



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention**

Fourth and fifth periodic reports of States parties due in 2014

Lebanon*

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* The present document is being issued without formal editing.

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Preface

Pursuant to article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which stipulates: “States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect.....”;

And after submission by Lebanon of its third report in May 2006, which was considered at the 40th session of the CEDAW Committee (14 January – 1 February 2008); and in the light of paragraph 51 of the Committee’s concluding comments on the report, inviting the State Party “to submit its combined fourth and fifth periodic reports before 16 May 2014”,

Lebanon submits his combined fourth and fifth periodic report, in compliance with the international agenda for periodic reports.

The report reviews the articles of the Convention one by one, up to article 16. It should be noted that the Committee is keen for the report to deal with the particular situation of certain groups of women, such as handicapped women, migrant workers etc., and has called for the report to devote a special heading to these groups. Accordingly, the situation of seven groups of women are reviewed immediately after article 16: the elderly, the handicapped, mine victims, prisoners, migrant workers in domestic service, refugees and displaced persons.

Furthermore, given that the efforts of recent years have not been confined to those of official bodies, however important these are, but extend to the work of non-governmental organizations in a variety of areas, this report is anxious to affirm the important role played by NGOs in pushing for the removal of obstacles to equality by shedding light on their most significant activities and achievements, as these relate to the Convention. However, as the period covered by the report is fairly lengthy and the size of periodic reports has to be kept within limits, the committee supervising preparation of the report liaised with 22 NGOs concerned with women’s affairs to provide it with an account of their activities during the period of the report. The not inconsiderable amount of material for which there was insufficient space in the report has been placed in an annex.

The report was officially commissioned by the Ministry of Foreign Affairs and Emigrants and prepared by the National Commission for Lebanese Women (NCLW), an official body established at the Presidency of the Council of Ministers under Law no. 720/ 1998 and having advisory, coordinating and executive duties.

Preparation of the report was supervised by a committee that included members of the CEDAW committee at the NCLW and representatives from the legislative and executive authorities. A group of experts (male and female) in various specializations helped to write and review the report, which was put before the office of the Speaker of the Chamber of Deputies, the Presidency of the Council of Ministries and all ministries for their opinion. The report was finally adopted on 20 March 2014.

The NCLW thanks those who contributed to the preparation of this official combined fourth and fifth periodic report, in particular:

The supervisory committee:

- Dr. Layla Azuri Jumhuri (chairperson);
- Members of the CEDAW committee of the NCLW: Fadi Karam, Dr. Azzah Charara Baydun, Dr. Fadiya Kiwan, Ghada Hamdan Hadib, Jamanah Abu'l-Rus Mufarraj, Dr. Susie Bouladyan, Mirna Azar Najjar, Dr. Hind Sufi and Dr. Afifah al-Sayyid;
- Representatives from the legislative and executive authorities: Deputy Mme. Gilberte Zouein, represented by Fatimah Fakhereddine, Mme. Naziha al-Amin (Presidency of the Council of Ministers), Mme. Ibtisam Jounieh (Central Administration of Statistics), Mme. Mirna al-Khouli and Mme. Abir Taha (diplomats, Ministry of Foreign Affairs and Emigrants), Major Dayala al-Muhtar, Mme. Norma Nuseir and Mme. Micheline Zughayb (Ministry of Interior and Municipalities) and Mme. Abir Abdulsamad (Ministry of Social Affairs).

Experts: Dr. Layla Azuri Jumhuri, Dr. Fadiya Kiwan, Ghada Hamdan Hadib, Dr. Azzah Charara Baydun, Dr. Yasmin Tariq Dabous, Judge Samir Younis, Dr. Hala Aitani, Fadi Karam, Mirna Azar Najjar, Dr. Fawzi Abdulhussein Ayoub, Dr. Hind Sufi, Hiyam Qai, Dr. Mouna Shamali Khalaf, Dr. Abdo Younis and Abir Abdulsamad.

