

Action Fiche for Lebanon**1. IDENTIFICATION**

Title/Number	Promotion of social justice in Lebanon (ENPI/2012/023-432)		
Total cost	EU contribution: EUR 12 million		
Aid method / Method of implementation	Project approach – Centralised/ joint management with the Office of the High Commissioner for Human Rights and the United Nations High Commissioner for Refugees		
DAC-code	15160	Sector	Human rights
	15170		Women's equality organisations and institutions
	15150		Democratic participation and civil society
	15152		Legislatures and political parties

2. RATIONALE**2.1. Sector context**

The Middle East and North Africa are witnessing since 2011 major political changes. The Arab Spring uprising reflects the crying needs for a better life for the people of the region and for greater respect of human rights, pluralism and social justice.

Paradoxically, while the populations of the Arab world have massively mobilised demanding fundamental political, economical and social rights, Lebanon, a country with a vibrant civil society and historically directly involved and affected by regional events, seems, so far, to be absent of the ongoing evolving situation in the Southern Neighbourhood.

However, Lebanese society faces major challenges that remain to be thoroughly addressed. Indeed, the vast political and socioeconomic reform agenda is stalled and the long needed global dialogue to shape a fairer society is virtually paralysed. The economic and social model in place leads to a massive outflow of young graduates and the replacement of the local workforce by migrant workers deprived of the most fundamental rights.

Furthermore, recent developments in the Middle East have made the task of protecting and assisting refugees and others of concern much more challenging. Unstable conditions in the region have led to security constraints, continued displacement and an increase in the vulnerability of a number of refugee groups.

Lebanon has a close association with the international human rights institutions throughout since its independence and continues to be an active player at the international level. With the exception of the International Labour Organisation

Convention Freedom of association and protection of the right to organise (N° 87), which forms part of fundamental human rights conventions on labour standards¹, Lebanon has signed a wide range of international Covenants and Conventions on human rights and is quite out-spoken in its defence of these at the international level. The real challenge however comes with regard to the discrepancy between Lebanon's international position and activity and its domestic implementation. Despite ratification at the international level many international human rights commitments have not been transposed into national law and the implementation of the obligations deriving from these commitments is seriously lagging behind.

Among the most affected by the legislative and policy gaps for social protection and human rights promotion are vulnerable groups, women and youth. Strategies and action plans to improve their situation are often prepared, drafted and even approved but not implemented due to lack of sufficient political will, budgetary reasons, technical expertise or public awareness.

There is also room for improvement regarding Democratic Governance (Lebanon in 94th place among 167² countries according to latest democracy profile available) with a Parliament proven not able to perform effectively its main legislative and oversight roles and an electoral system in need of reform to meet international standards.

Lebanese civil society has often played a vigorous role as catalyst for change, through the promotion of democracy, human rights, rule of law and social justice. However Lebanese civil society is fragmented, lacks co-ordination and needs to strengthen its capacity further in order to be a strategic partner for reform and policy changes.

This programme aims at contributing to implement the necessary reforms to build and consolidate deep democracy in Lebanon, reinforce the commitment of the Government towards the respect of human rights and fundamental freedoms and enhance dialogue to promote social cohesion and convergence.

The programme at hand is in line with the **EU-Lebanon Action Plan** under the European Neighbourhood Policy, with the priorities outlined in the two Joint Communications of the European Commission and of the High Representative of the EU for Foreign Affairs and Security Policy “*A partnership for democracy and shared prosperity with the Southern Mediterranean*”³ and “*A new response to a changing Neighbourhood*”⁴ that embody the European Union's response to the demands in the region for greater freedom, justice and democracy and follows the principles of the new Communication from the Commission “*Increasing the impact of EU Development Policy: an Agenda for Change*”⁵.

This programme also builds on national priorities established by the government and reflected in the 2011 **Ministerial Declaration** that foresees the need to develop the social role of the state, explicitly refers to social justice and equity, renews the government's commitment to respecting international resolutions.

¹ <http://www.ilo.org/ilolex/english/docs/declworld.htm>.

² Economist Intelligence 2011's Unit Democracy.

³ COM(2011)200 of 8 March 2011.

⁴ COM(2011)303 of 25 May 2011.

⁵ COM(2011)637 of 13 October 2011.

