**REPORTS ON DISCRIMINATION, SEGREGATION AND THE RIGHT TO ADEQUATE HOUSING**

QUESTIONNAIRE

**Background and Objective of the report**

The thematic reports of the Special Rapporteur on the right to adequate housing,
Mr. Balakrishnan Rajagopal, to the General Assembly in 2021 and to the Human Rights Council in 2021 will focus on the issue of discrimination in relation to the right to adequate housing, including the impact of spatial segregation in urban or rural-urban environments on the enjoyment of human rights.

Spatial segregation can be understood as the imposed or preferred separation of groups of people in a particular territory by lines of race, caste, ethnicity, language, religion or income status. Spatial, including residential segregation can have different forms depending on the territorial, cultural or historical context and is often characterized by forms of economic and social exclusion, inequity and spatial disparity in access to infrastructure, services and livelihood opportunities.

Discrimination is understood as any formal or substantive distinction, exclusion, restriction, preference or other differential treatment that is directly or indirectly based on the prohibited grounds of discrimination as to race, colour, sex, language, religion, national or social origin, political or other opinion, property, birth or other status - including disability, age, nationality, marital and family status, sexual orientation and gender identity, health status, place of residence, economic and social status - which has the intention or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights.[[1]](#footnote-1)

The main objectives of the two interrelated reports will be to identify contemporary and historical forms of discrimination and segregation that affect the right to adequate housing, to highlight good practices in the prevention of discrimination and segregation and to provide guidance to States on how they can ensure their human rights obligations in relation to non-discrimination and the right to adequate housing.

To inform his reports Mr. Rajagopal welcomes contributions from States, local and regional governments, national human rights institutions, civil society organizations, academics, UN agencies and other stakeholders.

The questionnaire is detailed to allow for comprehensive collection of information covering all aspects of the right to adequate housing. However, responding to only those questions on which the responding organization, institution or entity has information, or expertise is much appreciated.

**BASIC INFORMATION**

1. Name of Individual, Organization, Institution, Agency or State: UN-Habitat Lebanon

Type of Entity\*

[ ]  National Government or federal governmental ministry/agency

[x]  Inter-governmental organization or UN agency

[ ]  Local or regional government, agency, representative or mayor

[ ]  Association, tenant union or housing cooperative

[ ]  NGO network, umbrella organization

[ ]  Community-based NGO

[ ]  Academia

[ ]  Foundation

[ ]  National human rights organization, ombudsperson

[ ]  Real estate, urban planning or construction

[ ]  Real estate investor or investment fund

[ ]  Trade Union

[ ]  Other:

2. Categorization of your Work

Please select one or more responses, as appropriate.

[ ] Public administration

[x] Advocacy

[ ] Funding

[ ] Legal Assistance

[x] Networking

[x] Policy

[x] Research

[x] Technical Assistance

[x] Training

[ ] N/A

[ ] Other:

3. City/Town: Beirut and across Lebanon

4. State/Province: Click here to enter text.

5. Country (please indicate your region or “international” if focus the work of your organization covers multiple countries): Lebanon

6. Contact e-mail (will remain confidential) in case we have questions:

**HOUSING DISCRIMINATION**

7. What specific forms of de facto or legal discrimination or barriers towards equal enjoyment of the right to adequate housing do the following groups face in your country (please provide evidence with examples, studies, reports and relevant statistical information):

* People of African Descent, or Roma
* Racial, caste, ethnic, religious groups/minorities or other groups
* Migrants, foreigners, refugees, internally displaced persons
* Women, children or older persons
* Indigenous peoples
* Persons with disabilities
* LGBTQ persons
* Low income persons, including people living in poverty
* Residents of informal settlements; persons experiencing homelessness
* Other social groups, please specify

Lebanon is struggling with de facto systemic discrimination against several vulnerable groups; including refugees[[2]](#footnote-2) and migrant workers[[3]](#footnote-3), Palestinian refugees[[4]](#footnote-4), women, children[[5]](#footnote-5) and elderly people[[6]](#footnote-6), persons with disabilities, and LGBTQI individuals.[[7]](#footnote-7) In addition, religious groups are discriminated against.[[8]](#footnote-8) As a special social group in Lebanon is the large stateless population that suffers from discrimination accessing basic services such as housing, education, health care etc.[[9]](#footnote-9)

Several UN-agencies and civil society groups report on increased evictions of Syrian refugees, migrant workers and LGBTQI persons. The lack of any adequate housing policy has resulted in increased vulnerability of those that do not own property as they are excluded from decision making processes and master plans as most municipalities would only prioritize the interest of property owners in. Further, it is extremely difficult to own property for non-Lebanese, which discriminates against a large number of people, including children of Lebanese mothers and foreign fathers. Due to financial and political crisis, Lebanon went from 29 per cent in 2019 of its population living below the poverty to 55 per cent in 2020 of the population living in poverty in one year. In addition, 90 per cent of the Syrian refugees live in extreme poverty.[[10]](#footnote-10) This massive increase in poverty is affecting a majority of the Lebanese population as there is no access to affordable adequate housing.