20 March 2014

Article 1: Definition of discrimination against women

1. Article 1 of the Convention defines the term “discrimination against women” as meaning “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

2. In this context, the Lebanese legislature does not provide a specific and unambiguous definition of the term, “discrimination against women”. However, the preamble to the Constitution contains a commitment by Lebanon to the charters of the United Nations and the Universal Declaration of Human Rights, as well as a commitment that the State “shall embody these principles in all fields and areas without exception” (paragraph (b) of the preamble to the Constitution). This indicates an unequivocal commitment by Lebanon not only to the concept of non-discrimination against women contained in the said charters but also to the embodiment of this concept in all fields and areas without exception.

3. It has been a constant feature of successive Lebanese governments since 2005 for ministerial statements to contain one or more paragraphs committing the Government to implementing the undertakings contained in the international agreements signed by Lebanon, especially CEDAW and the legislation and measures required pursuant thereto, in order to achieve equality between men and women and confront all forms of violence against women.

Article 2: The principle of non-discrimination and guarantee of its achievement

4. In the light of article 2 of the Convention regarding the agreement of States Parties to pursue by all appropriate means and without delay a policy of eliminating discrimination against women;

And in the light of the comments by the international Committee on Lebanon’s third periodic report (2006), especially paragraph 10 (regarding inclusion in the Constitution or other appropriate legislation of provisions guaranteeing equality on the basis of sex, in line with article 2 (a) of the Convention), paragraph 15 (regarding raising awareness and widespread dissemination of the provisions of the Convention) and paragraph 17 (regarding elaboration, adoption and implementation of a national plan of action for human rights);

And in the light of general recommendation no. 28, on the core obligations of States Parties under article 2 of the Convention;

And in the light of Lebanon’s reservation to article 2 of the Convention, considering that the Lebanese Constitution contains no discriminatory provisions against women but, indeed, affirms: “All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction” (article 7 of the Constitution),

This report shall review the following:

I. The legislative situation and principle of non-discrimination

5. Within the framework of the legislative reform called for in article 2 of the Convention and aside from the progress made in expanding the scope of international agreements in Lebanon, the period from 2006 to 2013 witnessed progress in ridding laws of discriminatory provisions. However, while some laws have been amended, the amendment of others faces difficulties and obstacles, if not downright resistance at times, at least from certain quarters. This is the case with regard to the Nationality Law and the issue of the adoption of a civil personal status law.

1. Progress achieved in expanding the scope of international agreements in Lebanon

6. Affirming that the international agreements concluded by Lebanon take precedence before the courts over domestic laws, Lebanon has, in recent years, entered into a number of agreements, including:

- In 2007, Lebanon signed the Convention on the Rights of Persons with Disabilities;
- In 2008, the Government was authorized to accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Law no. 12 (5 September 2008), OG no. 38 (dated 18 September 2008)). Furthermore, the Government was authorized to conclude the Arab Charter on Human Rights, signed at Tunis on 23 May 2004, with Lebanon reserving the right to apply its domestic laws or the provisions of the international human rights charters ratified by Lebanon which superior rights and which do not conflict with the said laws and charters (Law no. 1 (5 September 2008)).

2. Progress achieved in ridding laws of discriminatory provisions

Besides the introduction of a law to punish the crime of trafficking in persons, several discriminatory legal and regulatory provisions have been annulled or amended and work is continuing on following up the adoption of other bills and regulations.

7. *Introduction of a law to punish the crime of trafficking in persons:* In implementation of the United Nations Convention against Organized Transnational Crime to which Lebanon acceded in 2005 (pursuant to Law no. 680 (24 August 2005)), the Chamber of Deputies adopted, in August 2011, a law to punish the crime of trafficking in persons (Law no. 164 (24 August 2011)). The way for this had been prepared by a national study on human trafficking prepared by the Ministry of Justice with the help of the United Nations Office on Drugs and Crime (UNODC), in collaboration with UNICEF. The basic aim of the study was to understand and assess the situation in the field regarding human trafficking because Lebanese law did not specifically cover this crime and its victims, the relevant articles being included in the Penal Code. Thus, prior to the introduction of a law to punish the crime of trafficking in persons, crimes similar to this were tried under different provisions of the Penal Code.

8. *Annulment or amendment of discriminatory legal and regulatory provisions, essentially:*

8.1 Annulment of article 562 of the Penal Code: 12 years after replacing justifiable excuse with mitigating circumstances, the Lebanese legislature annulled, under Law No. 162/2011 (17 August 2011), article 562 of the Penal Code, which promoted the killing of women by allowing for reduced punishment in so-called “honour crimes”.