2.2. Lessons learnt

Drawing upon the results of monitoring and evaluation of related projects, current activities and continuous dialogue with the different stakeholders, it is possible to distil a number of important lessons to be learned when tackling issues of promoting social justice in Lebanon:

- The need to avoid a top-down approach and ensure that the different beneficiaries (including civil society and public institutions) are fully-engaged in the design, management, and implementation and monitoring phases of the programme and ensure that the different beneficiaries assume ownership of the actions.
- The need to strengthen the capacity of the civil society actors to be able to convey messages and be effective vectors for the implementation of reforms.
- The need to engage in genuine independent social dialogue, involving independent trade unions and employers' organisations.
- The need to support democratic governance strengthening democratic institutions as a process considered as an ongoing or cyclical activity.
- The need to reinforce the engagement with international human rights protection mechanisms formulating national public policies namely for the promotion of equal rights and adequate protection for vulnerable groups.
- The social protection reform is by its nature multifaceted, having broad ranging fiscal and policy implications. It covers interrelated aspects and cuts across a number of actors: public institutions, employers associations, trade unions all need to be part of a comprehensive dialogue to meet the challenges of an effective agenda for social reform.
- The need to co-ordinate the support with other donors.
- The need to support effective professional development of staff capacity to ensure a high calibre of the Parliament performance in conducting legislative and oversight functions while avoiding addressing highly politicised issues namely those related to Human Resources management strategy adopted by the Parliament.

2.3. Complementary actions

The programme proposed is complementary with both EU activities funded by thematic budget lines (European Instrument for Democracy and Human Rights and other thematic lines) and with bilateral projects such as "Reinforcing Human rights in Lebanon" that foresees the third edition of successful AFKAR promoting the co-operation of civil society networks and the Lebanese institutions or other on-going projects in the field of justice and security sector reform. The programme addresses needs not covered by the above mentioned projects and enhances mechanisms to strengthen accountability (elections, parliament, Universal Periodic Review (UPR) and civil society monitoring).

The component III.3 will look for synergies with EU programmes targeting Lebanese youth such as Euromed Youth and Youth in Action.

2.4. Donor co-ordination

The local co-ordination with the EU Member States takes place in the framework of the annual work plans and is conducted through regular and thematic co-operation meetings with the EU Member States where they are informed and consulted from the identification phase of the Annual Action Programmes.

The EU Human Rights Strategy for Lebanon approved by EU Heads of Missions in June 2011 after consultation with various relevant national and international stakeholders represented a privileged framework for the co-ordination and consultation on the priorities to support for the years to come in the arena of human rights and democracy. It was also an occasion to undertake a mapping of on-going projects of all EU Member States in the field of human rights, in which democracy and democratic governance were considered a core component. This strategy reflects as a main priority the reinforcement of Democratic Governance including the need to reinforce the effectiveness of the parliament. The same Strategy consolidates as thematic priorities support to improve the protection of non-Palestinian refugees, consolidate the UPR process to improve human rights accountability of Lebanese Institutions and promote equality between women and men is a fundamental right. The above mentioned priorities were also discussed with the Lebanese Government in the framework of the European Neighbourhood and Partnership Instrument (ENPI) subcommittees on social migration, and human rights democracy and governance. In relation to decent work, labour standards and contacts with social partners, it is important to co-ordinate with the International Labour Organisation (ILO) and its planned activities in connection to an envisaged possible Decent Work Programme with Lebanon.

For gender issues and within the framework of the "EU Code of Conduct on Division of labour in Development Policy"⁶ the EU Delegation took the lead to establish in 2010 a Gender Working Group amongst EU donors (EU Community and the EU Member States) providing a platform for a more effective and results-based engagement between the Lebanese government and donors with regards to on-going and planned gender equality and women's empowerment programmes.

Concerning activities with civil society, donor co-ordination is actively pursued in Lebanon in the context of Small Grant Meetings organised on a quarterly basis with the EU Member States and other international donors in which they exchange information on their respective programmes/projects in various sectors in an attempt to create synergy and avoid duplication in the act.

3. DESCRIPTION

3.1. Objectives

The general objective of the programme is to promote democracy, human rights and social justice in Lebanon.

The project purposes are to:

⁶ COM(2007)72 of 28 February 2007, also accessible at:
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0072:FIN:EN:PDF>

- Reinforce democratic governance in Lebanon;
- Engage Lebanon to meet its international human rights obligations and to strengthen the protection of vulnerable populations;
- Enhance social dialogue and social protection and empower women and young people as active members of an evolving society.

The programme will be articulated in three main components:

- Democratic governance;
- Promotion and protection of Human Rights;
- Social Justice.

Good governance, gender equality and human rights are at the core of this action as the programme consists in addressing core human rights and democracy concerns. The project will support the strengthening of the institutional framework for the protection of human rights and the development of democratic governance in Lebanon.

3.2. Expected results and main activities

The expected results of the project are as follows:

Component I - Democratic Governance:

Expected Result I.1: The efficiency of the Parliament in carrying out its legislative and oversight functions is enhanced.