Lebanon is home to 1.5 million Syrians since the outbreak of the Syria conflict. In addition, Lebanon hosts 16,000 refugees from Iraq, Sudan, Ethiopia, and other countries and over 200,000 Palestinian refugees.[[11]](#footnote-11)

**Syrian refugees** in Lebanon struggle to find adequate housing and shelter. As Lebanon has not signed the 1951 Refugee Convention, the country is not acknowledging the large number of Syrians as refugees, and UNHCR has not been allowed to register refugees since 2015. The Lebanese government has not established refugee camps, which has resulted in most Syrians residing in poor urban pockets, informal tented settlements or renting plots in garages, sheds and other places unfit for housing. In addition, refugee informal tented settlements are regularly demolished and refugees evicted from their shelters, either ordered by the High Defence Council, the Lebanese Armed Forces, municipalities or by private landlords.[[12]](#footnote-12) For the vast majority Syrians in Lebanon who do not have legal residency (only 20% in 2020) accessing adequate housing is even harder, and they are more often at risk of eviction as they do not dare seek justice against such violations in fear of being detained and/or deported if caught by Lebanese authorities.[[13]](#footnote-13) Further, according to the VASyR 2020, 29% of Syrian households live in overcrowded shelters (less than 4.5 m2 per person). 20% of households shar latrines with other families.[[14]](#footnote-14) According to the same assessment, 19% of households had moved in the past 12 months due to eviction.

**Palestinian refugees** are denied access to basic rights and minimum standards. According to UNRWA, all official Palestinian camps in Lebanon suffer from lack of infrastructure and overcrowding. Lebanon also has the highest number of Palestinian refugees living in poverty. Most Palestinians in Lebanon live in overcrowded and deteriorating camps and informal gatherings that lack basic infrastructure. The amount of land allocated to official refugee camps has barely changed since 1948, despite a fourfold increase in the registered refugee population. The residents have been forbidden by law from bringing building materials into some camps, preventing the repair, expansion or improvement of homes.[[15]](#footnote-15) Palestinians in Lebanon are not allowed to acquire or transfer property, including those that have Lebanese mothers and Palestinian fathers.[[16]](#footnote-16) According [[17]](#footnote-17)to a Presidential decree, there is a ban on Palestinians registering legal title to housing and land greatly diminishes their chance of enjoying security of tenure outside the camps, leaving most of them with little choice but to remain in the camps and gatherings. The Decree also prevents Palestinian refugees from inheriting housing or land, and from registering real estate, even if they have been paying for it in instalments for years.[[18]](#footnote-18) Limited livelihood opportunities are allowed to Palestinian refugees, which significantly inhibits their ability to provide for themselves better housing and living conditions.

While the exact number of Lebanon’s **stateless population** is not known, it is estimated to be tens of thousands. Affected populations face significant problems in accessing their basic rights and services such as education, health care, housing and employment rights.[[19]](#footnote-19)

As a consequence, stateless persons do not have access to formal identity documents, residency rights, formal employment, public health services, inheritance, property rights and civil registration, including birth and marriage registration. Consequently, they are not able to move freely without risk of arrest and detention due to their lack of documentation and legal status.

Statelessness in Lebanon has different reasons: one of the main being persons born by a Lebanese mother and father of foreign nationality. As Lebanese mothers cannot pass on nationality to their children, they end up being discriminated against directly or indirectly. The Lebanese nationality law is directly discriminating against **Lebanese women and children** born by Lebanese women and non-Lebanese fathers, as without nationality, the process of inheritance becomes complex. According to Frontiers Ruwad, 73% of all stateless people in Lebanon (not including Palestinian refugees) were born to a Lebanese mother.[[20]](#footnote-20) Lebanese women and their noncitizen children have difficulties in obtaining housing loans from banks.[[21]](#footnote-21)

**Women** generallyhave fewer rights than men, have less shares in property and are more vulnerable in many ways. Differences exist between women of different religious groups, due to the fact that there is no unified civil status law that ensures equality between all religious groups (particularly women and children belonging to these groups) in terms of land and housing rights, especially in cases of divorce and inheritance. Lebanon’s laws are multifaceted and tend to discriminate against women in practice. General patriarchal attitudes in the Lebanese society also makes it difficult for women to access inheritance in terms of land and housing. Women get evicted or pressured to sell property they own, and are highly dependent on men in securing tenure. Married women with abusive husbands, or unmarried women with abusive family members tend to stay in hostile environment because they have nowhere to go unless they have well paid jobs as there is no social or public housing.[[22]](#footnote-22)

As homosexuality is widely considered an “unnatural” act and thereby a crime according to the Lebanese penal code, **LGBTQI persons** face discrimination in day-to-day living. Due to discrimination and prejudice, many LGBTQI persons prefer not to live with their families, or have been thrown out of their homes and are more at risk of homelessness and sexual abuse and exploitation. LGBTQI persons face similar problems to women suffering abuse that cannot afford to leave to live on their own. LGBTQI persons that are unable to express their sexual orientation and identities in their homes, often stay in very hostile environments, or become homeless or live in informal housing without security of tenure, which makes them even more vulnerable to abuse.

**According to Helem[[23]](#footnote-23),** the need for housing and shelter for LGBTQ persons, is ranked first by the community in 2020 (329 urgent cases) and mental health as second (159 cases). Numbers rose from 5 cases in 2019, which constituted less than 1% of the total. Since January 2020, calls to Helem’s emergency hotline indicating need for shelter rose to 65% of urgent calls and the number of cases processed by Helem’s Protection Team averaged at 75% including non-emergency cases. In 2020, around 15% of Helem’s homelessness cases involved youth (<25) escaping family homes after being outed or after a confrontation with their parents which led to their eviction or escape. These included cases of forced marriage, domestic abuse, home imprisonment, conversion therapy, and psychological torture.