8.2 Amendment of article 59, paragraph 3 of the Labour Law, allowing Palestinian refugee labourers properly registered with the Ministry of Interior and Municipalities to benefit from compensation for dismissal from service without the condition of reciprocity. Furthermore, the new provision exempts Palestinian refugee labourers from the work permit fee (article 1 of Law no. 129 (24 August 2010)).

8.3 Amendment of article 9, paragraph 3 of the Social Security Law, allowing Palestinian refugee labourers to benefit from end of service compensation, under the same terms as Lebanese labourers, without the condition of reciprocity. However, benefit is limited to end of service compensation without the benefits of the sickness and maternity insurance fund (Law no. 128 (24 August 2010)).

8.4 Within the framework of the national campaign to rid laws with an economic effect of provisions that discriminate against women (“Wayn ba’dna”), launched on 8 March 2010 by the NCLW, the following amendments have been adopted to date:

8.4.1 Amendment of article 9 of Legislative Decree no. 146/1959 (transfer duty on all equity and movable and immovable property) and the institution of equality between a married male heir and married female heir in respect of benefitting from the additional deduction when calculating transfer fees payable by heirs (under Law no. 179 (29 August 2011)).

8.4.2 Amendment of article 31 of Legislative Decree no. 144/1959 (Income Tax Law) and the institution of equality between men and women such that a working married woman benefits from the tax deduction for her husband and children in the same way as a man (under Law no. 180 (29 August 2011)).

8.4.3 Annulment of article 94, section 8 of the National Defence Law (Legislative Decree no. 102/83, allowing the spouse of a female or male volunteer in the military and security forces to benefit, in the event of a second marriage (after the death of the first spouse), from the retirement pension (under Law no. 239 (22 October 2012)).

8.4.4 Amendment of article 15 of the general regulations on wage-earners, issued on 3 November 1994, making the maternity leave of a female public sector worker the same as that given to a female employee subject to the staff regulations, that is, 60 days instead of 40 (under Decree no. 9825 (1 February 2013)).

8.4.5 Amendment of certain provisions of Decree no. 3950 (27 April 1960, relating to the system of family benefits and employee assistance, whereby a female employee receives family allowance for her children, if her husband is unemployed or does not receive family allowance for his children (under Decree no. 10110 (22 March 2013)).

8.5 In a particularly significant step, the Sunni sect adopted, in 2011, a custody age that does not discriminate between boys and girls (12 years of age for both sexes: article 15 of Decision no. 46, issued by the Higher Islamic Shariah Council on 1 October 2011, pursuant to Law no. 177 (29 August 2011).

3. Bills and proposals being studied or monitored

9. Those who follow the legislative process in Lebanon, particularly when the issue relates to the annulment or amendment of discriminatory provisions against women or the adoption of specific measures to achieve equality, will notice the following:

- The number of bills and proposals adopted by the legislative authority is considerably less than the number of bills and proposals submitted.
- The issues and rights which legal provisions generally address and which are amended with the consent of the legislative authority are, in most cases, issues and rights which fall outside “the private sphere”.
- The long time it takes to study certain bills hinders quick progress and may mean that women’s issues are not top priority, at least as far as some legislators are concerned.

10. With reference to the last clause of article 2 of the Convention and aside from the annulment of article 562 of the Penal Code, the subcommittee of the Lebanese parliament’s administration and justice committee, charged since 2003 with studying and reformulating a proposed law designed to amend the Penal Code, has completed its task. Its proposals concerning articles discriminating against women are as follows:

10.1 As regards articles 503 and 504, both of which have nothing to say about rape committed within marriage, the committee has left unchanged the failure to prosecute a husband who with violence and threats, compels his wife to have intercourse.

10.2 Concerning crimes of adultery (articles 487, 488 and 489), the committee has retained the criminal nature of the act but has removed the discrimination between men and women that existed and adopted the principle of equality, both in terms of satisfying the conditions for the crime and the punishment imposed upon those who commit it, as well as methods of proof and submission of complaints.

