigma that prevent discussion of the topic²⁸.

Lebanon also experiences some harmful traditional practices especially related to early marriage, forced marriage and honour killing. Reports indicate that honour or family killing is not as widespread in Lebanon as in many other Arab countries, although

I AM AGAINST VIOLENCE

Letter by Youhanna, aged 14



When I wanted to write on violence against children, I hesitated for a long time about what should I say. The Convention on the Rights of the Child addresses many aspects: the right of a child to learn, to be treated when ill, to freedom of expression and other issues, but in my opinion, there are two topics that were not treated in a clear way.

Firstly, violent education that a child receives from his parents, who raise him to be violent and reject others. They tell him God is violent; He differentiates among human beings and wants to punish those who are not with Him. This education is passed down from one generation to another.

There is a determination to stick to this way of thinking despite the increased number of educated people, indeed, we see that it expands and becomes crueller.

Secondly, a subject more closely related to our daily life, is the media, especially TV and the internet. We see many television channels broadcasting programmes that glorify violence and consider it heroism, they also broadcast scenes disturbing enough for adults, so what about children?

For example, in case of a murder, all media show the images of dead people and disfigured corpses dozens of times without thinking of the repercussions of these images on children.

In regard to political affairs, we can see how far it goes with statements that this or that leader is the only one representing truth whereas all others are traitors. In the media, we hear political expressions filled with hatred, hostility and violent language. A child cannot bear to hear that yet he cannot even change the TV channel because it is the parents who have the authority.

What is ridiculous is that all this will reflect negatively on the "peaceful" others.

I am opposed to "violent" education, because at home we are used to acknowledging the right of other people to be different, his freedom is a sacred right, and no one can take it away from him. Sometimes I find myself in situations contrary to my beliefs, when I react to things people around me have done, I then experience internal conflict. But whatever the reason, I won't give up my belief that a human being, whether young or old, has great value and deserves all the love, peace, knowledge, freedom of thought and of religion and assistance.

All this is just a small piece of the picture and bigger problems may drive us to despair and frustration. However, despite all the difficulties, there is always hope if everybody joined their efforts to solve the problems.



there is a rate of 36 cases reported per year²⁹. These numbers however, are not likely to represent the full extent of this phenomenon since many murders are not reported, not prosecuted or are even covered up by community members or police officers³⁰.

Husbands or male relatives commit honour killing when they suspect that a wife or other female family member have committed adultery or immoral behaviour. The perpetrators usually commit these crimes with near impunity or with mild sentences. In Lebanese legislation, offenders receive a mitigated sentence or the charges are reduced significantly³¹.

The Committee on the Rights of the Child has expressed its concern about the effects of honour killing on children or their mothers and recommends that Lebanon review its domestic legislation in addressing the honour crimes and the elimination of the provisions that allow a reduction in penalty³².

Regarding early marriage as a form of violence, a Lebanon country report to the UN Committee on the Rights on the Child asserts that there are a small number of cases of early marriage, limited to specific villages³³. However, local NGOs report the prevalence of forced or early marriage is much more widespread and is common practice in some areas of the country, especially in rural areas³⁴.

2 INTEGRATION OF CHILD PROTECTION PROCEDURES INTO ORGANISATIONS

To ensure compliance with the rights guarantee in the CRC and international standards, many organisations, including NGOs and schools, have made a strong commitment to ban any form of corporal punishment by establishing child protection policies and by setting up reporting procedures to monitor and report cases of abuse or violence perpetrated by staff members. In Lebanon, child protection policies are implemented by World Vision, Save the Children and **Al-Mabarrat schools***, among others organisations.

These initiatives aim to guarantee that staff will never use physical, psychological or verbal violence against children in any educational or recreational settings. These types of policies and codes of conduct are a contractual condition of employment and in case of violation of the policies, staff members will be subject to disciplinary action. In World Vision, the child protection policy is part of the contract and staff members are trained on its implementation. In case of infraction, World Vision employees are subjected to discipline and corrective action from verbal warning up to termination. Child victims are entitled to receive medical, psychological, psychosocial and legal support.

* CHILD PROTECTION POLICY AT AL-MABARRAT SCHOOLS

His Eminence Sayyed Muhammad Hussein Fadlullah has long believed that childhood is a critical period for shaping certain aspects of the child's character, as the child develops patterns of behaviour, habits and experiences that contribute to building and moulding his personality. As a result, Al-Mabarrat Schools' main concern is

to ensure that children's rights are respected and their needs met; that they are protected from direct and indirect abuse.

Schools have adopted a child-protection culture and staff members attend training sessions on child rights and the creation of a protective home environment for the child. In fact, respecting children's rights, a practice upheld by our Prophet Muhammad (p.b.u.h.) and advocated by all humanitarian organisations and associations today, will contribute to the development of successful individuals of worthy character.

A protection officer has been appointed in each school and all schools have started developing child protection policies and procedures which would be featured under the terms of employment so that all staff members are made aware of the policy and sign a pledge to respect it. Schools and institutes also finalised a working system and action laws under a code of conduct highlighting the behaviours expected of the child. Schools are currently working on developing a reporting and tracking network in case any child suffers abuse. This network will provide follow-up measures, full child protection and an authority that children can turn to whenever their rights are violated.

In all these actions the guidance of H.E. Sayyed Muhammad Hussein Fadlullah will be fundamental as he believes that "the basis of any educational system is the promotion of learning first and the regulation of the student-teacher relationship that should stem from deep respect."

Child Protection Committee (CPP) from Al-Mabarrat Schools Association

The legal age for marriage depends on the religious affiliation, since in Lebanon civil marriage is not recognised; the only marriage with legal validity is a religious one. In Lebanon there are 18 officially recognised religious sects and 15 personal status codes and court systems that officiate over family matters. For the Eastern Catholics the minimum age for marriage is 16 for males and 14 for females, for the Druze community the legal age is 18 for males and 17 for females and for the Shī'a community the minimum age is 9 for girls and 15 for boys.

The Committee on the Rights of the Children has expressed its concern about the widespread practice of early marriage and the related consequence of high child mortality rates and the negative impact on the health of girls bearing children at an early age³⁵.

The minimum age for marriage for girls in Lebanon, between 9 and 17 years old, is considered in many countries to be a child marriage. This concern is shared by many local NGOs and as well government authorities. An official country report highlighted that the government had not been able to change the minimum age of marriage due to the fact personal legal status is regulated by religious laws³⁶.

Seeking changes in policy

The Committee on the Rights of the Child has urged Lebanon to critically review its current legislation, in particular article 186 of the Penal Code, to prevent and end the use of corporal punishment of children as a method of discipline³⁷. The Committee calls for a new law to prohibit all forms of violence against children in the family, institutions, including public and private schools and alternative care systems.

The Committee also has recommended that Lebanon should establish procedures and mechanisms to receive, monitor and investigate complaints and to prosecute cases of abuse and ill-treatment of children³⁸.

Lebanese civil society has begun to lobby the government for a law on domestic violence and in June 2006 a regional conference was held with the aim of setting up the foundations of legislation that will classify domestic violence as a criminal offence³⁹.

The Lebanese civil society has played a key role in preventing violence against children. Several organisations have conducted awareness raising campaigns to educate the public on this issue and many others have lobbied stakeholders and lawmakers about the need to have a national law to prohibit violence against children.

The Higher Council for Childhood, Ministry of Social Affairs, has prioritised violence against children as one of the main issues. The first draft of the National Action Plan on violence against children has been finalised and disseminated to get feedback and input from relevant ministries. This five-year strategy has been developed in collaboration with twenty specialised NGOs and representatives of eight ministries.

In 2007, the Higher Council for Childhood, Save the Children Sweden, World Vision, René Moawad Foundation and UNICEF established the Anti-Corporal Punishment Working Group to work on and develop policy and legal reform. These organisations aim to develop a set of legal regulations to ban violence against children, and to develop advocacy initiatives to influence government and communities to protect children from violence, especially at home and in schools.

The Anti-Corporal Punishment Working Group is working towards this aim in four ways:

- ° Policy change by developing a draft law to address violence against children.
- ° Raising awareness at the national and community level by launching a campaign to influence government officials, policy makers, and communities to protect children from violence.
- ° Training teachers in alternative and non-violent forms of discipline in schools.
- ° Conducting research across Lebanon on corporal punishment in schools and other educational settings.

3 POSITIVE PARENTING

Zoubeida Abbou Assali, World Vision Project Coordinator



World Vision has developed a training module for parents named "Positive parenting: Positive discipline for children". This workshop seeks to (1) provide advice and techniques to parents on non-violent and respectful discipline for children (2) support parents in establishing clear expectations for children (3) increase parent's competence and confidence to handle challenging situations without using physical force to punish their children.

This workshop is conducted by Zoubeida Abbou Assali, World Vision Project Coordinator, and it has been implemented in Beirut, Bekaa Valley, Tyre and Marjeyoun.

"We consider that violence against children is a violation of human rights that deteriorates from all aspects of their life. I am convinced that every one of us has the responsibility to protect children from abuse and violence" says Ms. Abbou Assali.