Another vulnerable group is the **elderly, especially older tenants** that have been renting their domicile since before 1992 (year when the rent control law was amended). Elderly persons were over-represented in the blast area, and many of them are now homeless or live in apartments that are not adequately repaired.

The lack of public housing contributes to the increased discrimination against women and LGBTQI individuals.

Lebanon also hosts 400,000 **migrant workers**. The majority of them from Ethiopia, but also Philippines, Bangladesh and Sri Lanka.[[24]](#footnote-24) Migrant workers in Lebanon are linked to a sponsorship, or Kafala system. The system in itself he *Kafala System* governs migrant domestic workers’ right and legal status. While most of the migrant workers stay with their sponsors due to the nature of the system, many migrant domestic workers have left their sponsors and do “freelance’ domestic work and live by themselves. They are illegal in Lebanon and risk detention and deportation. Due to their illegal status, migrant workers find it challenging to find accommodation, and do not easily have access to adequate housing. Many of them live in overcrowded apartments in bad conditions. They do not have security of tenure, and many of them have been literally deposited on the streets by their sponsors since the economic crisis in Lebanon, without money or personal belongings. In addition, the area most affected by the Beirut Port explosion 4 August 2020, was home to many **migrant workers, refugees, elderly people and female headed households.[[25]](#footnote-25)**

Some regions in Lebanon practice discrimination against people of **different religions from the prominent religion in those regions**. Although there exists little evidence (in English), the lack of an adequate housing policy has led to practices, sometimes led by both state actors (such as municipalities) or individual landlords, that fuel sectarian and discriminatory sentiments, often targeting groups of citizens on sectarian grounds.[[26]](#footnote-26)

In addition to these vulnerable groups, Lebanon’s inadequate housing management and administration has led to the proliferation of an informal housing market where disadvantaged groups live in substandard conditions with weak tenure security and no recourse to the justice system. Informal areas have accommodated mainly low-income populations of various nationalities, religions and ethnicities, including Palestinian refugees, workers and migrants from Egypt, Syria, Sri Lanka, Iraq, Sudan, and other countries. These informal areas suffer from poor quality and deteriorating infrastructure, and the population is extremely vulnerable to discrimination and exploitation.[[27]](#footnote-27)

Lastly, the ongoing socio-economic collapse in Lebanon has resulted in large population groups losing their purchasing power and their employment, which is increasing the risk of eviction due to the inability to pay rent in the case of tenants, or of default on non-performing loans for owners.

8. Discrimination in housing can affect various dimensions of the right to adequate housing and other human rights. Could you provide more details regarding the specific areas in which housing discrimination is experienced? Below are examples of various forms of discrimination that can be experienced in relation to different dimensions of the right to adequate housing:

*Accessibility*

* Discrimination in relation to access to land, including water and natural resources essential for habitation;
* Discrimination in relation to housing for rental or for acquisition or in accessing public or social housing;
* Access to emergency and/or transitional housing after disaster, conflict related displacement or in case of homelessness, family or domestic violence;
* Accessibility of housing for persons with disabilities or older persons, including access to housing for independent living or to care homes;
* data collection or requirements to furnish certain certifications resulting in the exclusion of particular persons from accessing housing;

*Habitability*

* discrimination in relation to housing conditions, overcrowding or housing maintenance;
* Exposure to health risks within the home, including lack of ventilation, heating or insulation, exposure to fire or housing collapse risk, unhealthy building materials, or other unhealthy housing covered by the WHO Guidelines on housing and health;
* Exposure to other risks which render housing uninhabitable, including sexual or gender-based violence, interference with privacy and physical security in the home and neighbourhood;
* Discrimination in relation to housing renovation or permission of housing extension;

*Affordability*

* Discrimination in relation to access to public benefits related to housing;
* Lack of equal access to affordable housing;
* Discrimination in public and private housing financing;
* Discrimination related to housing and service costs, housing related fees, litigation or taxation;

*Security of tenure*

* Discrimination in relation to ownership or inheritance of housing and land and related natural resources including water including on the basis of a distinction between formal and informal tenure arrangements;
* Discrimination in relation to evictions, resettlement and compensation for loss or damage of housing, land or livelihoods;
* Differential treatment in land or title registration, permission of housing construction;

*Availability of services, materials, facilities and infrastructure*

* Discrimination in relation to access to work, schooling, health care or public benefits based on the residential address or related to a lack of an official address;
* Public transportation services and transportation costs;
* Provision of water, sanitation, energy, waste collection and other utility services; their quality or cost, including interruptions/blackouts including policies relating to disconnection from utility services;
* spatial disparities in access to health care, education, child care, cultural and recreational facilities;

*Location*

* Discrimination in relation to freedom of choice of the place of residency within the country, within a particular region or location;
* Discrimination based on place of residence or address, such as exclusion from invitation to job interviews or access to credit;
* Exposure to environmental health risks, such as external air quality, flooding, toxic ground exposure; noise; risk of landslides etc.;
* Living quality and physical security in the neighbourhood, including geographical disparities in policing and law enforcement;

*Cultural adequacy*

* Discrimination in relation to the recognition of culturally adequate dwellings as housing as well as equal access to public space;
* Prohibition of accessing, maintaining or constructing culturally adequate housing;
* Lack of recognition of mobile forms of residency.