10.3 The committee resolved to annul article 522 which stipulates that, if a valid marriage is contracted between the perpetrator of one of the crimes of violation of honour stipulated in articles 503 to 521 (including rape) and the victim, prosecution shall be halted and if a verdict has been delivered in the case, execution of punishment shall be suspended.

10.4 The committee further resolved to annul article 534 of the Penal Code, the article which criminalizes and punishes all forms of intercourse performed in a manner contrary to nature.

10.5 The proposed law designed to amend the Penal Code remains in its initial stages and will only become final after adoption by the Chamber of Deputies in plenary session and promulgation by the President of the Republic.

11. *Bill to protect women from domestic violence*: Committed to the pledges of successive Lebanese governments since 2005 and in affirmation of the efforts of civil society organizations which championed it, the Lebanese Government adopted in 2010 a bill relating to the protection of women from domestic violence elaborated by the National Alliance for Legislation to Protect Women from Domestic Violence. The bill was referred to the Chamber of Deputies pursuant to Decree no. 4116 (28 May 2010) and is still at the follow-up stage. It has aroused considerable discussion and may be the only bill unrelated to personal status where the opinions of the religious authorities have been sought. It is worth noting that the relevant parliamentary committees altered the name of the bill to “Law on the Protection of Women and Other Family Members from Domestic Violence”, instead of “Law on the Protection of Women from Domestic Violence”.

12. Proposed law to establish a national human rights commission, including a committee on the prevention of torture:

12.1 At the outset, it should be noted that, on 17 March 2011, as part of the process of Universal Periodic Review at the Human Rights Council, Lebanon’s final report on the human rights situation in the country was adopted. Lebanon declared its acceptance of the recommendations concerning violence against women and the particular recommendation on annulling the legal provisions relating to so-called “honour crimes”. These provisions were indeed annulled pursuant to Law no. 162 (17 August 2011).

12.2 On 3 April 2013, the Lebanese parliament’s administration and justice committee gave its consent to a proposed law to create an independent body to be called the National Human Rights Commission, enjoying corporate identity and administrative and financial independence. The commission is to have a permanent committee known as the committee on the prevention of torture. The proposed law defines the commission’s duties as working to protect and strengthen human rights in accordance with the standards set out in the Lebanese Constitution, the Universal Declaration of Human Rights, international conventions and treaties relating to human rights and Lebanese laws consistent with these standards. The proposed law further specifies the commission’s specific duties as including:

- Monitoring the extent of Lebanon’s adherence to human rights and international humanitarian law, and the compilation and publication of special and periodic reports thereon;
- Expressing an opinion when consulted by the competent authorities and expressing an unsolicited opinion on all legislation, decrees, decisions, bills and policies adopted in this regard;
- Receiving complaints and reports relating to human rights violations and helping to address these by means of negotiation, mediation or litigation.

12.3 The proposed law contains 32 articles and its adoption by the Chamber of Deputies in plenary session is expected to represent significant progress in the protection and strengthening of human rights, including women’s rights, in Lebanon.

12.4 In this context, it should be noted that the General Directorate of Internal Security Forces (ISF) elaborated a strategic plan for 2010-2013 with the vision: “We rise to the hopes of citizens and enjoy their fullest confidence”. The key priorities

of the plan are the protection of human rights and freedoms and the strengthening of efficiency and professional development within the ISF. To carry out the plan, the ISF took a number of measures, including:

- a. Voluntary recruitment of women into the ISF;
- b. Establishment of a human rights section in the ISF General Inspectorate, pursuant to Decree no. 755 (3 January 2008);
- c. Inclusion of the subject of human rights in ISF teaching and training curricula and the organization of training courses for all ISF officers that include the subjects of human rights, community policing and the ISF code of conduct.

4. First steps toward a systematic review and revision of discriminatory laws and regulations

13. In the course of its comments on the third periodic report (2006), the CEDAW Committee noted the failure to achieve progress in respect of some of the concerns it raised. These included undertaking “a systematic review and revision of all existing legislation to bring it fully into compliance with the Convention” (paragraph 10 of the concluding comments). In this context, the following should be noted:

13.1 The Lebanese parliament’s woman and child committee has since 2007 been working in true partnership with civil society organizations on a review of laws that discriminate against women, recognising that CEDAW represents the legal framework from which to proceed to the enactment and amendment of laws designed to achieve gender equality. On this basis and in the light of proposals from civil society organizations and the NCLW, and in collaboration with certain parliamentary deputies and committees, 26 proposals to amend laws discriminating against women were submitted in the period 2007-2012. At the time of preparing this report, six had been adopted (noted in paragraph 8, above).