"I noticed in every session that parents want to learn more about positive discipline but many of them are still convinced that the only method to discipline children is hitting them. Some of them have told me that they use sticks, shoes and even cigarettes to burn children. To address this terrible problem, we have created this training. We prioritise prevention of violence against children including promoting non-violent values by raising awareness about the different types of violence and how parents can discipline children without verbal or physical violence".

This workshop is part of World Vision's advocacy initiatives that seek to protect children from corporal punishment. Nevertheless, World Vision believes that training and awareness raising campaigns are not enough to protect children from violence. Educational measures should be accompanied by legislative reform that makes violence against children unlawful.



2.

Child Labour, Street Children and Child Trafficking

The Convention on the Rights of the Child has set standards to protect children from economic exploitation and any work that interferes or prevents them from enjoying normal development, education, health and recreation. The Committee on the Rights of the Child has indicated that the article 32 of the Convention cannot be interpreted in isolation; it must be analysed alongside International Labour Organization (ILO) Convention 138 and 182. Article 32 of the Convention on the Rights of the Child is closely linked to article 3 of the ILO Convention 182 in the fight against the economic exploitation of children and the worst forms of child labour.

Child labour and street children are strongly connected phenomena, but often treated with different manners and approaches. On one hand, child labour is considered an immediate consequence of poverty, but habitually is a culturally accepted way to overcome family poverty and to prepare children to be adult workers. In contrast, street children, even though it is one of the worst manifestations of child labour, are usually stigmatised and criminalised and are given less attention and protection.

Several studies in Lebanon have shown that main causes for both problems are poverty, family disintegration, dropping out of school

and neglect⁴⁰. To prevent child labour the Lebanese Parliament ratified ILO Convention No. 138 concerning the minimum age for employment, which is 14 years in the country, and produced a set of regulations to protect children from labour abuse. Lebanon has also joined and ratified the ILO Benzene Convention (C 136) that aims to prevent hazardous poisoning resulting from benzene and ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour.

According to an ILO report, there are about 100,000 children currently working in the country, including children on the streets⁴¹. Another ILO study points out that child labour is higher in the Bekaa Valley and the south and north of Lebanon than in the capital city⁴². A UNICEF report asserts that 90 % of working children in the age group 10-13 years and 95 % of those aged 14-17 years are Lebanese⁴³. This statement contradicts the belief that child labourers are immigrants from neighbouring countries.

National reports indicate that at least 25,000 of those children are currently working in the tobacco industry⁴⁴; many of them work for their families without pay. Children working in tobacco plantations normally work in transplanting seedlings, leaf drying, tobacco drying,

harvesting and planting. Most work between 9 and 13 hours per day under very harsh climatic conditions and without proper tools and safety measures⁴⁵. They are put at risk of physical injury when they use tools and equipment unsuitable for small children.

The figures above however, hide many other invisible forms of child labour such as unpaid domestic work, seasonal work, personal assistants, handicraft workers and labourers in informal business.

The Committee on the Rights of the Child has acknowledged the legislative and policy efforts of the State Party to eradicate the worst forms of child labour and economic exploitation of children. Nevertheless, the Committee has expressed some concerns about child labour in the country and recommended acceleration of the country plan to erase the gap between the school-leaving age and the minimum age for employment by adopting a bill to raise the age of compulsory education to 15 years and a bill amending the Labour Code in order to ensure alignment with ILO Convention No. 138 and 182⁴⁶.

Street children

Regarding street children, Lebanese legislation affirms that any child who has left his or her family home and works or begs on

Convention on the Rights of the Child, Article 32

States Parties recognise 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.

Convention on the Rights of the Child, Article 27

States Parties recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

the street is a vagrant and can be arrested, prosecuted and sentenced as a delinquent.

Despite the fact that there is no accurate data, studies estimate that street children in Lebanon are divided into five ethnic groups: Syrian 70 %, Lebanese 7.5 %, Iraqi 6 %, Palestinian 1.5 % and Egyptian 1 %⁴⁷. However, the tendency to analyse and disaggregate this social problem by ethnic groups creates a major gap between the cause of the problem and the will to resolve it, engendering racial conflicts and xenophobia toward poor immigrants.

The term street children covers a wide range of situations including children that work on the streets but live at home with their caregivers and children that live and work in the streets with little or no family contact⁴⁸. The immediate factors that drive children into the streets are poverty pushing them to generate an income by begging and selling on the streets, family disintegration caused by death or abandonment of one or both parents, divorce or new marriage of one of the parents, physical and sexual abuse or an abusive environment; social factors such as forced migration, stigma, discrimination, dropping out of school, HIV/AIDS and substance abuse, among others.

Studies indicate that street children do not attend school, do not have access to public health care, do not have recreational activities, are exposed to drugs and substance abuse, suffer harassment, violence, abuse and sexual exploitation⁴⁹.

In 2008, Saint-Joseph University conducted a qualitative study looking at the problems of children on the street in Lebanon⁵⁰. According to the findings, street children perceive themselves as fugitives and victims of violence and family breakdown, blaming their parents for pushing them into the streets. On the other hand, they see themselves as strong wanderers with capacities to deal and survive from hardships associated with street life. The study also showed that children lack

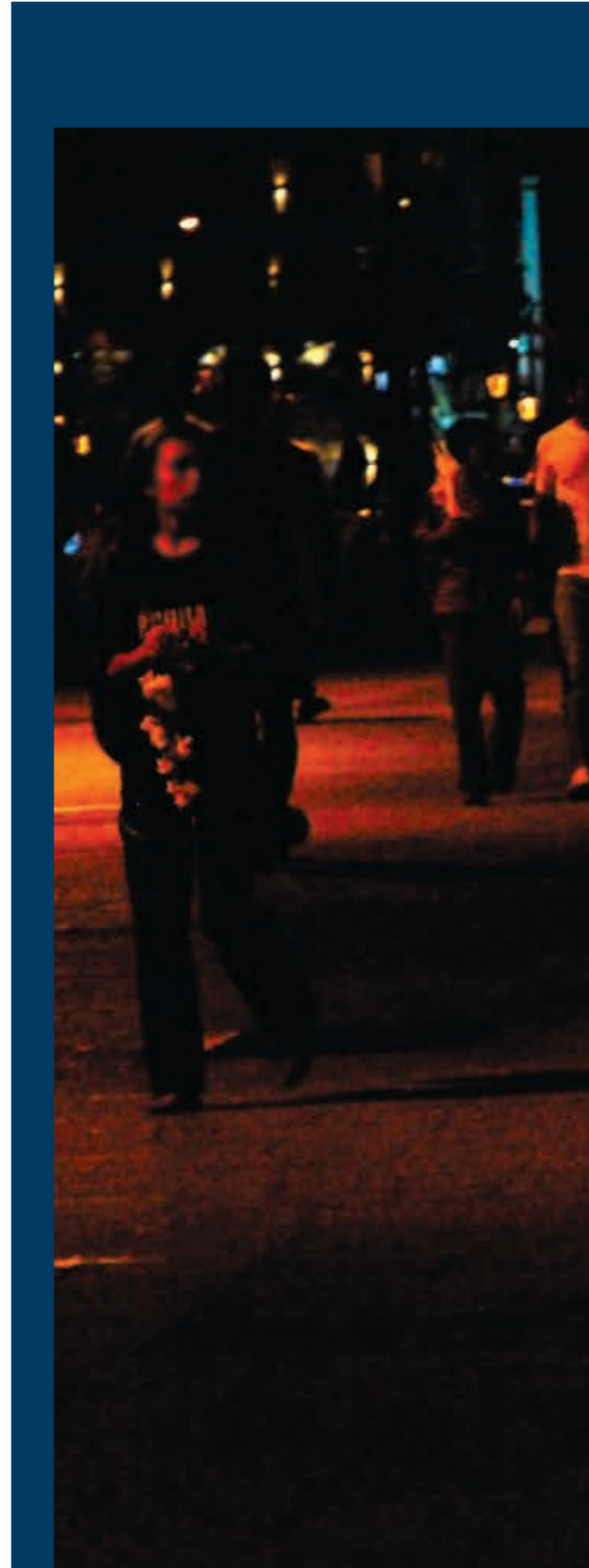
stable and reassuring links and they do not have a social space to assure their identity or provide the emotional and social support that children need.

The research also revealed key informants' impression on street children, stating that they consider street children as a plague, delinquents and illegal aliens that are a threat to public order⁵¹.

The Committee on the Rights of the Child has noted that street children are often exploited as beggars, they also are criminalised and those without identification papers are excluded from health, education and social services. According to the Saint-Joseph University research report, children are discriminated against by policies that allow law enforcement agencies to arrest them, place them in prison and in some cases to send them to remote geographical areas. In its Concluding Observations the Committee on the Rights of the Child strongly recommended that Lebanon develop policies to refrain from detaining children begging in the streets and look for alternatives to detention.