**Affordability:** Lebanon has no public policy related to affordable housing, and all rental property is based on market value with no national-level or regional-level rent price index or data to compute such indices. Financing of housing is often discriminatory against those lacking Lebanese nationality. As Lebanon is in an economic crisis where more than 55% of the population is below the poverty line, many Lebanese and foreign tenants are at risk of eviction as they cannot afford to pay rent and are at risk of eviction and eventually homelessness.

**Security of tenure** is in particular a problem for old tenants, refugees, migrant workers, but also for LGBTQI persons that have been illegally evicted and continue to be so on a regular basis.

The influx of Syrian refugees to Lebanon had implications on the housing tenure situation in Lebanon. Syrian refugees struggled to find affordable housing in Lebanon which had a limited stock of affordable rental housing; the increased demand for affordable rental housing, in addition to the rent support provided by INGOs, resulted in an increase of the rent in the most vulnerable neighbourhoods where refugees have settled which affected **vulnerable Lebanese families’ access to adequate housing**. A study carried out by UN-Habitat and UNHCR in 2014 reported that the vast majority of vulnerable Syrian refugees were securing shelter through informal markets. The study pointed out also that housing, land and property (HLP) rights of Syrian refugees have not been protected. For example, evictions were carried out by force without observing due process provided in the national Lebanese law and international standards. Moreover, the UN-Habitat/UNHCR study observed that the Central State has not taken a strong leadership role on shelter and housing issues.[[28]](#footnote-28)

**Availability of services, materials, facilities and infrastructure**

Lack of access to service are prevalent in the Palestinian camps, but also in areas with high density of poor Lebanese and refugee households. The economic crisis has also limited the availability of services. Due to COVID-19, many schools have been closed, hospitals overcrowded (in particular since the Beirut Port explosion, as many hospitals were severely damaged by the blast). All this is hitting the most vulnerable population the hardest, as they do not have means to seek private or external support.

Among the Syrian refugee population, only 67% of children of primary school age (6 to 14 years old) were enrolled in the scholastic year 2019-2020 which indicates limited access to basic services by Syrian refugees.[[29]](#footnote-29)

9. Are there any particular current laws, policies or practices in your country, region or town/community that contribute to or exacerbate discrimination in relation to the right to adequate housing?

The land tenure system in Lebanon is pluralistic and includes statutory, customary, religious land tenure systems in addition to informal land rights, each of these systems is governed by special legislation or by unwritten practice rather than through written codified law as it is the case with customary land rights Like the mussha’a land (communal or collective) which is commonly used in Lebanon to refer to a special type of land tenure whereby a more or less large area of land is held, as a unit, by a corporate body such as a village. Customary tenure rights and informal settlements are not registered in the land registry in Lebanon which means many land and property rights owners do not have access to formal security of tenure.[[30]](#footnote-30)

The land tenure in Lebanon is based on the French Protectorate era Civil Law and the private ownership. The Land Property Code enacted by the Decree 3339 of 12 November 1930 as amended, identifies five different types of real estates: Mulk (private property); Amiri (State owned land) with disposition rights for individuals; Metrouke murfaka (Land owned by the State but subjected to a right of collective use); Metroke Mehmi (Land that belongs to the State at the governorate or municipality level, and which is part of the public domain); Khalie Mubah (Amiri land that has not been inventoried and delimited) and is considered to be state private property. Additionally, there is Awkaf (plural of wakf), also known as religious endowment land. It is a land that has been entrusted to a religious organization, often for a specific purpose.[[31]](#footnote-31)

In addition, Lebanon has legislations that might directly discriminate against certain groups in relation to the right to adequate housing. Most importantly, Lebanon does not have a national housing policy and any public or social housing programmes. The State’s policy over the past three decades has been largely geared towards supporting and facilitating homeownership, which indirectly excludes groups who cannot afford homeownership and have different housing needs.

The deregulation of rent control, due to the law passed in 2014 and amended in 2017, has resulted in hundreds of thousands of households at risk of eviction from their lifelong residences. The rent control law has historically allowed to maintain a limited stock of affordable housing in Lebanese cities that have been subjected to speculative practices and where the prices of land and housing have increased multiple folds in the past 15 years, namely in the capital city of Beirut. The new law was voted with no social safety plan (a rental assistance fund was meant to be established as part of the law proceedings, however it never materialized due to the scarcity of funds, leaving beneficiaries with no housing support in their new housing situation) for the households on rent-controlled contracts, and is meant to gradually increase the rent amount paid in these units by more than 10 folds within a 9-year time to match the market prices. This has led to many households’ gradual expulsion from their lifetime neighbourhoods and destabilized a significant population group. Additionally, the 2017 amendment to the law prohibits rental assistance to non-Lebanese tenants, which further exacerbates the risk of eviction to non-Lebanese tenants on rent-controlled contracts (namely Palestinians).

Decree No. 15 on Lebanese Nationality 19 January 1925, as mentioned prevents Lebanese women from passing on Nationality to their children unless the father is of Lebanese nationality.[[32]](#footnote-32) This affect these persons access to inheritance and it makes it more difficult to register title to housing.

The personal status laws, which vary between the different religious and sectarian groups, discriminate against women and children in their land and housing rights, particularly in situations of marriage, divorce and inheritance. Multiple attempts by civil society groups have failed to materialize a unified personal status law that equates between men and women in all the different religious groups.