13.2 In March 2010, the NCLW launched a national campaign – “Wayn ba’dna” – to rid laws with economic effect of provisions that discriminate against women. The campaign was based on the principle of partnership with various civil society organizations, including women’s associations, the Bar Association and economic and academic bodies. It included a detailed review of areas of discrimination in 16 legal provisions, together with proposed amendments. At the time of preparing this report, five had been adopted (noted in paragraph 8.4, above).

13.3 The Committee urged the parliamentary human rights committee to “proceed with the elaboration, adoption and implementation of the National Plan of Action for Human Rights” (paragraph 17 of the Committee’s comments). This report affirms that the parliamentary committee, with support from the United Nations Development Programme (UNDP) and regional office of the United Nations High Commissioner for Human Rights (OHCHR), has in fact finished preparing a national plan for human rights, including an action plan, the draft of which was launched on Human Rights Day (10 December 2012). In addition to general implementation points, the plan contains implementation points pertaining to 22 sector-related topics, which are considered to be the priorities in the timeframe covered by the plan (2013-2019). These include women’s rights, the rights of handicapped persons, the rights of migrant workers, the social and economic rights of non-Palestinian refugees and the social and economic rights of Palestinian refugees.

II. Ensuring effective protection through the courts

14. Apart from the ongoing progress in the proportion and level of women's participation in the judiciary (40% in 2013, compared with 29% in 2004), qualitative judicial rulings bear witness to the desire of the Lebanese judiciary to protect human rights in general and ensure the rights of women in particular.

15. A positive example of the approach of the Lebanese judiciary is that, even under the impact of article 562 of the Penal Code (prior to its annulment), the judiciary was anxious to narrow the margin for honour crimes and it had become established interpretation that a personal motive does not constitute an honourable motive that can be exploited by the perpetrator to claim mitigation. In 66 trials of persons charged with the killing of women within the domestic sphere held in the period 1999-2007, the Lebanese courts only rarely (in less than 6% of cases) attributed motives of "honour" to the accused, while more than 23% of cases were characterized as being purely selfish and devoid of honour.

16. In another context, when a female petitioner in a certain case produced her judicial record, it emerged that the data was given in the masculine form, although the person in question was female. The president of the court issued a qualitative decision to the effect that it is not permissible under the pretext of generalization – i.e. as "person" – that the woman in question be identified as "born [masculine form] in", that her nationality is "Lebanese [masculine form]" and that "he" has no previous convictions. The relevant department was instructed to carry out the appropriate measures and issue the woman with a new judicial record, taking into consideration the substance of the decision (Mount Lebanon Court of First Instance, 5th chamber, decision no. 34/2007 (8 February 2007) and decision of 7 April 2007). As a result of this decision, the Ministry of Interior and Municipalities issued a circular on 19 June 2009, requiring all information in judicial records to be entered in the feminine form when it relates to a female, in other words, "to stop generalizing as 'person' and instead to specify gender (male or female)".

17. While a list of qualitative judicial decisions may be lengthy, the Lebanese judiciary has established fundamental principles in many areas, of which the following might be mentioned:

17.1 *The subject of adoption*: The judiciary has established a principle based on the fact that, apart from the need to satisfy the essential, objective conditions for acceptance of the application for adoption, the spirit of the provisions governing this issue must be taken into account. As such, in a qualitative and bold decision based upon principle, it was decided to accept an application submitted by a wife to adopt her daughter from an unlawful relationship, after her marriage to a man not the girl's biological father (Mount Lebanon Court of First Instance, 3rd chamber, decision no. 34/2007 (8 February 2007)). In another decision, in which the adoptive mother was Lebanese and the father, a foreigner, a higher judicial authority in Lebanon ruled to compel the executive agencies to implement the decision in favour of adoption, without the nationality of the foreign father representing an impediment thereto (General Assembly of the Court of Cassation, no. 17 (12 August 1996)).

