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Child Labour among Refugee Youth in Lebanon: A Way Forward



Table of Contents

- 3 Executive summary
- 4 Introduction: Child rights in Lebanon
- 4 Rationale for action: Layers of vulnerability for children in Lebanon
 - 4 Brief contextual analysis
 - 5 Vulnerable groups of concern
 - 6 Determinants of child labour in Lebanon
- 7 Policy considerations within the Lebanese climate
- 8 Policy recommendations
- 9 References

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EXECUTIVE SUMMARY

Lebanon ratified the United Nations Convention on the Rights of the Child on 14 May 1991. Since this date, the country has shown its commitment towards bettering the situation of children within its territory, as well as the protection of their health and wellbeing. While this commitment is enshrined in a number of governmental initiatives, socio-economic disparities are increasingly evident amid the country's ongoing political deadlock, escalating economic crisis and following the impacts of both COVID-19 and the 2020 Beirut blast. The unemployment rate in Lebanon reached 6.7% by the end of 2021 and is projected to double according to Trading Economics global macro models and analysts' expectations. Drivers of child labour at the national level are intersectional, complex and specific to the social, cultural, political and economic contexts in which the children in question reside. For refugees and host communities alike, lack of law enforcement, poverty and food insecurity remain consistent themes. Despite the fact that the percentages of children engaged in child labour did witness sporadic declines due to general nationwide quarantine/lockdown realities, refugee families living on the outskirts of poverty remain at risk of falling even further below the poverty line in the long-term. Most likely, this reality will lead to an increase in child labour (including the 'worst forms' of child labour) in the medium- to-long term.

INTRODUCTION: CHILD RIGHTS IN LEBANON

Along with 195 eligible states, Lebanon ratified the United Nations Convention on the Rights of the Child (CRC) on 14 May 1991. Since this date, the country has shown its commitment towards bettering the situation of children within its territory, as well as the protection of their health and wellbeing. Since Lebanon's ratification of the CRC, the situation of children on its territory has drastically improved across multiple sectors, in law and in practice. Nonetheless, the weakness of state institutions, political stagnation and economic hardship (including recurrent states of emergency, a recent blast in its capital, an ongoing financial and economic crisis, clientelism and corruption across its government institutions) proceed to hinder the country's ability to completely and comprehensively comply with the CRC.

Though legislative progress has been made, and multiple structures with child-rights focused mandates have been developed in recent years, Lebanon still lacks the political and economic resources, as well as the structural capacity to institutionalise the CRC across various levels of governance and socio-cultural realities. Pinpointing areas which require continual attention will allow grassroots organisations, civil society organisations (CSOs), community-based organisations (CBOS) and non-governmental organisations (NGOs) to improve their support for the Lebanese government and assist in moving it closer towards the full realisation of children's rights, their participation and their protection in Lebanon.

The Lebanese Law No 422/2002 titled 'Protection of Children in Violation of the Law or Exposed to Danger' attaches special importance to the principle of the best interest of the child. In the areas of child protection however, Law 422 has been criticised for placing unwarranted and excessive emphasis on judicial measures of protection rather than on social protection for children. Discrimination in Lebanon's law and praxis continues to be present along the following lines:

1. refugees, stateless and migrant children;
2. women and gender;
3. children with disabilities, learning diversity and/or special needs; and
4. socio-economic and socio-cultural regional discrimination.

Child populations involved in child labour in Lebanon encompass several groups of refugee children that are each subjected to different labour policies under Lebanese law. These policies include those pertinent to the refugee community at large and that essentially provide little-to-no protection for refugees and their families (including minors). This renders the development of a comprehensive national policy towards working children a true challenge. Workers' rights (particularly children's) encompass a large array of human rights, from the right to decent work and freedom of association to equal opportunity and protection against discrimination. These standards are not upheld from a human rights perspective, and labour standards remain an absent component that is pivotal towards successful business models and labour policies across any sector.