To address this situation, the Higher Council for Childhood, in partnership with other institutions has developed programmes to raise awareness on this phenomenon and conducted training with law enforcement institutions dealing with street children.

STREET CHILDREN WITHOUT IDENTIFICATION PAPERS ARE EXCLUDED FROM HEALTH, EDUCATION & SOCIAL SERVICES



Child trafficking

The Convention on the Rights of the Child asserts in article 35 that State Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction, sale, trafficking in children for any purpose or in any form. This article is supplemented by the Optional protocol on the sale of children, child prostitution and child pornography and the UN Optional Protocol to Prevent Suppress and Punish Trafficking in Persons, also known as the Palermo Protocol.

According to the Palermo Protocol, trafficking in persons is the recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation⁵².

Children are trafficked to work in begging rings, domestic service, fishing, marriage, adoption, organ trade, cheap or free labour in plantations, in mines, markets, factories, construction sites and the sex industry. According to an international report Lebanese children are trafficked within the country for the purpose of commercial sexual exploitation and forced labour in factories, construction and agricultural sectors⁵³.

NO ONE CARES ABOUT ME

Ahmed interview extracted from the Documentary *Children of the Street*. Tania Choueiri. 2008. Beirut Human Rights Film Festival.



My name is Ahmed, I grew up parentless. My mother burned herself to death; a man shot my father dead. I am 17 years old. I am Lebanese... I have neither father nor mother, nor an ID. My brother treated me very badly, beating me up. He would come back home completely wasted, I was still young. He scarred my entire hand, my finger too. He would also burn cigarettes into my flesh too.

And so here I am, living on the street, what else could I do? I looked for a job long and hard but there was nothing out there for me. They all require an ID something that tells them who I am. I have none. So, I am on the streets in Cola, Dora, Barbir or Saida... to spend the night anywhere. I used to steal to eat, I did everything from swindling to smoking cigarettes... but I had no choice. No one cares about me. I looked for help around me, no one helped me. So I thought, since this is the case, I'll just keep on going this way, since no one cares anyway. This is how I am now, as you can see, in the street.



2 CHILD TRAFFICKING IN LEBANON RESEARCH

World Vision Lebanon, in partnership with the Higher Council for Childhood, is conducting national research to study the phenomenon of child trafficking and related issues.

The objectives of the research are to identify forms of child trafficking in Lebanon, to identify children's views on the nature of the trafficking experience and to identify specific factors at individual, familial and structural levels contributing to the situation of child trafficking, emphasising the vulnerabilities of children and families.

The results of the study will be used to understand the phenomenon and complexities of the child trafficking industry in the country, and the findings will be disseminated to wider civil society and governmental organisations to contribute to a more informed response to child trafficking and exploitation. While there have been many reports conducted by non-governmental and governmental organisations on related issues (street children, working children, child sexual abuse) there is no consolidated data of the situation of trafficked children in Lebanon.

This investigative study will help direct future interventions addressing issues related to children in crisis programming. The study may also be used to raise advocacy issues and leverage funding should there be appropriate opportunities nationally and internationally.

Trafficking in Lebanon is both internal and cross-border. Internal trafficking consists of the recruitment and transportation of children from rural or urban communities to large cities for the purpose of exploitation as street beggars, daily labourers and sexual workers. Cross-border trafficking involves the movement of children from one country to another. Foreign children are exploited for many of the same reasons as internally trafficked children.

In 2005 Lebanon signed and ratified the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children that supplements the convention. Lebanon has also signed ILO Convention 105 on the Abolition of Forced Labour but has not approved the Convention of the Rights of Migrant Workers and their Families nor the supplementary Convention on the Abolition of Slavery.

Lebanon does not have a specific anti-trafficking law and domestic legislation does not define the victim of trafficking in persons and does not mention any special measures to protect victims of trafficking, and

STREET CHILDREN ARE USUALLY STIGMATISED AND CRIMINALISED AND ARE GIVEN LESS ATTENTION AND PROTECTION

thus does not respond fully to the provisions as defined in the Palermo protocol⁵⁴. Despite the fact there is political will to improve this situation, there are still significant challenges in resolving the issue, including the absence of a system to track trafficking cases, lack of training on victim identification for police and immigration officers, and lack of specialisation on trafficking within the judicial system.

In 2006 the Government created two steering committees, one focused on addressing human trafficking and related issues and the other created to work on protection of the rights of migrant workers in Lebanon⁵⁵. In addition, the Higher Council for Childhood recently initiated a working group to tackle child trafficking in the country.

The Committee on the Rights of the Child has expressed its concerns about victims of child trafficking who are criminalised and sentenced to detention. The Committee recommends Lebanon should review its domestic legislation and develop a comprehensive action plan against trafficking and to monitor and ensure that victims of child trafficking are not criminalised and are provided with adequate recovery and social reintegration services⁵⁶.

3 NGO WORKING AGAINST THE EXPLOITATION OF GIRLS

Dar al Amal, the Lebanese group of ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes) runs a prevention centre in which, in collaboration with schools, it identifies girls at risk of delinquency and prostitution and those who have currently dropped out of school in order to find work. A typical girl considered 'at risk' would be those from very poor dysfunctional families, whose brothers and sisters have dropped out of school, whose parents who are unemployed, who face exposure to drugs and alcohol abuse, who are victims of sexual abuse by family members. "Prevention of children from risk of exploitation" project aims to highlight the problem of violence in an innovative way, helping to raise awareness by combining trainings, puppet shows, street campaigns and peer to peer activities to convey its message that violence against children is never acceptable.





3. Children affected by armed conflict

The Convention on the Rights of the Child prohibits the recruitment of children under the age of 15 into the armed forces and establishes protection measures to ensure physical, psychological and social care for children affected by conflicts. Articles 38 and 39 of the Convention are reinforced by the Optional Protocol on the Involvement of Children in Armed Conflict that aims to improve the protection of children in armed conflict situations. Other international instruments related to this topic are Security Council Resolution 1261 (1999) which affirms that the protection and well-being of war-affected children is a major peace and security concern, and the Resolution 1612 adopted by the Security Council in 2005 which implements a monitoring and reporting mechanism regarding the use of child soldiers and establishes a Working Group on Children and Armed Conflict.

Lebanon experienced a civil war for 15 years, from 1975 to 1990, that devastated the country and left a legacy of religious sectarianism that continues to cause armed conflicts and tension in the country. After more than a decade of prosperity and peace, the former Lebanese Prime Minister Rafik Hariri was killed in a massive car bomb attack in 2005. In July 2006, the country confronted one of its worst crises when it was attacked by Israel after Hezbollah kidnapped two Israeli soldiers. In May 2007, a new crisis exploded in Lebanon when

a bloody armed conflict emerged in one of the most crowded Palestinian refugee camps in the north of the country. In May 2008, fierce street clashes in Beirut and in other major cities paralysed the country leaving dozens dead and hundreds wounded.

Children affected by July War 2006

Over 33 days in July and August of 2006, the Israeli military forces attacked Lebanon during which they hit 7,000 aerial targets, 2,500 bombardments from navy forces and a barrage of more than ten thousand offensives of shells and rockets. As a result, 1,191 people were killed and 4,405 wounded. One third of the dead and wounded were children⁵⁷.

One of the weapons used by Israel, especially during the last 72 hours of the conflict, was cluster bombs. United Nations Mine Action Coordination Centre-UNMACC identified 516 cluster bombs strike locations in South Lebanon and it is estimated that more than 350,000 unexploded cluster bombs were spotted in the area⁵⁸. Other reports have estimated more than one million unexploded ordnances (UXO) in the south region.

In light of these figures, landmines, cluster bombs and other UXO were the most significant threat to conflict-affected populations in

southern Lebanon after the July war, particularly children and farmers. From the ceasefire on 14th August 2006 to May 2008, mines, UXO and cluster bombs killed or wounded 313 people, 83 children under 18 years old have been injured and seven were killed⁵⁹.

Reports indicate that children are attracted to cluster bombs because the munitions come in appealing shapes and colours, such as chocolate bars, lollipops, colourful electronic gadgets and even balls⁶⁰. Since the end of the July war, local newspapers covered several incidents regarding the manipulation of cluster bombs by children and one article⁶¹ reported that one student brought to the classroom an odd-looking perfume bottle to show it to his classmates. Fortunately, the teacher realised it was a cluster bomb and it was confiscated and turned over to the authorities.

In southern Lebanon awareness, education and training on cluster bombs is still needed. Some reports have mentioned some level of awareness fatigue in the population probably attributable to overlapping in the training delivery⁶². However, in the NCO community there is a clear understanding that mine risk education is a continuous process that cannot be stopped and requires long-term intervention in the communities⁶³.

Convention on the Right of the Child, Article 38

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

The children and community members were used to landmines due to the civil war and the Israeli occupation, however, cluster bombs are a new phenomenon and people do not know how to deal with them. Cluster bombs seem inoffensive to adults and attractive to children, substantially increasing their capacity to injure or kill. With time cluster bombs are covered or hidden by rubble, dust, vegetation or snow, at which point they will turn into a type of landmine. This means that cluster bombs become invisible and more dangerous⁶⁴.