17.2 *The subject of nationality*: The Lebanese judiciary has established the right of a foreign woman married to a Lebanese man to acquire Lebanese nationality one year after the registration of her marriage, without discrimination between foreign women with established identity and those without (Southern Lebanon Court

of First Instance, decision no. 4/2004 (13 January 2004)). Furthermore, the judiciary has affirmed the right of a foreign woman married to a Lebanese man to acquire Lebanese nationality one year after the registration of her marriage, without the need to obtain the husband's consent or prove marital cohabitation (Southern Lebanon Court of First Instance, decision of 6 March 2007).

17.3 *A woman's inheritance rights*: The Court of Cassation overturned a decision of the criminal court on the grounds that the latter did not conduct the investigations necessary to ascertain the extent to which it is legitimate to exclude the wife from the heirs and the extent to which it was established that a sister surrendered her rights in favour of her brother (Court of Cassation, 3rd, (7 June 2000)).

17.4 *Protection of a woman's rights if the husband changes his denomination*: The General Assembly of the Court of Cassation has established the general principle that the fact of a husband changing his sect does not ipso facto prejudice the rights of a wife acquired pursuant to the law in force on the date the marriage was contracted (General Assembly of the Court of Cassation (5 December 1997 and 28 July 1998)).

17.5 As regards protection of the rights of female migrant workers, the Lebanese courts do not discriminate when applying criminal or civil law, whether or not the claimant or victim has Lebanese nationality or foreign nationality. The foreign nationality of the victim does not under any circumstances constitute a reason to reduce the perpetrator's sentence (Mount Lebanon Criminal Court (23 June 2000)). Consistent with the judicial trend toward putting an end to the violence practised by some employers against female migrant domestic workers, a ruling was issued under article 555 of the Penal Code by a single judge sitting on the bench of Keserwan Criminal Court (31 October 2013), sentencing a Lebanese employer with a history of severely beating her domestic servant to three months imprisonment and a fine of LBP 100,000, as well as requiring her to pay compensation to the civil claimant of LBP 10,000,000. Concerning the financial rights arising from working in domestic service and given that this category of workers – both Lebanese and non-Lebanese – are not covered by the provisions of the Labour Law, the provisions that apply to them are those of ordinary law, that is, the Code of Obligations and Contracts. However, the judicial body with competence to decide in respect of disputes is the employment tribunal, which hears all individual employment disputes without exception and regardless of the law applied. In an action brought by a domestic service worker of Indian nationality against her Lebanese employer, who dismissed her from service without notice and without paying her wages, the competent employment tribunal, whose ruling was confirmed on cassation (Lebanese Court of Cassation, 8th chamber, decision no. 50/2010 (1 June 2010)), ruled to oblige the employer to pay the worker all wages due, in addition to pay in lieu of notice and compensation for dismissal, pursuant to articles 654 and 656 of the Code of Obligations and Contracts, as well as holiday pay and damages for arbitrary use of the right to cancel the employment contract. On this basis, the total amount awarded to the worker came to just over USD 40,000 (Beirut Employment Tribunal, 1st chamber, decision no. 258/2009 (22 April 2009)).

III. Disseminating information on the Convention and the culture of equality

18. Apart from the desire of successive Lebanese governments since 2005 for ministerial statements to include Lebanon's commitment to implementing the undertakings in the international conventions signed by Lebanon, especially CEDAW, and the legislation and measures required to achieve equality between men and women, work is continuing on disseminating and deepening knowledge of the Convention and the demands of application, as well as on the Committee's general recommendations and concluding comments. No campaign is undertaken and no bill or proposed law relating to women put forward without the Convention being a key determining factor. Some examples follow:

18.1 In 2006, the Lebanese parliament's woman and child committee convened a meeting on the Convention, after which the text of the Convention, the concluding comments and Lebanon's reports to the CEDAW Committee were distributed to the members of the committee, as well as to all members of the Chamber of Deputies.