Lebanon’s legislation related to refugees is mainly regulated in laws on legal residency and Law on Foreign Workers. Migrant workers are directly dependent on their sponsor. If they leave their sponsor, they are illegal and as such struggle to find adequate housing. Palestinian refugees in camps been forbidden by law from bringing building materials into some camps, preventing the repair, expansion or improvement of homes.[[33]](#footnote-33)

Palestinians in Lebanon are not allowed to acquire or transfer property, including those that have Lebanese mothers and Palestinian fathers.[[34]](#footnote-34) The ban on Palestinians registering legal title to housing and land greatly diminishes their chance of enjoying security of tenure outside the camps.

The policy oversight and governance vacuum/inaction in informal areas and towards informal housing markets has led to widespread discriminatory and exploitative practices that vulnerable groups are subjected to, with no recourse to justice.

10. Can you explain exemptions in national law that allow (certain) public, private or religious housing providers to give preferential or exclusive access to housing to members of a particular group, for example based on membership, employment contract, public service, age, disability, civil status, sex, gender, religion, income or other criteria?

Religious institutions in Lebanon own numerous properties and are engaged in housing provision for members of their own constituents, exclusively. These properties are built on religious endowment land (wakf) and are usually leased to households in need who belong to each religion. These properties are considered outside the market (not tradable) and provide a limited stock of affordable housing for each religious group. In addition to that, members of the armed and security forces and the judiciary receive housing loans at preferential rates.

11. In case there may be differential treatment of particular groups in relation to housing, please explain why such treatment could be justifiable according to international human rights standards - for example positive measures benefiting a particular group to overcome systematic discrimination or disadvantage-or if it would amount to discrimination?

N/A

**SPATIAL AND RESIDENTIAL SEGREGATION**

12. What forms of spatial segregation along racial, caste, ethnicity, religion, nationality, migration status, heritage, economic status/income or other social grounds can be observed in urban and urban-rural contexts in your country?

Lebanon is a highly urbanized country with 78.4 per cent of the population living in urban areas. The urbanization has not been accompanied by any state policies or plans, which has caused challenges in offering basic services. The Lebanese society is religiously and politically diverse. A parliamentary democratic system set in place following independence from France in 1943 ensures that government offices are distributed proportionately to represent religious diversity. The civil war between 1975 and 1990 has lead to a spatial segregation of the different religious and political groups.

Rural-urban migration, in addition to massive influx of refugees and migrant workers have also affected the spatial polarization and increased spatial disparities. In particular, urban areas visibly show patterns of economic/social spatial segregation. Lebanon’s inadequate housing provision, management and administration has led to increased inequalities and large portions of informal housing where people left out of the formal market have settled without the permission of authorities or local government. Informal areas have accommodated mainly low-income populations of various nationalities, religions and ethnicities, including Palestinian refugees, workers and migrants from Egypt, Syria, Sri Lanka, Iraq, Sudan, and other countries. These informal areas suffer from precarious living conditions and deteriorating infrastructure, lack of access to basic services, and the population is extremely vulnerable to discrimination and exploitation.

13. What impacts do these forms of spatial and residential segregation have on affected communities? Please point to indicators such as rates of poverty, un-employment and under-employment; prevalence rates of malnutrition; disparities in access to services and facilities (such as access to schooling, health care or other public benefits); disparities in access to infrastructure (lack of and/or poor quality provision of water, sanitation, transportation, energy, waste collection and other utility services); rates of exposure to environmental health risks (poor air quality, flooding, toxic ground exposure, etc).

Since the outbreak of the protests in October 2019, Lebanon has gone from having an overall 23 percent of its population living below poverty to over 50 per cent living below the poverty limit in 2021. Estimating the exact number of households living in precarious conditions with measurable indicators is a serious challenge due to the fact that no national census has been conducted in Lebanon since 1932. Of all the different population groups living in Lebanon, the Lebanese population remains the most understudied group whereby local and international agencies have done some studies to bridge this gap but that does not provide a comprehensive and baseline overview of the situation nationally across all sectors. The opposite is true for Syrian refugees whereby INGOs have diligently surveyed and monitored their living conditions since their displacement to Lebanon after 2011, which has greatly supported humanitarian aid and targeted relief efforts. Of the almost 1.5 million Syrian refugees in Lebanon, 90 per cent live in extreme poverty, meaning they do not have access to basic services, including adequate housing. Syrian refugees live in crowded spaces, in urban areas and in informal tented settlements with inadequate water supply and sanitation, inadequate access to health care, and waste collection. Along the heavily polluted Litani river, hundreds of refugees have been evicted, also being blamed for the pollution despite the contributors of the pollution mainly from industrial plants, factories and slaughterhouse, untreated sewage, chemicals from agriculture runoffs and disposal of municipal waste. This treatment was considered discriminatory.[[35]](#footnote-35)

The population in the blast affected area from the Beirut Port explosion in August 2020 are in many of the operational zones considered low-income or majority low-income, in particular in the areas closest to the blast. The population there is still exposed to staying in buildings with structural damage, and is subjected to sale under duress, or is under threats of eviction as some households are not able to pay rent, or because landlords are threatening to increase the rent despite a law prohibiting rent increase at least a year after the explosion. In addition, several hospitals were destroyed and the others were flooded with the injured, overstretching health care infrastructure and capacity which has been already burdened by both the COVID-19 pandemic and the currency crisis.

14. Have any particular historical or current laws, policies or practices in your country, region or town/community caused or exacerbated segregation?