The activities developed under this result will include:

- Review of current legislative process and proposal of new updated rules and procedures;
- Development of an upgraded legislative tracking mechanism;
- Support to the establishment of a legal department;
- Capacity building of committee staff to enhance the management and performance of oversight sessions;
- Improve the relations between the Parliament and the Public Institutions and Agencies
- Enhance the research and policy analysis capacity of the Parliament;
- Development of the communication and Information and Communication Technology strategy of the Parliament;
- Raising awareness of the Lebanese public on the role of the Parliament and the Parliamentarians in the country.

For the support to Parliament service/grant contract(s) are envisaged.

Component II - Promotion and protection of Human Rights:

Expected Result II.1: The capacity of Lebanon to fulfil its international obligations in Human Rights, including international labour standards, is increased.

The activities developed under this result will include:

- Strengthening the capacity of the government’s officials on institutional human rights protection and accountability mechanisms within the framework of the implementation of the UPR recommendations and the preparation for the next UPR cycle. Targeted stakeholders will be: Ministry of Interior, the Ministry of Justice, and the Ministry of Foreign Affairs, Ministry of Labour, the Prime Minister’s Office and law Enforcement Agencies (the Internal Security Forces and the General Security) as well as the Judiciary.
- Increasing awareness on the UPR mechanism as a tool to increase accountability, and to review the human rights performance of Lebanon. Awareness campaign will primarily target concerned ministries, civil society, Members of Parliament, opinion and decision makers, and political parties.
- Launch a call for proposals targeting civil society to develop their capacity to monitor the implementation of UPR recommendations as well as to lobby on “not accepted” UPR recommendations, and to effectively engage in the second cycle of UPR.

Expected Result II.2: The legal and social protection of refugees, asylum seekers and stateless people is improved.

The activities developed under this result will include:

- Reinforcing the concerned Government institutions (namely Ministry of Interior, including Internal Security Forces and Directorate General of General Security as well as Ministry of Justice and Foreign Affairs) to address refugees and stateless issues in line with Lebanon’s obligations under national and international law.
- Support for the adoption and the implementation of the Memorandum of Understanding between the United Nations High Commissioner for Refugees (UNHCR) and Lebanon governing the legal and administrative framework for the protection of refugees.
- Raise awareness amongst general public, civil society actors and Lebanese officials on refugees, asylum seekers and stateless rights.
- Launch a call for proposals targeting civil society to strengthen their capacity for the protection and promotion of refugees, asylum seekers and stateless rights.

For expected Result II. 1 (UPR) a contribution agreement with the Office of the High Commissioner for Human Rights (OHCHR) will be concluded under joint management.

The expected result II.2 will be implemented through a contribution agreement with the UNHCR under joint management.

Component III - Social Justice:

Expected Result III.1: Support the Government of Lebanon and the Lebanese social partners and civil society to enhance their capacity to be promoters of social dialogue in order to strengthen social protection and to fight informal work and social abuse.

The activities developed under this result will include:

- Technical assistance to the Ministry of Labour to:
 - Reinforce the capacities of the National Employment Office.
 - Reinforce the capacities of the inspection bodies of the ministry of Labour.
- Review the state of play of the registration of the Lebanese employees to the National Social Security Fund and the capacities of the Ministry of Labour to ensure an appropriate monitoring of this registration.
- Reinforcement of the capacities of the ministry of Labour, trade unions and employers to engage into and become the promoters of a genuine social dialogue.
- Launch a series of forums in collaboration with the Economic and Social Council in issues related to social justice with the participation of the Lebanese parliamentary blocks, the main professional associations, the main trade unions, employers' organisations and other representatives of the civil society. Non state actors will be actively engaged to play a watchdog role on social issues.

Expected Result III.2: The mainstreaming of the gender dimension at policy and sector levels is improved.

The activities developed under this result will include:

- Support to the National Commission for Lebanese Women (NCLW) will be provided to:
 - Improve the management and enhance the capacities of the NCLW to fulfil its mandate mainly through reinforcing its administrative capacity and improving human resource management and internal procedures;
 - To monitor Government policies and commitments towards gender equality mainly through development and implementation of training programmes including civil society organisations (CSOs) and gender focal points;
 - To improve advocacy and increase awareness throughout Lebanese society on gender issues.
- Engage civil society organisations in addressing national gender priority issues.

Expected Result III.3: The capacities of the Youth Forum to define strategies and the necessary actions to ensure that youth is actively engaged in social reforms are improved and the actual involvement of youth in their implementation is enhanced.