18.2 In collaboration with local and international bodies, the NCLW has continued to communicate, as extensively as possible, information on the CEDAW and the Committee's comments on Lebanon's reports by means of lectures, activities and workshops targeting numerous groups, including male and female gender support officers in Government departments, media workers, trainee judges and lawyers (with these lectures being compulsory for trainee lawyers). The NCLW has further sought to expand WEPASS – ("Women Empowerment: Peaceful Action for Security and Stability"), a programme set up by the NCLW, in collaboration with the United Nations Population Fund (UNFPA) in areas subjected to Israeli aggression during the July 2006 war – to include a number of poor and marginalized areas of the country. As part of this programme, the NCLW launched an extensive, two-year campaign (2009-2010) introducing the Convention.

18.3 In November 2008, Lebanon took part, in the form of a working paper presented by the chairwomen of the Lebanese parliament's woman and child committee, in the second regional workshop for parliamentarians on implementing CEDAW, convened by the Economic and Social Commission for Western Asia (ESCWA) of the United Nations.

19. In the light of the call by the Beijing Platform for Action to bring about familiarity with legal principles with the goal of spreading awareness of rights and the culture of equality, Lebanon, in the form of the NCLW, took part in an Arab Women Organization (AWO) project entitled, "ABC of women's rights in Arab legislation: Arab women ask and the AWO answers". The project created a database containing a wide and flexible range of questions and answers that presently deals with women's rights in three areas: personal status, political rights and economic and social rights. The database was launched in February 2013 and currently contains 354 Q&As.

IV. Civil society initiatives and efforts

20. While affirming the important role played by civil society in taking initiatives in the struggle for equality and eliminating discrimination against women, recent years have been characterized by an escalation in the pace of mobilization in women's associations, and by the adoption of an approach to initiatives and action

based on the identification of specific goals and applying pressure to achieve these goals. Alongside awareness-raising, educational, empowerment and capacity-building activities, recent years have seen several NGOs undertaking focused campaigns. Some of these campaigns are still ongoing, such as “My nationality is a right for me and my family” (since 2001), “Because they are my children, my nationality is their right” (since 2005), “Campaign in support of the women’s quota” (since 2008) and “Legislating to protect women from domestic violence” (since 2010) and others.

V. Obstacles and challenges

21. Basically, these are:

- Continuing discrimination against women in fundamental laws, especially the personal status laws, the Nationality Law and the Penal Code;
- Lebanon’s continuing reservation to article 9, paragraph 2, relating to granting a woman the same right as man to pass on nationality to her children, and article 16, paragraphs (c), (d), (e) and (f), relating to personal status issues;
- Continuing violence, especially domestic violence, against women and girls and the obstacles confronting adoption of the bill to protect women against domestic violence;
- Lack of a serious attempt to strengthen the role of women in public life, especially by adopting temporary measures designed to speed up the achievement of de facto equality;
- Lack of political and security stability and the concomitant difficult economic and social conditions;
- Slow progress in legislating for the annulment of provisions discriminating against women;
- Failure to sign the optional protocol.

Article 3: Public policy

22. In the light of article 3 of the Convention, which stipulates, “States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.....”;

And in the light of the comments of the international Committee on Lebanon’s third periodic report (2006) to the effect that the Committee is concerned that the State Party’s efforts to reform discriminatory legislation so as to bring it into compliance with the Convention have been proceeding on an ad hoc basis and that, accordingly, the Committee expresses concern about the State Party’s limited understanding of its obligations under the Convention, and in particular the State party’s focus on formal equality and lack of progress in achieving de facto equality in many sectors, including the absence of time-bound targets;

And in the light of clear reference in these comments to special exceptional measures that need to be taken by the State in all spheres to ensure that women exercise human rights and basic freedoms and to guarantee the full development and advancement of women,

This report shall review all measures, approaches and signs on the part of the Lebanese authorities at all levels between 2006 and 2013 indicating bias in favour of women to achieve a doubling of efforts and close the opportunity gap between men and women in all spheres.

I. Ministerial statements

23. Ministerial statements by governments formed after 2006 make explicit reference to women's issues and the Government's commitment at all times to support women and provide opportunities for their advancement. In their ministerial statements, successive governments have noted their commitment to the international conventions signed, especially those relating to women.

23.1 Under the heading, "Women's affairs" paragraph 61 of the statement of the 70th Government, formed on 11 July 2008, states: "The Government shall continue to strive to strengthen the role of women in public and their participation in the economic, social and political fields. Furthermore, it shall strive to implement the undertakings to which Lebanon has committed itself and which appear in the international conventions signed by Lebanon or recommendations to which it has consented, especially the Convention on the Elimination of All Forms of Discrimination against Women, which requires legislation and measures to be introduced in order to achieve gender equality and confront all forms of violence against women and girls. The Government affirms the need to foster the NCLW and empower it to carry out its role."