Historically, central government policies played a limited role in providing affordable land and housing options, and in regulating the housing market in Lebanon, leaving market forces to determine the fate of many neighbourhoods and their residents. These market forces are not free, but oftentimes strongly linked to powerful interest groups represented in the public and private sectors. The disconnect between housing and transport policies has also increased spatial segregation, whereby residents who are unable to afford living near employment opportunities are forced to live in the suburbs of Beirut and travel in their private cars on daily basis to their jobs, with no public transport options available. Lebanon lacks a national framework that guides the urban planning processes and public policies. The civil war exacerbated the overall situation, as institutions were limited in providing basic services. The Lebanese Constitution is protective of land rights, but does not include the right to adequate housing, and does not explicitly prohibit discrimination based on sex.[[36]](#footnote-36)

In addition, the influx of Palestinian refugees that are given limited rights including the right to adequate housing as well as the high influx of Syrian refugees since 2011 are factors that exacerbate segregation.

15. In your view, what factors (current or historical) are the principal *drivers* of spatial and residential segregation in urban and urban-rural contexts in your country?

Historically and currently, the weak governance structures and the laissez-faire approach to urban development has been the main driver of spatial and residential segregation in urban and rural Lebanon, leaving politically-backed interest groups able to “govern” from a narrow interest perspective, not serving the public good. More specifically, the main policy and focus post-civil war has been targeted towards buying property through financing from the banking sector, rather than on rental housing or other diversification of housing options. The State has subsidized mortgage interests to buy property without establishing any measures on how to limit land speculations or preserve the social value of land. Lebanon has no national policy on affordable housing. Cities are characterized by exorbitant housing prices and high vacancy rates. Additionally, the legal status of a significant proportion of the population – refugees and migrant workers – has increased spatial segregation whereby holders of an illegal status tend to have limited housing options and are more prone to discrimination and exploitation. The conditions made to ensure legal status have been made cumbersome and costly, making it a challenge for refugees and migrant workers to maintain a legal residency in Lebanon. The divide between the extremely wealthy and low-income groups is thus becoming more polarized with the ongoing economic collapse and currency devaluation.

16. Are there examples in your country of where spatial and residential clustering has been a result of voluntary choices of residence by members of particular groups?

The assumption is that most spatial and residential/clustering is a result of people wanting to stay close to members of their own religion/confession and political group; this clustering is the direct result of the armed conflict witnessed during the civil war years, and afterwards, albeit more sporadically.

17. The preservation of cultural identity, the right to self-determination of indigenous peoples and the protection of minority rights are examples of grounds for which groups may choose to live separately. Can you comment on how these forms spatial/territorial separation are evidenced in your country, if these communities they are subject to discrimination and suffer adverse consequences from spatial segregation such as through disparities in access to services, infrastructure, living conditions, etc.?

The case of Armenian refugees in Lebanon is a case of preservation of cultural identity through the choice of living in clustered spaces. Armenia refugees, subjected to discrimination in their homeland in early 20th century, immigrated and settled in Lebanon before becoming an integral component of the Lebanese society. Zones where housing projects have been established to house Armenian refugees have grown to become fully urbanized neighbourhoods and an extension of Beirut’s built-up area, where the Armenian cultural identity has been preserved and carried down for generations to come. The neighbourhood of Bourj Hammoud is one example of this form. Another example would be the case of Palestinian refugees in Lebanon who had to reside in UNRWA camps upon arrival to Lebanon after 1948. These camps have grown into the adjacent areas and suffer from extreme disparities in access to services, infrastructure and living conditions.

18. In your view, are certain forms of observed residential separation/voluntary clustering compatible with human rights law and if so why? (for example to protect rights of minorities or to respect the freedom of choice of individuals to decide with whom to live together).

The observed residential separation, whether voluntary or forced, and regardless of its original reason for being, has grown to become a striking case of human rights law breach, due to the precarious living conditions observed in these areas and their overwhelming characteristics of inability to access decent living standards, safety, adequate housing and livelihood opportunities.

19. Are there any laws or policies requiring certain individuals (and their families) to live in particular housing provided to them or in a particular geographical area (e.g. asylum seekers, migrants, IDPs, refugees, ethnic, religious, linguistic or other minorities, indigenous peoples, persons with disabilities, public service and military personnel)?

The majority of the Palestinian refugees are required to stay in the 12 camps inside Lebanon, with limited access to land and housing in the country. Many of these Palestinians have lived in Lebanon for generations, and never left the camp.

Syrian refugees’ mobility is sometimes prohibited due to imposed curfews in some municipalities. Due to the overwhelming illegal status of Syrian refugees in Lebanon, they are often faced with hurdles on their movement, from curfews to checkpoints, forcing them to stay in a particular geographical area to avoid detainment from security forces. This has been studied in a report published by UN-Habitat and UNHCR in 2018.

Migrant workers are due to the Kafala system forced to stay with their sponsors. If they do not, they are considered illegal in the country and risk detention and deportation.

20. In your view, what are the principal *barriers* to diminishing spatial, including residential segregation?

The barriers are firstly the weak governance and the voided role of government institutions for the benefit of narrow interest groups monopolizing the sectors engaged in urban development, including housing finance and production. Secondly, the absent practice of public policy-making and long-term strategic planning is an inhibitor of diminishing spatial and residential segregation. Thirdly, the spatial segregation is sometimes a reflection of the social fragmentation of the Lebanese society due to the sectarian polarization at play. Segregation is not only socio-economic but also sectarian and political.