The activities developed under this result will include:

- Assessment of the institutional and social obstacles that hamper youth to be an active player in the shaping of Lebanese social priorities.

- Strengthening the capacity of the Ministry of Youth & Sport's staff and the Youth Forum to become more engaged in addressing youth concerns, needs and ambitions.
- Contribution to the adoption and implementation of the national youth priorities and concerns namely on issues related to migration, labour, education and culture, health, social integration and youth participation in political life.
- Improving CSOs' effectiveness in implementing sustainable development initiatives from the youth policy recommendations.

Component III will be implemented through service and/or grant contracts.

3.3. Risks and assumptions

The assumptions for the success of the project and its implementation include:

- Stable security and political situation during the programme implementation.
- Proven Government's commitment in prioritising the agenda for the promotion of human rights democracy and social justice as well as adequate participation of involved line Ministries;
- Adequate involvement of civil society representatives as vectors for the protection of human rights and promotion of democracy.

The main risk is represented by the unstable security and political situation of the country, in which the delicate balances between the different political forces could create a prolonged governance crisis or renewed internal conflicts.

3.4. Cross-cutting Issues

Human rights, gender equality and good governance are at the core of this action as the programme consists in addressing core human rights and democracy concerns. The project will support the strengthening of the institutional framework for the protection of human rights and the development of democratic governance and social justice in Lebanon.

The mainstreaming of the gender component will be assured through enhancing the participation of women in project's activities. The project will also ensure that parliament's output will be properly analysed from a gender and youth perspective.

Participation, ownership, equity, organisational adequacy, transparency and accountability and fight against corruption are guiding principles throughout the programme.

3.5. Stakeholders

The **final beneficiaries** of this project are the Lebanese citizens and the refugees who should benefit from strengthened democracy and a system more protective of human rights, democracy and social justice.

The **Public Institutions** targeted by this programme:

- Line ministries/Government agencies: the Ministry of Interior, the Ministry of Justice, and the Ministry of Foreign Affairs, Ministry of Social Affairs, Ministry of Youth and Sports, the Ministry of Labour and the Prime Minister’s Office, the National Commission for Lebanese Women (NCLW).
- Law Enforcement Agencies: the Internal Security Forces, the General Security and the Judiciary.
- The Lebanese Parliament.

The **Civil society** organisations that will be involved and reinforced in the implementation of this programme (among others but not limited to the Youth Forum).

Independent trade unions and employer organisations.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

A Financing Agreement will be signed with the Government of Lebanon.

1. For the Component I

Expected Result II: (Support to parliament) will be implemented through direct centralised management by means of service/grant contract(s).

2. For the Component II:

Expected result II-1: will be implemented through joint management through the signature of an agreement with an international organisation, the OHCHR, in accordance with Article 53d of the Financial Regulation. The OHCHR is proposed as implementing partner based on the following grounds: As it is the case in many other countries it was the OHCHR officially mandated to provide public authorities in Lebanon with the needed support for the preparations of the previous UPR session. It also successfully co-ordinated civil society in their efforts to engage effectively with the new mechanism of the Human Rights Council. The Office has the necessary expertise to support the government of Lebanon on strategies to implement the UPR recommendations as well as to liaise with the civil society organisations for the preparation and follow up of this exercise. OHCHR complies with the criteria provided for in the applicable Financial Regulation. The European Commission will sign 1 standard contribution agreement with the OHCHR in accordance with the Financial and Administrative Framework Agreement (FAFA) concluded between the European Commission and the United Nations (UN) (under joint management). As described above (Section 3.2) the OHCHR will provide support to the public bodies involved in the UPR exercise and will launch a call for proposals to engage with civil society in this exercise.

Expected result II-2: will be implemented through joint management through the signature of an agreement with UNHCR (international organisation) in accordance with Article 53d of the Financial Regulation. The UNHCR is proposed as implementing partner based on the following grounds: UNHCR has been operating in Lebanon for 48 years; its office has both country and regional responsibilities and has a specific

mandate to protect and assist refugees, stateless persons and, as needed, internally displaced persons. With the influx of Syrian refugees in Lebanon in 2011, the Office has been liaising very closely with the Prime Minister's Office, the High Relief Committee and the rest of the international actors on this sensitive dossier for Lebanon. This has allowed the Office to also address other (non-Syrian) refugee matters with the Prime Minister, including the new draft Memorandum of Understanding. UNHCR complies with the criteria provided for in the applicable Financial Regulation. The European Commission will sign 1 standard contribution agreement with the UNHCR in accordance with the Financial and Administrative Framework Agreement (FAFA) concluded between the European Commission and the United Nations (under joint management). As described above (Section 3.2) UNHCR will provide support to the public bodies and authorities responsible for the protection of refugees and stateless and will launch a call for proposals to engage with civil society in these issues.