The National Steering Committee for Mine Risk Education has conducted several initiatives to prevent UXO incidents. This body comprises the Lebanese Armed Forces, local and international NGOs, UNICEF, World Rehabilitation Fund, Balamand University and Ministry of Social Affairs, among others. This committee has launched a media campaign that included TV spots, flyers and posters⁶⁵.

Addressing the UXO phenomenon requires greater coordination among the organisations working in mine action, whether clearing and removing bombs, educating children and communities on the risk of landmines and UXO or assisting the survivors.

In 1998 the Lebanese Government established the National De-mining Office, an institution that in 2007 changed its name to Lebanon Mine Action Center (LMAC). This centre executes and coordinates the Lebanese National Mine Action Program on behalf of Lebanon Mine Action Authority. LMAC is the coordinating body of humanitarian assistance and mine action activities in Lebanon⁶⁶.

The UN has established the Mine Action Coordination Center-MACC that includes UN forces, the European Union military and the Lebanese Army. In addition, several international NGOs are doing humanitarian de-mining.

SINCE THE END OF THE JULY WAR, 83 CHILDREN UNDER 18 YEARS OLD HAVE BEEN INJURED AND SEVEN WERE KILLED BY CLUSTER BOMBS



1 CHILDREN'S FEARS

Maya Assaf, Humanitarian and Emergency Affairs Manager, World Vision Lebanon.

At the beginning of the Nahr el-Bared camp crisis, I conducted an assessment to provide insight about vulnerabilities that children and their families faced during the armed conflict and to be able to make programming decisions accordingly. I interviewed many children that expressed fear and sadness; some of them showed signs of trauma because they were recounting unrealistic events and situations. They showed me drawings that reflected violence and dread. Some children cried while they were describing their fear from the war; others were unable to express themselves when I asked questions. Children said that their greatest fear was the sound and effect of the bombs. Young children told me that they were sad because they left their homes, toys and belongings in the camp. Older children were mostly afraid the unknown and their uncertain future; they were under the shock of losing their entire lives, homes and memories.

One of the boys told me his experience in tears. He said that "One night at the Nahr el-Bared camp and as the bombs were being shelled, our neighbour told us to leave the house very quickly because the situation was getting dangerous. We left, but he stayed behind and was hit by a bomb. Every time I remember him I still cry".

The Committee on the Rights of the Child has expressed concern about impact of armed conflict on children and the problem of landmines and cluster bombs. The Committee in its Concluding Observations recommended that Lebanon continue its de-mining activities and seek the necessary technical and financial support with a framework of international cooperation⁶⁷.

The UN Special Representative for Children and Armed Conflict, Radhika Coomaraswamy, visited Lebanon in 2007 to determine and address the situation of children affected by armed conflict, to ensure their protection and to promote the State's obligations to fully protect children.

According to a report from the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Lebanese authorities indicated their commitment to carry forward measures to ensure adequate education and psychosocial support to children. Ministers and Parliamentarians have also expressed their willingness to move forward with the ratification of the Optional Protocol to the Convention on the Rights of the Child on the recruitment and use of children in armed conflict⁶⁸. Lebanon has signed but not ratified the Optional Protocol.





The UN Special Representative for Children and Armed Conflict has included in its recommendations that United Nations Interim Force in Lebanon-UNIFIL might consider appointing a child protection officer to incorporate child rights and child protection issues in the peacekeeping operations in Southern Lebanon⁶⁹. This recommendation is consistent with guidelines outlined by the UN Department for Peacekeeping Operations that aims to deploy a child protection adviser in peacekeeping missions to ensure that children's issues are taken into account and to address the impact of armed conflicts on children⁷⁰.

In March 2009, UNIFIL appointed a child protection focal point within the Office of Civil Affairs. The aim and main responsibilities of this position are (i) to advise and provide recommendations on child protection issues as well as mainstreaming the issues through the mission; (ii) training and capacity building of mission personnel in child protection and child rights; (iii) advocacy and development of a strategic partnership with relevant UN agencies and international and national actors⁷¹.

The Office of Civil Affairs has the mandate to integrate child protection issues into their core activities as one of the mission's cross-cutting issues and it is responsible in providing advice to the mission components in particular to ensure that relevant child protection issues are addressed in all stages of the mission's mandate.

UNIFIL is also in the process of integrating child protection policy guidance into its operations and child protection training will be conducted for all mission personnel, civilian and military. The training module has been developed in cooperation with UNICEF Beirut to ensure that all aspects of child protection are included. This activity is in conformity with SCR 1261, 1379 and 1460 that require training of all deployed peacekeeping personnel. UNIFIL will also incorporate child protection information during the mission's induction training programme⁷².

According to UNIFIL danger of mines and easy access to small arms are not the only the major child protection concerns in Southern

Lebanon. Children are also affected by corporal punishment, child labour, school drop-out, early marriage and child abuse⁷³.

Children affected by Nahr el-Bared Camp Crisis

In May 2007, a new armed conflict hit the country when militants from Fateh Al Islam group battled the Lebanese Army in Nahr el-Bared Palestinian refugee camp in northern Lebanon. Approximately 27,000 Palestinian refugees were displaced from Nahr el-Bared camp to Beddawi refugee camp. Reports estimate that 13,500 children and young people were affected by the armed conflict. The three-month war killed 168 soldiers, 220 militants and 42 civilian, including children⁷⁴.

According to a report released by the Development Action without Borders/Nabaa, children from Nahr el-Bared camp were exposed to massive violence and to stressful experiences especially for those who were hidden in basements during bombings, as well as those who fled the refugee camp under heavy shelling⁷⁵. Children also faced unsanitary conditions, deficient food and nutrition, lack of clothing and bedding, physical and verbal violence from stressed parents, siblings or neighbours and a general sense of insecurity.

The Nabaa report notes that displaced children from Nahr el-Bared camp presented symptoms of trauma-related stress such as bed-wetting, crying, fear of the dark, recurring thoughts or nightmares about dead people, bombings, tanks, snipers, and cluster bombs. Interviewed girls expressed their concerns about serious conflicts among families caused by the distribution of insufficient food, the lack of mattresses and bedclothes.

2 GAMES TO TEACH CHILDREN ABOUT CLUSTER BOMBS

The Philanthropic Association for Disabled Care (PADC), in Nabatiyeh developed and distributed awareness raising material tailored for children that live in areas affected by cluster bombs and landmines. This material has been used in public campaigns to raise awareness of civilian harm caused by cluster bombs in south of Lebanon.

PADC produced a game (snakes and ladders) as part of an awareness raising project on cluster bombs among children. The game itself included some awareness-raising contents about cluster bombs.

More than 50,000 games were produced and distributed to children through civil society organisations and schools in different villages. Children were also taught how to play the game using a peer-to-peer approach so that they were able to interact with other children.

Factors contributing to the success of the game were the element of competition and the opportunity for children to learn from each other. Another success of this project was the fact that children also played the game with their parents. This served as opportunity for awareness-raising of cluster bombs and landmines for other family members thus multiplying the impact in the communities.





4

Child Refugees

The Convention on the Rights of the Child states in its article 22 that children are entitled to the rights that a refugee or asylum seeker is entitled whether unaccompanied or accompanied by a parent or guardian. Implementation of article 22 is closely linked to the 1951 Convention Relating to the Status of Refugee and the 1967 Protocol relating to the Status of Refugees. The Committee on the Rights on Child has also highlighted in its General Comments No. 6 that States Parties should take into account the Guidelines on Refugee Children developed by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Inter-Agency Guiding Principles on Unaccompanied and Separated Children. These Guiding Principles have been jointly endorsed by the International Committee of the Red Cross, the International Rescue Committee, Save the Children, UNICEF, UNHCR and World Vision International.

A refugee is a person who has left their country due to a well-founded fear of persecution because of race, religion, nationality, political opinion, or social group. An asylum seeker is someone who has fled their own country and applies to the government of another country for protection as a refugee. States Parties to the Refugee Convention have the obligation to respect the principle of non-refoulement, which means that people who meet the definition

of refugee under the Convention are not sent back to a country where their life or freedom would be threatened.

The Committee on the Rights of the Child has emphasised in its General Comments No. 6 that children seeking asylum shall enjoy access to asylum procedures and other complementary mechanisms providing international protection, irrespective of their age⁷⁶.

Lebanon has not signed the International Convention relating to the Status of Refugees. As a result, refugees' rights are not protected; their residence in the country is just granted for a short period of time and after that they need to be resettled to another country or be deported to their home country. A Memorandum of Understanding (MoU) between the Lebanese government and UNHCR declares that Lebanon is not a host country for asylum seekers and that the maximum period refugees can stay is nine months.

Refugees in Lebanon can be divided into two categories: Palestinian refugees and Non-Palestinian refugees. The first group is under the protection of UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has the mandate to carry out direct relief and works programmes for Palestinian refugees.

Non-Palestinian refugees are under the protection and social services provided by UNHCR, Office of the United Nations High Commissioner for Refugees, which works with eight million refugees worldwide.