RATIONALE FOR ACTION: LAYERS OF VULNERABILITY FOR CHILDREN IN LEBANON

Brief contextual analysis

In January 2021, Lebanon's human rights record was examined by the UN Human Rights Council's Universal Periodic Review (UPR) Working Group (UN Human Rights Council 2021). Lebanon's first and second UPR reviews took place in November 2010 and November 2015, respectively. Throughout this review session (led by the delegation of Estonia), Estonia welcomed the adoption of a strategic plan for the protection of women and children, including against gender-based violence, as well as the endorsement of its first National Action Plan on UNSCR 1325 (Permanent Representative of Estonia 2021). They further reiterated their recommendations from the previous UPR cycle to prohibit all corpo-

ral punishment of children in all settings and to accede to the Rome Statute¹ of the International Criminal Court. In their review of Lebanon's 2020 UPR Submission (prior to Estonia's review), Human Rights Watch (on the issue of child rights) insisted that Lebanon should:

1. amend article 24 of the Code of Military Justice of 1968 to remove civilians and all children from the jurisdiction of the military courts;
2. amend the nationality law to allow Lebanese women to pass on their citizenship to their children and husbands;
3. amend Law 220 or pass new legislation that would require schools to take all necessary steps to guarantee quality, inclusive education to all children, including children with disabilities; and
4. explicitly criminalise corporal punishment in all circumstances and prosecute and appropriately discipline school staff responsible for violence against children in the name of discipline (Human Rights Watch 2020).

Social sector² spending in Lebanon is considered high (approximately 21% of the country's GDP) (World Bank 2021). Across all social sectors, there is high involvement and reliance on the private sector, civil society and faith-based organisations, with 70% of social expenditure coming from the private sector (World Bank 2021). Despite the numbers associated with this reality, social spending fails to match its national outcomes. Quite typically, public social services are of poor quality and high spending is related the inefficiency and inadequacy of the public sector (World Bank 2021). Socio-economic disparities are increasingly evident amid the country's ongoing political deadlock, escalating economic crisis and following the impacts of both COVID-19 and the 2020 Beirut blast. The

unemployment rate in Lebanon has reached 6.7% by the end of 2021, and is projected to double according to Trading Economics global macro models and analysts' expectations (Trading Economics 2021). Estimates however largely vary. Lebanon's Central Administration of Statistics, the country's official body under the Presidency of the Council of Ministers, placed the country's unemployment rate at 11.4% (Central Administration of Statistics 2021). The ineffectuality of the country's services increases economic disparities and vulnerability, and also further perpetuates families' needs to resort to sending their children to work. With economic and financial stressors adding up, as well as the drastic devaluation in the Lebanese currency, poverty in Lebanon is likely to continue to worsen in 2021. UNESCWA estimates anticipate that as of 2021, more than 55% of the country's population are trapped in poverty and struggling for bare necessities (ACT Alliance 2021).

Vulnerable groups of concern

Child populations involved in child labour in Lebanon encompass several groups of refugee children that are each subjected to different labour policies under Lebanese law (Human Rights Watch 2020). This renders the development of a comprehensive national policy towards working children a true challenge. As two of the largest refugee populations in Lebanon, Palestinian and Syrian refugee children are particularly vulnerable to child labour – mainly due to the restrictive policies Lebanon exercises towards the two populations' integration into the labour market (Human Rights Watch 2020).

Palestinian refugee children: UN agencies, international NGOs and local human rights NGOs have repeatedly expressed their ongoing

¹ The Rome Statute of the International Criminal Court is the treaty that established the International Criminal Court. It was adopted at a diplomatic conference in Rome, Italy on 17 July 1998 and it entered into force on 1 July 2002. The Rome Statute outlines the ICC's structure and areas of jurisdiction. The ICC can prosecute individuals (but not states or organisations) for four kinds of crimes: genocide, crimes against humanity, war crimes and the crime of aggression. In March 2009, the Lebanese Justice Minister said the government had decided not to join for now. The Coalition for the International Criminal Court claimed this was due in part to 'intense pressure' from the United States of America, who feared it could result in the prosecution of Israelis in a future conflict.