**MEASURES AND GOOD PRACTICES TO CURB DISCRIMINATION AND REDUCE SEGREGATION**

21. What laws, policies or measures exist at national or local level to prevent or prohibit discrimination in relation to the right to adequate housing?

Lebanon has in its Constitution an article of non-discrimination. In addition, Lebanon has ratified a number of international conventions and protocols related to international human rights including the International Covenant on Economic, Social and Cultural Rights, the Law on the Rights of Persons with Disabilities issued on 29/5/2000. Lebanon has also ratified the convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the convention on the Rights of the Child (CRC). According to the Constitution, international conventions are to be implemented as national legislation in Lebanon. However, this has not been adequately tested before the courts. Some undertake strategic litigation, and the right to adequate housing should be tried.

22. Have your State, regional or local Government adopted any positive measures, such as measures of affirmative action, to reduce discrimination, segregation or structural inequality in relation to housing? To what extent have such initiatives been successful to address housing discrimination and segregation?

Following the Beirut Port explosion 4 August 2020, the Lebanese government introduced new, temporary legislation in order to protect residents in the blast affected areas, and protecting the area against gentrification.

According to the Law 194/2020, landlords must offer to extend all contracts for a period of one year from the effective date of the law (22 October 2020). This law applies to all buildings (damaged or not damaged) in the geographical areas: The Port, Saifi, Medwar, and Rmeil. This law also applies to “damaged buildings” in any location in addition to areas listed above. “Damaged buildings” are defined as every building that was surveyed according to the mechanisms and criteria adopted by the Lebanese Army.

For the period 22 October 2020 to 21 October 2021, landlords are not allowed to increase rent by arguing that repairs have improved the building.

In addition, a law was introduced (185/2020) relating to the prorogation of the suspension of legal, judicial and contractual deadlines, extending the implementation on suspension of legal, administrative and judicial deadlines until 31/12/2020, and granting the heirs of those who passed away in the blast a waiver from inheritance fees, provided that they submit to the Ministry of Finance the required declarations and documents with proofs within one year from the entry into force of the law.

At this time, it is not clear whether this legislation will be extended.

23. Have any particular laws, policies or measures been implemented to limit or reduce residential segregation? To what extent have such policies raised human rights concerns?

None that we are aware of.

24. What is the role of the media, as well as other non- governmental organizations, of religious and governmental institutions, in fostering a climate that reduces or exacerbates discrimination in relation to housing and segregation?

In Lebanon, the religious institutions and political parties can play an incredibly important role in fostering a climate of non-discrimination. Unfortunately, they are contributing to segregation and discrimination rather than fighting it. Mainstream media channels are mostly owned by the political parties, which eliminates the possibility for an unbiased objective communication of information and rather supports a polarized agenda of narrow interest groups that are supported by the ruling elite.

25. Which institutional mechanisms exist to report, redress and monitor cases of discrimination or segregation in relation to the right to adequate housing and how effective have they been to address discrimination?

National courts and courts for urgent matters should be in the frontline for redressing and monitoring cases of human rights violation in general and housing rights breaches in specific. It is not clear how effective these have been in this regard, or how capable they are to advance their role in the future.

26. In your view, what are the principal barriers to seek justice for discrimination/segregation in relation to the right to adequate housing?

The main barriers to seek justice are the wide-spread corruption in the country in combination and the backlog of cases and inefficiency of the Lebanese justice system which in itself has led to lack of trust in the justice system. In addition, the majority of those belonging to vulnerable or marginalised groups are afraid to seek justice due to their own lack of legal status; refugees, migrant workers, stateless persons all risk detention if they approach law enforcement or justice institutions. Women often do not approach police or justice because they are afraid that they might not be taken seriously, or their case will be dismissed if their male counterpart intervenes against her/them, or due to limited support from their families or community, or because they are afraid of being sexually harassed. According to data, 5% of all reported cases of sexual harassment were conducted by law enforcement personnel and security forces.[[37]](#footnote-37) LGBTQI persons are afraid to approach police and justice institutions as homosexual relations are still widely considered “unnatural” and the stigma against LGBTQI persons is yet to be reduced and eliminated in law and in practice. LGBTQI persons are constantly harassed by police and security personnel, and have faced extreme violations in prison and detention centers.

27. Can you specify how individuals and groups subject to structural discrimination or experiencing segregation can submit complaints to administrative, non-judicial or judicial bodies to seek relief? Please share any leading cases that have been decided by your courts or other agencies in this respect.

In Lebanon, the opportunities for complaints are very limited. The national human rights commission is on its way to be established. A few law firms/NGOs take on cases for strategic litigation in order to change law and policy, such as Legal Agenda, Legal Action Worldwide, but the impact is so far limited.

**DATA ON DISCRIMINATION IN HOUSING AND SPATIAL/RESIDENTIAL SEGREGATION**

28. Is any data on housing disparities, housing discrimination and spatial segregation collected and publicly available? If so where can it be accessed? Are there any practical or legal barriers to collect and share such information in your country?

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29. Can you kindly share any studies or surveys by local, regional or national Governments or by other institutions to understand better housing disparities, housing discrimination and spatial segregation and how it can be addressed (e.g. title and link, or kindly submit document).