Non-Palestinian refugees

The Non-Palestinian refugee population in Lebanon is 10,457 people, predominantly composed of Iraqis (10,080), Sudanese (111), Somalis (18) and other nationalities (248)⁷⁷. The number of asylum seekers is 771, mainly from Iraq, Sudan and Somalia. Statistics indicate there are 20,000 to 50,000 Iraqis in Lebanon that have immigrated to the country without seeking asylum⁷⁸.

To protect the asylum seekers, UNHCR signed a Memorandum of Understanding-MOU in 2003 with the Lebanese government to grant a minimum set of rights to refugees registered with the UNHCR, such as identity cards, freedom of movement and the right to enrol their children in schools⁷⁹. In addition, refugees under UNHCR protection cannot be deported or put into prison, but international reports affirm that many foreigners holding a valid refugee status from the UNHCR are harassed, detained and arrested, in many cases, deported to origin countries⁸⁰.

Convention on the Right of the Child, Article 22

States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.



Currently, there are 61 refugees or asylum seekers in prisons for illegal entry in Lebanon⁸¹. Many of them stay detained for long period of time because they do not have the economic resources to pay fines and other associated cost to be released from prison. Article 32 of the 1963 Lebanese law on entrance and stay of foreigners sets a sentence between one month and three years in prison and deportation for those who enter the country illegally⁸². In 2008, UNHCR released 230 refugees from detention⁸³.

The Committee on the Rights of the Child stresses that countries need to reform their laws to protect the rights of child asylum seekers, especially by establishing measures to ensure that children are not detained except as a last resort, that guardians are appointed for such children, that evaluation of their immigration status is expedited and that their right to basic services such health and education are guaranteed⁸⁴.

The Committee has recommended in its concluding observations that Lebanon should develop a legislative framework for protection of asylum seekers and child refugee, particularly unaccompanied children; to accede to the 1951 Convention Relating to the Status of Refugee and its 1967 Protocol; to ensure that detention of refugee and asylum seeker children takes place only when necessary, in their best interest and for the shortest time possible.

According to a participatory assessment conducted by UNHCR, refugees in Lebanon, regardless of nationality, age and sex, expressed a great fear of detention for reasons of illegal entry or stay in the country⁸⁵. Women and girls articulated that they might experience harassment, harm and abuse based on their illegal condition.

Adolescent girls expressed fear of harassment from the local community, particularly from boys. They also faced religious discrimination and many of them change their names to hide religious affiliation. Refugee women stated that they are afraid of their children, especially girls, being harmed and restricted interaction with the local community leading to confinement in homes.

School drop out rates are particularly high among refugee children who suffer from discrimination due to their parents' poverty and uncertain legal status. In 2008, the Lebanese Ministry of Education issued an official circular to ensure that refugee children have access to private or public schools. UNHCR also provides educational grants to all refugee children. However, several factors jeopardise their success in school such as the cost of tuition fees, transportation, difference in curriculum, foreign languages, lack of teacher attention and overcrowded classrooms⁸⁶. Children also experience a higher incidence of discrimination, bullying, harassment and corporal and humiliating punishment than their local classmates⁸⁷.

Refugee children and women experience high rate of domestic violence due to their refugee situation. Iraqi women attributed domestic violence to Iraqi culture and traditions. Isolation was particularly reported by single women living with parents, women headed households and adolescent girls⁸⁸. Refugee children are extremely vulnerable due to the cultural context in which they

experience violence, restricted network of social contacts, lack of extended families, social isolation and barriers to accessing services and protection systems.

Palestinian refugees

Palestinian refugees are the largest and longest standing refugee population in the world. Palestinian refugees live mainly in Jordan (1,780,000), Syria (420,000), West Bank (680,000), Gaza (961,000) and Lebanon (400,000)⁸⁹. In Lebanon, 47 % of Palestinians live in 12 registered refugee camps around the country and 53 % live in other settlements⁹⁰. According to UNRWA, the Palestinian population could be divided into three categories regarding their status in Lebanon: those registered with UNRWA, those not registered with UNRWA but registered with the Lebanese government and those not registered neither with UNRWA nor the government. Those three categories are a significant determinate in whether they are entitled to receive social welfare benefits.

UNRWA is responsible for providing assistance to those registered in the agency through education, health, relief and social services, as well as microfinance and microenterprise programmes⁹¹. Those not registered do not receive any benefits and it is hard to determine the conditions in which they live.

Human rights organisations have claimed that the situation of Palestinian refugees in Lebanon is worse than in Jordan or Syria because in addition to the extreme poverty in which they live, they do not have access to Lebanese citizenship, despite arriving 50

years ago. In addition, Palestinians in Lebanon experience systemic discrimination that prevents them from exercising their basic rights⁹². They experience legal discrimination and limitations with regard to the right to own and inherit property, the right to work, to access social security, housing and social services and to rebuild or redevelop refugee camps⁹³.

REFUGEE CHILDREN EXPERIENCE A HIGHER INCIDENCE OF DISCRIMINATION, BULLYING, HARASSMENT AND CORPORAL AND HUMILIATING PUNISHMENT THAN THEIR LOCAL CLASSMATES

NON-ID PALESTINIAN CHILDREN

Mireille Chiha, Project Manager, Danish Refugee Council-Lebanon



Danish Refugee Council (DRC) has been working with non-ID Palestinian refugees since 2005, and has mapped the non-ID population living in camps and gatherings in Lebanon. We met with 462 non-ID households, representing 2122 persons, of which 1798 are non-ID persons.

The first challenge that a non-ID child faces is the impossibility of being registered officially with the relevant authorities. It is maybe more relevant here to talk about a right's violation (art. 7 of the CRC), since it is a challenge faced mostly by the non-ID parents wishing to register their child more than a challenge faced by the child in his early years. The default of official registration at birth has implications on the enjoyment of other rights under the convention, such as the right to education.

A non-ID Palestinian child might not be able to sit Lebanese official exams (brevet and baccalaureat), because of the lack of official documentation. As such, he can complete his primary education, but might be prevented from secondary and university studies, unlike other Palestinian children. Consequently, he is at risk of early drop-out. Formal vocational education with UNRWA is also not offered to non-ID Palestinian children.

Secondary health care for non-ID children is also a problem, as UNRWA only covers the fees for those who are registered with the agency.

DRC has and is still working with duty-bearers to address the main challenges mentioned above. We have obtained access for non-ID children to UNRWA schools. We have lobbied with the government that non-ID refugees be granted formal identification documents, and in August 2008, the Lebanese authorities started issuing 'special ID cards for non-ID Palestinian refugees'. The process, which was suspended at the end of 2008 for administrative reasons, allowed for the issuance of 765 ID cards for non-ID refugees. We are currently working with relevant stakeholders to work on re-issuing those cards, which will solve the problem of registration at birth and of passing Lebanese official exams.

In the camps, Palestinian children live in overcrowded and unhealthy environments, with poor access to drinking water, sewerage systems, electricity and roads. An Amnesty International report indicates that in Ayn al-Hilwah camp, Lebanon's largest Palestinian refugee camp, an unemployment rate of 80 %, largely due to a discriminating labour law that limits their ability to study a profession and to seek a job⁹⁴. Lebanese law prohibits Palestinians from working in 72 professions such as cook, lawyer, accountant, doctor, hairdresser and concierge, among others.

Poor living conditions, extreme poverty, restricted access to services and overcrowded camps have resulted in elevated malnutrition (2.5 %) for children less than five years and a high anaemia rate in children under three years of age (35 %)⁹⁵.

School attendance rate among Palestinian refugee children has significantly decreased in recent years. This phenomenon contradicts the tendency of Palestinian society to place high value on education. According to a report from the Special Representative for Children and Armed Conflict to the Middle East, the probable reasons are the lack of hope for the future and the widespread perception that education is a "dead end" due to the restricted access to employment once children finish school. The report indicates that there is a palpable sense of desperation in families and children that has contributed to higher rates of violence in homes and school in the camps⁹⁶.

A report by Save the Children indicates that 96 % of the Palestinian children join the school system, however at the age of ten they began to drop out of school. At the age of 14, 20 % of children drop out of school and at age of 16 the drop out rate reaches 50 %⁹⁷. The most common reasons for dropping out are corporal discipline inflicted by teachers, peer violence among students, learning difficulties, exam failure, poverty and early labour-market experience.

Girls are also discouraged from pursuing their education due to traditional customs that oblige them to take care of younger siblings, domestic work and marriage. Save the Children's report highlights that many Palestinian refugee girls experience discrimination at different levels and many of them are banned in participating in social activities with their peers such as sports, extracurricular activities and summer camps. Girls also suffer from domestic violence perpetrated by parents and brothers⁹⁸.

2 THE VOICE OF A REFUGEE GIRL

Fatima, aged 12. Bourj Brajneh Palestinian Refugee Camp.