² Social sector refers to several important components such as education, health and medical care, water supply and sanitation, poverty alleviation, housing conditions etc. that play a vital contribution in human development.

disquiet about the situation of Palestinians in Lebanon, the precarious conditions they live under, and particularly their concern about the situation of the Palestinian child. According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), American Near East Refugee Aid (ANERA) and Amnesty International, conditions for Palestinian refugees in the camps have been steadily declining over the last 50 years, more than 65% of Palestinians in Lebanon live under the poverty line, while 90% of Palestinians from Syria live in poverty in the country (Chaban, Salti, Ghattas, Irani, Ismail & Batlouni 2021). UNRWA has highlighted a number of obstacles worsening conditions for Palestinian refugee children such as restrictions on housing, employment rights and access to basic health care, social security and education (American University of Beirut 2019). As non-Lebanese do not have the right to work in more than 50 jobs, trades and independent professions, required work permits restrict the professions they are permitted to work in to predominately unskilled and manual labour – a matter, according to researchers from the Faculty of Health Sciences at the American University of Beirut, that pushes families to require that their children work (American University of Beirut 2019). Palestinians have limited access to work permits and are deeply affected by the restricted job opportunities – ultimately prompting them to make all their family members work, including children (Chaban, Salti, Ghattas, Irani, Ismail & Batlouni 2021).

Syrian refugee children: Child labour has significantly increased, and conditions that affect Lebanese, Palestinian and Syrian refugee children have generally deteriorated since the influx of Syrian refugees into Lebanon at the beginning of the Syrian crisis in 2011 (UNHCR 2020). As of April 2021, more than 865,530 Syrian refugees in Lebanon were registered with UNHCR, half of which were children (Karasapan & Shah 2021). As the economic and financial downfall of the country persists, labour reforms have taken precedence over child labour (Karasapan & Shah 2021). A 2019 US Department of Labor (USDOL) report described a drastic increase in child begging in Lebanon among Syrian refugee children, ultimately rendering them vulnerable to haz-

ards associated with street work (USDOL 2019). The report additionally found that some Syrian refugee boys are subjected to commercial sexual exploitation, and that working on the streets is especially common among refugee children from Syria, as well as the generation of Palestinians arriving in Lebanon from Syria (USDOL 2019). Syrian refugee children are also subjected to forced labour in agriculture according to an International Labour Organization (ILO) report (ILO 2016). Syrian refugees face legal restrictions that allow them to only work in agriculture, construction, and sanitation based on Lebanese law (ILO 2016). These restrictions on Syrian refugee adults make children significantly vulnerable to child labour (ILO 2016).

Determinants of child labour in Lebanon

The underlying causes of child labour are intersectional, complex and specific to the social, cultural, political and economic contexts in which the children in question reside. In order to determine the underlying causes of child labour, as well as grasp the phenomenon comprehensively, it is important to discuss its root causes to inform policies, programmes and legislation adequately. Three main determinants of child labour that are specific to Lebanon's refugees include:

- *Lack of law enforcement:* Across Lebanon, the implementation of legal frameworks and policies pertinent to the rights of the child, and child labour more specifically, is hindered by socio-economic and political factors. Child rights and child labour have also constituted some of the areas where progress was even further hindered due to the Beirut blast (2020) and the COVID-19 pandemic (2020-present). Due to the complexities of the Lebanese legal system, a lack of intersectional approaches to child labour, and a flawed coordination mechanism between stakeholders, implementation of the laws and policies is not always possible due to different priorities in times of conflict, shortage of government personnel and resources, or external political considerations and other sensitivities.
- *Poverty:* One of the most attributed causes