3. Component III will be implemented through direct centralised management by means of service and grant contracts.

The implementation of the programme will be overseen by steering committees for each component to ensure smooth implementation and to provide guidance in relation to programme objectives.

Audit and evaluation activities will be implemented under direct centralised management (service contracts).

The change of management mode constitutes a substantial change except where the Commission "re-centralises" or reduces the level of tasks previously delegated to the beneficiary country, international organisation or delegate body under, respectively, decentralised, joint or indirect centralised management.

4.2. Procurement and grant award procedures

1) Contracts

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

Participation in the award of contracts for the present action shall be open to all natural and legal persons covered by the ENPI Regulation. Further extensions of this participation to other natural and legal persons by the concerned authorising officer shall be subject to the conditions provided for in Article 21(7) of the ENPI Regulation.

2) Specific rules for grants

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EU external actions. They are established in accordance with the principles set out in Title VI 'Grants' of the Financial Regulation applicable to the general budget of the EU. When derogations to these principles are applied, they shall be justified, in particular in the following cases:

- Financing in full (derogation to the principle of co-financing): the maximum possible rate of co-financing for grants is 80% total eligible costs. Full financing

may only be applied in the cases provided for in Article 253 of the Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the EU.

- Derogation to the principle of non-retroactivity: a grant may be awarded for an action which has already begun only if the applicant can demonstrate the need to start the action before the grant is awarded, in accordance with for general budget of the EU: Article 112 of the Financial Regulation applicable to the general budget of the EU.

3) Joint management

Where joint management is concerned, all contracts implementing the action are awarded and implemented in accordance with the procedures and standard documents laid down and published by the relevant International Organisation.

4.3. Indicative budget and calendar

The total project cost is estimated at EUR 12 million, all of which shall be financed from the National Indicative Programme 2011-2013⁷ from the general budget of the European Union. The indicative budget breakdown is as follows:

Categories	EU contribution (in EUR million)
Component I: Democratic Governance (mainly services and grants/– direct centralised management)	2
Component II: Promotion and protection of Human Rights (contribution agreements – joint management)	3.5
Component III: Social Justice (mainly services and grants– direct centralised management)	5
Communication/Visibility (mainly services – direct centralised management)	0.4
Monitoring, external evaluation and audit (services – direct centralised management)	0.4
Contingencies*	0.7
TOTAL	12

*Use of contingencies is the subject to prior approval of the European Commission

The foreseen operational duration is 48 months as from signature of a Financing Agreement.

⁷ C(2010)1144 of 2 March 2010.

4.4. Performance monitoring

Performance monitoring will be based on project description and logical framework. Standard monitoring mechanisms will be used throughout the life of the project to assess activities and results. Activities will be monitored through field monitoring reports and regular field visits by the EU Delegation.

The Commission may carry out results oriented monitoring via independent consultants, starting from the sixth month of project activities, which will be finalised at the latest 6 months before the end of the operational implementation phase.

4.5. Evaluation and audit

The Commission will carry out external evaluations [via independent consultants], as follows:

- a mid-term evaluation mission;
- a final evaluation, at the beginning of the closing phase;
- possibly an ex post evaluation.

Audit missions might be carried out as necessary and in addition to the foreseen verification measures (fee-based service contracts and grants as well as contribution agreements).

All auditing matters related to the contribution agreements with the international organisations UNHCR and OHCHR are governed by the Verification Clause annexed to and forming an integral part of the Financial and Administrative Agreement (FAFA) concluded between the European Commission and the United Nations, signed on 29 April 2003.

An amount of EUR 400,000 is earmarked for audit and evaluation purposes which will be implemented through procurement under direct centralised management (service contracts).

4.6. Communication and visibility

The Commission, in co-ordination with all partners, will steer and carry out all activities pertaining to the promotion of the programme's activities, ensuring that information reaches out the largest and most possible population. This includes but is not restricted to the establishment of a communication visibility action plan, contracting visibility/communication expertise, organisation of workshops, seminars.

The Communication and Visibility Manual for EU External Actions⁸ should be followed at all times.

For those components where the recourse to UN mandated agencies is foreseen a communication and visibility plan will be drafted in compliance with the Joint Visibility Guidelines for European Commission - UN Actions in the Field⁹.

⁸ http://ec.europa.eu/europeaid/work/visibility/index_en.htm

⁹ http://ec.europa.eu/europeaid/work/procedures/financing/international_organisations/other_documents_related_united_nations