I have the feeling that war will happen again. I know this because my parents always tell us not to leave the camp because things are not well, things may not be safe outside the camp. This kind of environment filled with conflict and violence is not good for children. Death scares me. When I hear the sounds of airplanes I get scared. Sometimes I cry and mostly I worry about my younger brother. I don't want something bad to happen to him.

I have the right to education and express myself. All children have these rights. I am happy to know that I have rights. When I'm 20 years old, I would like to know all of my rights and I would like to teach other children about their rights too. In my opinion the most important rights of children are the right to education, the right to recreation and the right to express our opinions freely.

Many teachers use violence at school. I don't like it when teachers hit children or pull their hair or ears. If this happened to me I would feel sad. It makes me hate them. Instead of using violence I think first teachers or adults should have an honest conversation with children. It is very important that we are given the chance to express our thoughts. I like it when there is dialogue and understanding.

SCHOOL DROP OUT RATES ARE PARTICULARLY HIGH AMONG REFUGEE CHILDREN





5.

Children in Conflict with the Law

The Convention on the Rights of the Child contains important provisions regarding the administration of juvenile justice. It encourages States Parties to establish a legal juvenile system to protect children and young people in conflict with the law and to set up special courts with primary jurisdiction over juveniles with adequate sanctions according to their ages, ensuring rehabilitation and reintegration.

To complement the rights recognised by article 40, the Committee on the Rights of the Child issued General Comment No. 10 in 2007. This aims to provide guidance and recommendations on juvenile justice policy, prevention of juvenile delinquency and alternative measures allowing for responses to juvenile delinquency without resorting to judicial procedures.

The Committee also calls for integration into the national legislation of international principles and guidelines such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("Beijing Rules"), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty ("Havana Rules") and the United Nations Guidelines for the Prevention of Juvenile Delinquency ("Riyadh Guidelines")⁹⁹.

The Committee on the Rights of the Child emphasises that States Parties must apply the leading principles included in the Convention, such as non-discrimination (art. 2), best interests of the child (art. 3), right to life, survival and development (art. 6), right to be heard (art. 12) and dignity (art. 40 (1)).

Children in conflict with the law usually come from marginalised communities and disadvantaged families. They are very vulnerable to violence, abuse, withholding of legal aid, illegal interrogation and disproportionate penalties¹⁰⁰. They often commit insignificant crimes or minor offences such as vagrancy, begging and alcohol use. In some cases, they are arrested just because they are perceived as a threat¹⁰¹. A study conducted in Lebanon between 1999 and 2002 indicated that three quarters of crimes committed by juvenile delinquents are not serious crimes and many cases are petty offences and theft without premeditation¹⁰².

An international report reveals that most of the children that are arrested and detained should not be in that situation. Rather, they should be entitled to social protection and care, yet they are criminalised and placed in institutions based on their homelessness and poverty¹⁰³.

Juvenile justice in Lebanon

Lebanon during its legislative history has had different approaches to juvenile justice that range from a rehabilitation and reintegration approach to a coercive and imprisonment approach. During the civil war and its aftermath, children under the age of 18 experienced legal uncertainty, long periods of preventive detention and imprisonment in adult facilities without access to educational or rehabilitation programmes¹⁰⁴.

The government of Lebanon has undertaken efforts to protect and promote the rights of children in conflict with the law. Currently, Law 422 of July 2002 regulates the system for juvenile delinquency. This law contains reforms on protection, education and rehabilitation of juvenile justice. One of the core principles of Law 422 is to promote forms of punishment and rehabilitation other than imprisonment and confinement. The law includes protection measures such as detention in appropriate places, the presence of social workers during the inquiries, the creation of special police units responsible for interrogating the offenders and victims along with other improvements¹⁰⁵.

Convention on the Right of the Child, Article 40

States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice, Rule 5

The juvenile justice system shall emphasize the well-being of the juvenile and shall ensure that any reaction to juvenile offenders shall always be in proportion to the circumstances of both the offenders and the offence.

Lebanon developed this legal system for juvenile justice, adapting the national legislation in the Convention on the Rights of the Child and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, but practice has shown gaps between the spirit of the law and its implementation¹⁰⁶.

According to NGO reports, there are still many youth detained in adult prisons. This situation primarily affects boys who currently stay in the same prisons as adults. Although they are in separate facilities there are many areas in which adults and children have direct contact. In other detention centres such as local police stations, there are no separate facilities or sleeping areas for children and young detainees could be in a detention centre for several days¹⁰⁷. Reports indicate that human rights monitors are not allowed to visit prisons, despite a presidential decree from 2002 that authorises access to detention facilities¹⁰⁸.

Protection procedures during detention have minimal application and generally juveniles experience the same treatment as adults during the preventive detention, which in many cases is longer than the sentence they should receive for their offences¹⁰⁹.

The juvenile justice system lacks financial resources and this has restricted the implementation of protection measures such as the presence of social workers during interrogation and other phases of the court case. At present, while there are a limited number of social workers authorised to be part of the judicial process, many more are needed in order to provide the services required. Reports also indicate that social workers do not have suitable training to handle the legal and psychological matters during the trial¹¹⁰.

Lack of reports, assessments and the difficulty of obtaining accurate information is another problem that juvenile justice system faces in Lebanon¹¹¹. There are no precise records about the number of young people in detention facilities or prisons and no records about the type and length of sentence imposed.

The Committee of the Rights of Child has recommended that exploratory research be carried out in order to determine the magnitude of this problem, and to develop accurate records of how many children are in prison and the duration of their sentences.



1 UPEL PROGRAMMES

Roula Lebbos, UPEL

Union pour la Protection de l'Enfant au Liban or Union for the Protection of the Child in Lebanon, a private charity organisation was established in 1936 to provide individual and collective assistance and welfare services in the juvenile justice and child protection field. We work at detention centres giving support to children who have committed or are alleged to have committed an offence. Once we receive the case, we immediately inform the family about the situation the child is facing. We support the child and his family in all judicial follow-up stages. We also verify that the detainee has not been subjected to verbal or physical abuse and we supervise the process in the court. We ensure the juveniles understand the questions and we inform them about their rights in the judicial process.

We, as social workers, emphasise the importance of having alternatives to imprisonment. We prefer that a juvenile does not go to prison and support alternative sentences such as community work. These measures are more effective than detention and facilitate the rehabilitation and reintegration of juveniles. This is one of the best contributions of the Law 422. Since this law was adopted in 2002, the number of children imprisoned has decreased significantly. However, I believe that we need more focus on prevention and awareness-raising as essential steps to deter young people from breaking the law and ensure that they are aware of the potential consequences.

Lebanon is in the process of developing and implementing a national action plan to prevent juvenile delinquency and recidivism. The Lebanese government has signed an agreement with the United Nations Office on Drugs and Crime to develop initiatives to address the causes of juvenile delinquency and establish prevention and rehabilitation measures in light of the Convention.

Minimum age for criminal responsibility

The minimum age for criminal responsibility refers to youngest age at which a child can be held responsible in a penal law procedure. Currently the age of criminal responsibility in Lebanon is seven years; the lowest threshold age of criminal capacity in the world.

The Committee on the Rights of the Child has emphasised in its General Comments No. 10 that a minimum age of criminal responsibility below the age of 12 years is internationally unacceptable. The Committee has suggested increasing the minimum age for criminal responsibility to the age of 12 years as the absolute minimum and to continue to increase it to a higher age level.

The UN Standard Minimum Rules for the Administration of Juvenile Justice recommends that the minimum age should not be set very low and should consider the emotional, mental and intellectual maturity of the child. The Committee on the Rights of the Child considers 14 or 16 years to be an acceptable age, because this contributes to a juvenile justice system which deals with children in conflict with the law without resorting to judicial proceedings, providing that the child's human rights and legal safeguards are fully respected¹¹².

The Committee of the Rights of Child in its Concluding Observations has urged the Lebanese government, as matter the priority, to raise the minimum age for criminal responsibility to 12 years.

The Higher Council for Childhood has conducted initiatives to lobby for a review of Law 422 and to raise the age of criminal responsibility to 12 as recommended by the Committee. However,

discussion with relevant ministries and the Parliament require long-term debate. The Council also seeks to promote a juvenile justice system that takes into account children's rights throughout the entire legal process and to strengthen an approach that prevents and reduces juvenile delinquency rather than a repressive system that emphasises punishment of juveniles¹¹³.

2 CHILD RIGHTS IN THE JUVENILE JUSTICE PROCESS

Nidal Jurdi, PhD in ICL and Human Rights
Lecturer, American University of Beirut

With respect to juveniles in conflict with the law, there are number of child rights and fair trial principles that are not fully respected. The age of criminal responsibility should be raised to no less than 12 years. The presence of the social workers in the investigation with the juvenile should become an obligatory requirement that renders the investigation void if the social worker was absent. The right to appeal the decisions of the juvenile judge is a right for the accused juvenile. The presence of the parents or the legal guardian is a right for the child when it is in his/her best interest.