of child labour (in Lebanon, the region and internationally) is poverty (Human Rights Watch 2020). In recent literature, a grasp of this reality has assisted in shifting the focus on the cultural components of child labour and framing it within the economic and financial constructs. Lebanon currently grapples with one of the most severe economic crises the country has faced since its civil war, a major currency liquidation struggle, the impacts of COVID-19 on the country's businesses, as well as the impact of the Beirut blast on the country's economic and social fabrics (Fouad et al. 2021). As early as 1997, UNICEF insisted that 'poverty begets child labor begets lack of education begets poverty' (Baradaran & Barclay 2011). UNICEF has additionally insisted that 'poor children are likely to be engaged in labor, meaning missing out on education, and as a result on the opportunity to generate a decent income that would allow them to escape poverty in the future' (Baradaran & Barclay 2011). Labour and economic research in recent years has also been approaching the study of child labour through seeing poverty as a trend that involves poor children, poor families, poor communities and maybe even poor countries (Haider 2021). Examining child labour through this lens assists in understanding the impact of 'Lebanon's poverty' on child labour and child rights in general.

- *Food insecurity:* Food insecurity across Lebanon has increased significantly in the past two years (2019-present). According to the World Food Programme (WFP), an estimated 97% of the Syrian refugees on Lebanese soil (nine out of ten Syrian families in Lebanon) are either marginally or completely food insecure (WFP 2020). Prices of food have almost tripled in Lebanon since October 2019 increasing by about 174% (WFP 2020). Simultaneously, economic opportunities to secure income have radically decreased due to the sharp economic downfall the country has seen over the past year and a half (WFP 2020). Negative food-based coping mechanisms have also increased among refugee populations, and infant and young child feeding practices have deteriorated amid

nationwide shortages (Ibrahim et al. 2021). The WFP reiterates that food constitutes the chief expenditure for the most vulnerable households (Ibrahim et al. 2021). This confirms recent reports by multiple sources of a sharp increase in resorting to child labour as a negative coping mechanism (Bonet 2021). Reports expectedly further insist that the provision of food is one of the main drivers for parents to send their children to work, and children's income is predominantly used for food (children are reporting becoming the breadwinners of the family) (Bonet 2021).

POLICY CONSIDERATIONS WITHIN THE LEBANESE CLIMATE

The COVID-19 pandemic has exacerbated the intersectional challenges faced by some of the country's most vulnerable children and their families – and this remains increasingly true for Lebanon's refugee children and their families. In Lebanon, the response to COVID-19 has included a nationwide lockdown, complete closure of schools and non-essential businesses, and the implementation of curfews and restrictions on movement and travel (United Nations Office for the Coordination of Humanitarian Affairs 2021). The closures of schools, coupled with restrictions on movement, have only disrupted children's routines and support systems further – and had even more severe impact on the wellbeing of children who live in poor and abusive households (World Vision 2020). Economic stressors, as well as the sharp decline in possibilities for day-to-day work, have also placed caregivers at risk of being further impoverished and not being able to support their families. In such cases, new or increased risks such as gender-based violence, child abuse, neglect, violence and exploitation could arise because of the absence of in person childcare and support, as well as other much needed services (UNFPA 2020).

Despite the fact that the percentages of children engaged in child labour did witness sporadic declines due to general nationwide quarantine/lockdown realities, refugee families living on the outskirts of poverty remain at risk of falling even further below the poverty line in the long-term. Most likely, this reality will lead to

an increase in child labour (including the ‘worst forms’ of child labour), in the medium- to-long term (Artz 2021). Protection concerns for children at risk of, or already engaged in, child labour that can arise due to the direct and indirect impacts of COVID-19 in Lebanon include:

1. *Loss of economic stability and household income:* Due to death or illness of the caregiver, children within the household may ultimately need to work to support their families. In dire situations, this can include engaging in some of the worst forms of child labour;
2. *Loss of household income due to isolation or quarantine restrictions:* This is the case particularly in informal tented settlements among the country’s refugee communities, where these COVID-related prevention measures can increase children’s risk of engagement in hazardous labour and transactional sex, and even fall victim to trafficking;
3. *Loss of formal jobs:* Due to the economic crisis as well as COVID-19 restrictions in Lebanon, several individuals have lost their stable income. For families that fall under poverty lines, this ultimately means moving into informal, potentially more dangerous, income generating activities, and needing children within the household to do the same;
4. *Working riskier jobs:* The pandemic has already, in many instances, pushed children under the age of 14-years-old to work in riskier and harmful jobs; and
5. *Compounding vulnerabilities:* For some of the most vulnerable children in Lebanon, stigma associated with COVID-19 will leave some of them more susceptible to violence and psychosocial distress including in the workplace.