UN Habitat has undertaken neighborhouud profiling of 27 vulnerable areas in Lebanon. The results can be accessed here:

<https://lebanonportal.unhabitat.org/>

In addition:

<http://www.hlrn.org/img/documents/UPR_HR2AH_final.pdf>

<https://www.lcps-lebanon.org/featuredArticle.php?id=225>

<https://www.refworld.org/pdfid/4715bc6f826b.pdf>

<https://reliefweb.int/sites/reliefweb.int/files/resources/VASyR%202020.pdf> <https://reliefweb.int/report/lebanon/housing-land-and-property-issues-syrian-refugees-lebanon-homs-city-implications>

<https://www.refworld.org/pdfid/44c616c44.pdf>

<https://www.hrw.org/sites/default/files/report_pdf/lebanon0418_web.pdf>

30. Can you provide information and statistics related to complaints related to housing discrimination, how they have been investigated and settled, and information on cases in which private or public actors have been compelled successfully to end such discrimination or been fined or sanctioned for non-compliance?

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1. See article 2.1 of International Covenant on Economic, Social and Cultural Rights and the related General Comment No. 20 of the Committee on Economic, Social and Cultural Rights. [↑](#footnote-ref-1)
2. <https://www.hrw.org/sites/default/files/report_pdf/lebanon0418_web.pdf> [↑](#footnote-ref-2)
3. <https://www.iom.int/news/well-being-and-security-migrant-workers-lebanon-deteriorate-beirut-blast> [↑](#footnote-ref-3)
4. <https://www.refworld.org/pdfid/44c616c44.pdf> [↑](#footnote-ref-4)
5. <https://www.hrw.org/news/2018/10/03/lebanon-discriminatory-nationality-law> [↑](#footnote-ref-5)
6. <https://www.helpage.org/newsroom/latest-news/beirut-blast-rapid-needs-assessment-highlights-long-term-healthcare-amongst-priorities-for-recovery/> [↑](#footnote-ref-6)
7. Consultation with Helem Executive Director 13 April 2021 [↑](#footnote-ref-7)
8. <https://english.alarabiya.net/views/news/middle-east/2019/07/04/Controversy-over-Lebanese-town-s-non-Christian-ban-highlights-rise-in-segregation> [↑](#footnote-ref-8)
9. [https://medium.com/@BUSLAHR/the-campaign-to-end-statelessness-in-lebanon-828cd7517f86](https://medium.com/%40BUSLAHR/the-campaign-to-end-statelessness-in-lebanon-828cd7517f86) [↑](#footnote-ref-9)
10. <https://www.unescwa.org/sites/www.unescwa.org/files/20-00268_pb15_beirut-explosion-rising-poverty-en.pdf> [↑](#footnote-ref-10)
11. <https://reporting.unhcr.org/lebanon> [↑](#footnote-ref-11)
12. <https://www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished> [↑](#footnote-ref-12)
13. Vulnerability Assessment of Syrian Refugees (VASyR 2020) [↑](#footnote-ref-13)
14. Ibid [↑](#footnote-ref-14)
15. <https://www.refworld.org/pdfid/4715bc6f826b.pdf> [↑](#footnote-ref-15)
16. Law 2001 296 [↑](#footnote-ref-16)
17. Presidential Decree 11614 of 4 January 1969, as modified by law 296 of 3 April 2001 [↑](#footnote-ref-17)
18. <https://www.refworld.org/pdfid/4715bc6f826b.pdf> [↑](#footnote-ref-18)
19. <https://reliefweb.int/sites/reliefweb.int/files/resources/4.StatelessnessUNHCRMonthlyUpdate-August2014.pdf> [↑](#footnote-ref-19)
20. <https://www.hrw.org/news/2018/10/03/lebanon-discriminatory-nationality-law> [↑](#footnote-ref-20)
21. <https://www.hrw.org/news/2018/10/03/lebanon-discriminatory-nationality-law> [↑](#footnote-ref-21)
22. Consultation with Arab Foundation for Equality 26 March 2020 [↑](#footnote-ref-22)
23. <https://daleel-madani.org/civil-society-directory/helem> [↑](#footnote-ref-23)
24. <https://www.iom.int/news/well-being-and-security-migrant-workers-lebanon-deteriorate-beirut-blast> [↑](#footnote-ref-24)
25. <https://www.iom.int/news/well-being-and-security-migrant-workers-lebanon-deteriorate-beirut-blast> [↑](#footnote-ref-25)
26. <http://www.hlrn.org/img/documents/UPR_HR2AH_final.pdf> [↑](#footnote-ref-26)
27. <http://www.hlrn.org/img/documents/UPR_HR2AH_final.pdf> [↑](#footnote-ref-27)
28. Legislative and Administrative Land and Property Rights Framework in Lebanon, UN-Habitat 2020 [↑](#footnote-ref-28)
29. 2020 VASyR [↑](#footnote-ref-29)
30. Legislative and Administrative Land and Property Rights Framework in Lebanon, UN-Habitat 2020 [↑](#footnote-ref-30)
31. Ibid [↑](#footnote-ref-31)
32. <https://www.refworld.org/pdfid/44a24c6c4.pdf> [↑](#footnote-ref-32)
33. <https://www.refworld.org/pdfid/4715bc6f826b.pdf> [↑](#footnote-ref-33)
34. Law 2001 296 [↑](#footnote-ref-34)
35. <https://www.aljazeera.com/news/2019/4/27/dozens-of-syrian-refugees-evicted-in-lebanon-anti-pollution-drive> [↑](#footnote-ref-35)
36. Legislative and Administrative Land and Property Rights Framework in Lebanon, UN-Habitat 2020 [↑](#footnote-ref-36)
37. <http://harasstracker.org/> [↑](#footnote-ref-37)