The social protection system under section three of the Law 422 is weak. Secondly, there is a limited role of social preventative bodies to interfere with juveniles who are possibly at risk before the intervention of the judicial system, such as a child protection advisor or others. Thirdly, the definitions under article 25 are not enough to cover all risks that the juvenile could face. Fourthly, mixing between cases of risk for the child and criminalising the child for being a victim of this situation is inconsistent with the CRC. Article 28 considers street children as criminals, while the child is the victim of such a situation. Fifthly, child prostitution needs to be included as a risk that threatens the health and development of the child and not as a crime that requires punishment.





6. Listening to Children

The Convention on the Rights of the Child asserts that children have the right to freely express their views and States Parties have the obligation to listen to the views of children and to facilitate their participation in all matters affecting them within the family, schools, institutions and judicial procedures.

In 2009, the Committee on the Rights of the Child issued a new General Comments to highlight the pivotal importance of the right to be heard and to participation. The Committee recognised that the right to participation, outlined in article 12, is a right in itself and one of the four general principles of the Convention. This statement implies that article 12 should be always considered in the interpretation and implementation of all other rights¹⁴.

The right to participation is indivisible part to the right to express an opinion (article 12), right to freedom of expression (article 13), right to freedom of association and peaceful assembly (article 15), access to information (article 17), respect for human rights and responsible life in a free society (article 29), and the right to fully participate in cultural and artistic life (article 31).

Child Consultation

Based on the principles outlined in article 12, World Vision conducted a child consultation called “Children Make Their Voices Heard” where four hundreds boys and girls were consulted for their views on issues that affect them.

This participatory consultation is based on the Child Rights Convention as a core intervention model. The child consultation aimed to discover how well children understood their rights, what they thought about them, their positive or negative experiences exercising those rights and to their suggestions for initiatives that would help children develop to their full potential. The diversity of the experiences of children from various backgrounds was ensured, in order to provide rich information at the country level and specific information at the community level.

The primary purpose of “Children Make Their Voices Heard” was to give children the opportunity to express their beliefs, desires, successes and challenges. Children expressed that they seldom have the chance to talk and to be listened to and articulated great appreciation for the opportunity and eagerness to be consulted for future activities.

Consultation methodology

The “Children Make Their Voices Heard” consultation was conducted under the umbrella of World Vision’s Children’s Council that aims to build children’s capacity in child rights, development, tolerance and peace. It does so by providing an opportunity for vulnerable children to speak out and ensuring that their rights, conditions, needs and issues are taken fully into account in existing policies, the legislative agenda and national action plans for children.

Consultation was conducted in nine of World Vision’s area programmes and three Palestinian refugee camps. Boys and girls were selected from different religious and ethnic backgrounds, regions and from both rural and urban areas.

Research methods included self-reporting questionnaires, focus groups discussions and face-to-face semi structured interviews. Consultation included a child-friendly forum that involved activities such as puzzles and games related to child rights, drawing pictures, taking photographs, writing about personal stories and voting on the most important rights.

Convention on the Right of the Child, Article 12

States Parties will assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Child consultation findings

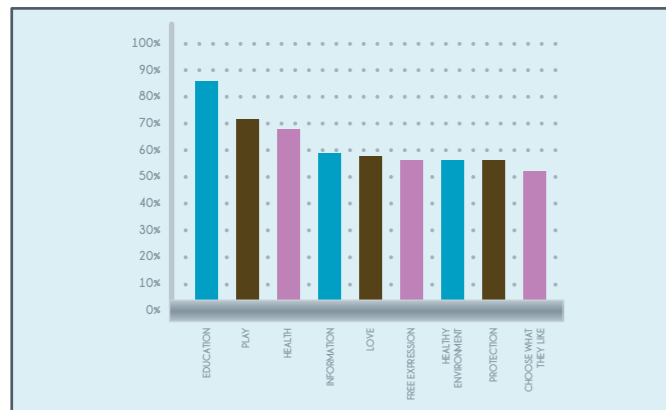
The consultation's findings indicate that:

- ° 90% of children are aware of their rights guaranteed in the Convention.
- ° 53% of children indicated that they were happy most of the time and 47% said that they were happy sometimes. None of the children said they were never or almost never happy.
- ° 78% of children indicated that they were very happy when they are with their family and only 29% of children were happy at school.
- ° 56% of children considered that war and armed conflict are the major problems that affect children in the country.
- ° 62% of children were very worried about problems occurring in their families.

Children's understanding of their rights

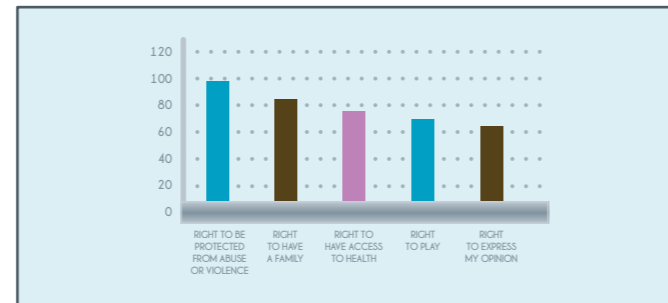
Children were consulted in order to assess their knowledge, attitudes, perceptions and understanding of their rights. Ninety per cent of the interviewees stated that children have rights and most were able to recognise at least nine rights. The most acknowledged right was the right to education, followed by the right to play, the right to health, the right to seek information, the right to be loved, the right to free expression, the right to have a healthy environment, the right to be protected from violence and the right to choose what they like. Not all of these issues are stipulated in the Convention, yet children perceived them to be part of their rights.

GRAPHIC 1: RIGHTS IDENTIFIED BY CHILDREN



Children were also asked to vote for the rights that they considered most relevant in their lives. From a choice of ten options, children were asked to vote for the five they felt to be most important. The results showed that most relevant right for children is the right to be protected from violence and abuse, followed by the right to have a family, right to have access to health, right to play and right to express an opinion.

GRAPHIC 2: RIGHTS PRIORITIZED BY CHILDREN



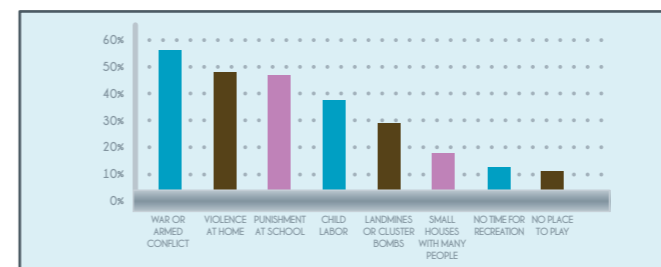
During focus group discussions, children articulated that violence is a situation that affects them in schools, homes and on the streets. This right, they stated, should be a priority for the whole society which has the obligation to protect children from violence. The importance of the right to have a family and access health services was repeatedly confirmed in focus groups and individual interviews. Children insisted that the right to freely express an opinion was one of their most important rights however they acknowledged that this particular right was very difficult to exercise in the home and especially in schools.

Children's perception of problems that affect them

Children were asked to consider the problems that affect them by reflecting on their own experiences and recognising the negative impact that these problems have in their lives. Children immediately identified war and situations of armed conflict as a major problem for them, followed by violence at home and schools. In addition, the issue of child labour was identified by many children as a significant problem. While this was not a reality for most of the interviewees, the children expressed their deep concern for others in this situation.



GRAPHIC 3: PROBLEMS THAT AFFECT CHILDREN



Children from southern Lebanon focused their discussion on the July 2006 war, its aftermath, ongoing political tensions, and insecurity due to cluster bombs and landmines. The children noted that the permanent presence of armed troops, especially UN peacekeeping forces was a constant reminder to them of the war and the traumas they endured.

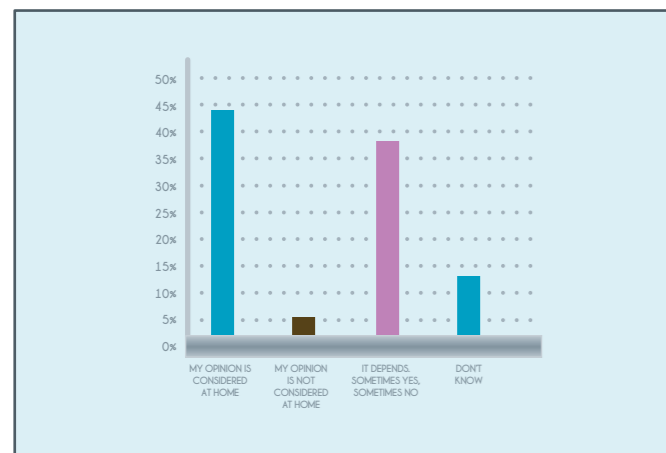
Children's desire for participation

Children expressed their desire to be heard in decisions that affect their lives and they described the topics in which they

would like to be consulted. The three most important areas that they felt their opinion should be considered were leisure time activities, their education and family matters.

Children complained that parents and other adults easily forget that children have rights when it comes to decision making. While they acknowledged that they may not be ready to make full decisions about their life but feel that their opinion should at least be considered.