The impact of COVID-19 has made worse an already heightened economic and financial crisis in the country and will leave businesses struggling to grapple with new realities once the pandemic is overcome and the vaccine rollout takes true effect. Refugee families, as well as Lebanese families from the host community across the lower end of the socio-economic spectrum, will be hit especially hard and will bear the effects for the longest time. A recent Household Economy Analysis (HEA) conducted by Save the Children in Greater Beirut, used baseline data to model the effect of COVID-19 on ‘poor’ and ‘very poor’

Lebanese and Palestinian households (Save the Children 2020). The analysis highlighted that unemployment levels among adults and caregivers will continue to worsen with the COVID-19 pandemic, and that poverty among the host and refugee communities will continue to increase swiftly with consistent obstacles being endured on the national scale (Save the Children 2020). The HEA insisted that this will ultimately lead to an increase in the needs, vulnerabilities and tension among some of the country’s poorest communities – ultimately leading to a need to resort to child labour (and its worst forms) (Save the Children 2020).

Moving from this point, initiatives must cross-sectorally address the notions of poverty, inequity and the lack of access to legal residency among refugee groups. Initiatives and policies must additionally aim to advance access to quality education and child protection services, as well as strengthen the law enforcement of regulations in the areas of child rights. Moreover, a comprehensive and effective policy aimed at addressing the educational needs of working children in Lebanon must be rooted in enhancing national standards and developing legal frameworks that comply with international standards, Lebanon’s obligations to international law standards and principles, as well as the CRC most specifically. Educational needs of children (and refugee children more specifically) must be framed within larger political, economic, social and cultural realities. Child labour is only preventable through integrated approaches, addressing the root causes of such labour and building greater support for children’s rights. Cross-sector activities must simultaneously address poverty, inequity and the lack of access to legal residency among Syrian refugees. They also have to aim to improve access to quality education and child protection services, strengthen the enforcement of regulations and mobilise public support for respecting children’s rights.

POLICY RECOMMENDATIONS

In the areas of policy, the Lebanese government must:

- *Immediately implement a comprehensive and equitably distributed social assistance package*

- for the most vulnerable families in Lebanon (refugees and host communities) in order to cover basic needs and assist offset loss of income due to the COVID-19 pandemic ultimately preventing a further increase in child labour among Lebanese and refugee groups.
- *Reintroduce strict efforts to enforce national laws and apply national legal frameworks* (including Decree 8987) to address child labour and protect and support child labourers regardless of their nationality or legal status. The adoption of the revised Labor Code, which ultimately stipulates raising the minimum working age to 15 years old in accordance with Lebanon's commitment under ILO Convention No 138 will not only assist in decreasing numbers of refugee and Lebanese children engaged in child labour but will also diminish exploitation and abuse within working environments where younger children cannot defend themselves, or are unaware of their rights.
 - *Strictly carry out regular checks at farms, shops, food supplies in cities and villages* to ensure children are not being recruited (especially against their own will). The country's Ministry of Labor must ensure that employers' working conditions comply with Operational Safety and Health (OSH) standards, and subsequently provide suitable wages to cover childcare for caregivers while ensuring parental leave in accordance with Lebanese law. These policy efforts may additionally be complimented with public awareness and advocacy campaigns targeting employers, parents and the wider community to promote the understanding of child labour laws and child rights. In the long-term, there is a need to ensure sustained multi-year funding to support such these interventions and reduce the number of street-based children, children engaged in child labour, and children out of school – particularly in the ongoing economic and financial crises the country continues to endure.

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