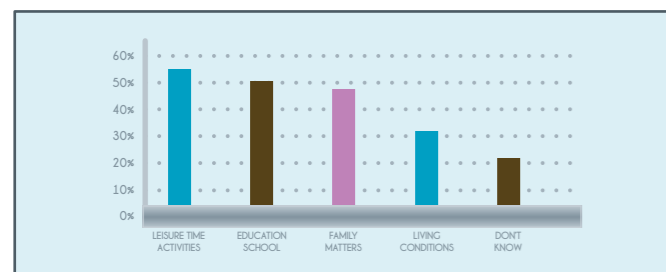
GRAPHIC 4: CHILDREN'S OPINION



Children gave examples of divorce and moving house as issues that for which they would like to provide their input.

Children noted the lack of activities and space in their communities for children to participate as a major obstacle in fulfilling their right to be heard. When such opportunities do arise, the children expressed their frustration at not being consulted in the design of the activities.

GRAPHIC 5: TOPICS IN WHICH CHILDREN WANT TO BE CONSULTED



Children's desire for protection

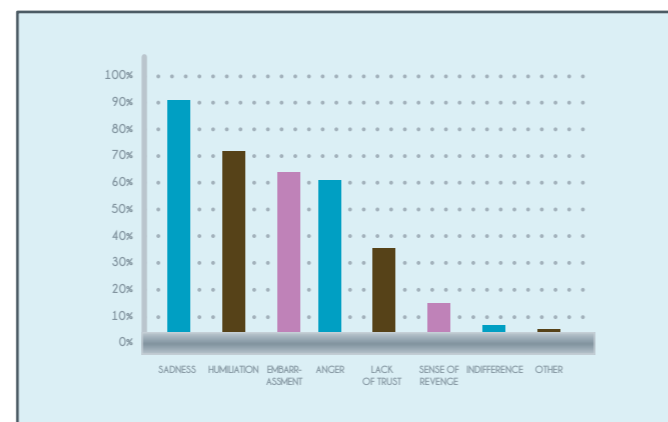
After identifying violence and corporal punishment as significant problems in their lives, children were consulted on how this impacted their lives. Those interviewed said the threat and effect of physical violence prevents them from fully enjoying their lives and that feelings of insecurity at school was a significant concern to them.

For many of the children, violence in schools was considered one of the worst things they experienced, especially that perpetrated by their

teachers in front of other students. Such violence provoked feelings of anger, sadness, humiliation and a sense of revenge. Children also noted that many of them suffer violence at home, whether physically or psychologically. Children gave examples of dropping out of school and running away from home as ways of avoiding violence.

While children stated that discipline was important in their upbringing, they noted that this should not necessarily involve physical punishment. However, some disagreed and thought violence was justifiable when it is part of discipline. Some children said that it is acceptable to be physically punished by the parents but it is not acceptable to be injured by them. Such opinions are common within Lebanese households, where inherited cultural norms are repeatedly used to excuse violence in the home and in wider society.

GRAPHIC 6: CHILDREN'S FEELINGS PROVOKED BY VIOLENCE



Children stated that the use of violence and humiliation was a way to violate their rights and called for an educational system that is based on child rights where children are disciplined through positive methods instead of violence.

Accordingly children identified several options as acceptable alternatives to physical discipline, such as ensuring that adults convey what is right and wrong before punishing, having the chance to change their behaviour, temporary withdrawal of privileges such as TV, pocket money or playtime, use of verbal communication rather than physical violence and establishing clear limits and rules for both parents and children.



Conclusions & Moving Forward

The Convention on the Rights of the Child has played an unquestionable role in ensuring that the human rights of children are taken into account in the legislative agenda of the signatory countries. Since the Convention was adopted in 1989, States Parties and society in general have gradually changed their approach to children recognising them as subjects with rights.

Chronic and systematic problems that affect children still require urgent action to address their endemic causes and promote changes in policy and practices in order to build a society where children can fully realise their rights. To achieve this goal, Lebanon is challenged to develop child-centred national strategies that strengthen participation and protection of children and to provide them with opportunities to influence decisions, services and activities.

This study identifies several issues that prevent children from exercising their rights and from enjoying their development: violence against children, child labour, street children, child trafficking, children affected by armed conflict, child refugees and children in conflict with the law.

Lebanon has yet to develop proper legislation to prevent violence against children. New legislation to prohibit all forms of violence, including all corporal punishment, should be introduced into the Parliament to amend Law 422 on juvenile justice that is currently the only law that refers to the prevention of violence against children. Alternatively, establishing a new child protection law in alignment with the principles and standards outlined in the Convention on the rights of the Child would be another way to fill the current legal void in child protection.

Efforts should also be made to modify article 186 of the Penal Code that states that corporal punishment is legitimate at home when imposed by parents for disciplinary purposes. Lobbying and awareness campaign also need to be conducted to address other

important issues that affect prevention of violent punishment against children such as the laws administered by religious courts which handle most matters concerning family affairs.

Regarding child labour and street children, there is an urgent need to continue working in developing a national action plan to address school drop out and the minimum age to enter the labour market simultaneously. Studies and research should be conducted to measure prevalence of child labour and the real numbers of street children. Laws should be amended to provide protection to street children and alternatives to detention should be sought. Additionally, initiatives that develop a positive and non-discriminatory approach to street children and which increase their access to health, education and social services are urgently required. Campaigns should be conducted to sensitise Lebanese society regarding street children and their right to be protected and not to be criminalised.

The political turmoil that dogs Lebanon has a significant affect on children, especially those from vulnerable populations, such as overcrowded Palestinian refugee camps and residents of villages in the south of the country that are under the constant threat of attack. Lebanon should continue to push forward measures that ensure adequate education and psychosocial support to children affected by armed conflict. Lobbying efforts should be conducted to ratify the Optional Protocol to the Convention on the Rights of the Child on the recruitment and use of children in armed conflict.

Child refugees are extremely vulnerable due to the cultural context in which they experience violence, a restricted network of social contacts, lack of extended families, social isolation and barriers to accessing services and protection systems. Refugee children have access to school but school dropout rates are particularly high due to the cost of tuition fees, transportation, difference in curriculum, language barriers, lack of teacher attention and overcrowded classrooms. Awareness campaigns should be conducted to reduce

hostility towards refugees and to advocate for improvement of the situation of asylum seekers. Amendments to local legislation to ensure differentiation between the legal status of refugees, asylum seekers and other immigrants is required to ensure adequate protection for the most vulnerable.

Palestinian children who live in overcrowded and unhealthy environments have poor access to drinking water, sewerage systems, electricity and roads. They suffer from high levels of mortality, morbidity and chronic illness. Civil society organisation need to continue their effort to ensure that Palestinian children can enjoy the full realisation of their human rights and freedoms guaranteed by the Convention on the Rights of the Child.

Children in conflict with law are of matter of considerable concern due to the vulnerabilities they face within the juvenile system. Juveniles usually come from extremely deprived environments and are susceptible to violence, abuse, detention, interrogation and disproportionate penalties in relation to the crimes or offences that they commit, such as vagrancy, begging and alcohol use. The minimum age for criminal responsibility is currently seven years in Lebanon, and is a major concern for the Committee on the Rights of the Child who have urged the age to be increased to a minimum of 12 years.

Campaigns should be carried out to raise the minimum age for criminal responsibility and promote alternatives to punishment for juveniles in conflict with the law. Lobbying key stakeholders to improve the juvenile legal system in alignment with the Convention on the Rights of the Child, Beijing Rules, Havana Rules and Riyadh Guidelines should be a priority for the country.

The findings of this study are consistent with the priorities that the Lebanese Higher Council for Childhood has established for the coming years. These include developing a legislative comparative study that involves examination of the Lebanese legislation in

accordance with Convention on the Rights of the Child and other international conventions and standards, to conduct an analysis of the new draft law on child protection, to put in place a child protection system that comprises the appointment of a ombudsman for children and a free telephone hotline accessible to children, to provide capacity building to local NGOs to improve their programmatic intervention and to move forward to a child rights-based approach.

Government, civil society organisations, United Nations agencies and other key actors have a significant role to play in identifying the current and emerging issues affecting children, lobbying for their inclusion in the governmental agenda, mobilising communities, increasing the participation and legitimacy of grassroots organisations and promoting accountability of public institutions and monitoring effective social and legal change. To accomplish this task, networks and coalitions should be set up to include a wide range of actors committed to child rights advocacy work.

Child participation is pivotal in ensuring inclusiveness and ownership, the building of democratic societies, and achieving broader and deeper impact. Sustainable implementation of the principles delineated by Convention on the Rights of the Child requires a strong component of grassroots advocacy to strengthen the capacity of children to exercise their rights and remove the barriers that deny them. Organisations are called to work together to empower children to speak up for their rights and to equip them with the skills to participate actively in decisions that affect their lives.

Despite the fact that participation is a basic human right, many boys and girls still perceive their participation as a special concession rather than a right that is granted and respected. Advocacy initiatives should be directed towards influencing and educating Lebanese society in order to change beliefs, attitudes and practices and to promote ethical and meaningful child participation based on equality, trust and mutual respect.

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