23.2 Paragraph 22 of the ministerial statement of the 71st Government, formed on 9 November 2009, states: "The Government is committed to strengthening the role of women in public life, including by administrative appointment to leadership positions, and to implementing Lebanon's commitments under the international conventions to which it has acceded and the recommendations to which it has consented, particularly CEDAW. Furthermore, the Government shall strive to adopt a plan of action to combat the phenomenon of violence against women, including concluding the discussion of the bill on the protection of women against domestic violence. It shall work to formulate policies and legislation to combat trafficking in persons and children for purposes of sexual exploitation and forced labour. The Government shall strengthen and foster the role of the NCLW, expand its powers and empower it to propose and implement national policies to eliminate discrimination against women".

23.3 The ministerial statement of the 72nd Government, formed on 13 June 2011 states: "Our Government is committed to strengthening the role of women in public life, in collaboration with the relevant women's organizations, pursuant to the substance of international conventions, particularly CEDAW, by means of appropriate legislation. Our Government shall strive to strengthen the participation of women in political life and to strengthen women's presence in official departments and institutions, especially in leadership positions."

23.4 There was no mention of women's affairs in the ministerial statement of the 73rd Government – the Government of national unity – formed on 15 February 2014 pursuant to Decree no. 11217 (15 February 2014).

II. Policies adopted by certain ministries

These ministries are: education and higher education, social affairs, interior and municipalities, finance, foreign affairs and emigrants, and the environment.

24. The following has been noted at the Ministry of Education and Higher Education:

24.1 The Centre for Educational Research and Development (CERD), the body responsible for preparing textbooks and training teachers, has continued to develop the content of textbooks, removing gender stereotype images. This approach began with the review of the curriculum and of textbooks in Lebanon in the mid-1990s. CERD monitors closely the content of the textbooks it recommends for adoption in all Lebanese schools, with the aim of developing the image of women and spreading a gender-sensitive educational culture consistent with the principle of full equality between the sexes in social roles. In this context, the Non-Governmental National Committee for the Follow-Up of Women's Issues (post Beijing), in coordination with the CERD, has conducted a study of the gender stereotype images in textbooks and submitted recommendations on ridding textbooks of these. It has likewise submitted recommendations on teaching methods and ways of engaging with pupils of both genders.

It can be affirmed that there is full awareness at professional level among senior officials in educational departments and bodies within the Ministry of Education and Higher Education of the issue of eliminating discrimination against women and removing gender stereotype images.

24.2 It is worth drawing attention to the initiative of the Minister of Education and Higher Education in the summer of 2013, involving the issue of a decision setting up a committee on gender perspective with the aim of integrating this perspective into the ministry's public policy (Decision no. 810/M/2013). This decision is an indicator of the change in attitude which has begun to take place toward the issue of gender among the political leadership and was the product of consultation between senior administrative officials, the ministry's gender focal point and the NCLW.

25. The Ministry of Social Affairs is the ministry that traditionally supervises the work of the various civil society organizations, contributes at times to financing their activities and cooperates with several in implementing field activities. Support has intensified for women's NGOs, especially those involved in raising awareness, education, empowerment and training. The presence of a women's affairs department in the ministry has contributed to a direct approach toward cooperation with women's organizations on the one hand and to the adoption of special awareness-raising and empowerment programmes for women in different regions of the country on the other. It should be noted that the Ministry of Social Affairs has formulated a gender strategy and ministry officials have been trained at centralized and decentralized level to incorporate this strategy in their plans and programmes. In addition, a national handbook on standardized gender-related terms and concepts in Lebanon has been prepared.

26. Between 2008 and 2010, the Ministry of Finance helped to pass several amendments to regulatory provisions containing an anti-women bias. Of these, we might mention the decree pertaining to tax deduction and decree on equality between men and women in respect of exemption from inheritance transfer tax.

27. Regarding the Ministry of Interior and Municipalities, the following may be mentioned:

27.1 The Ministry of Interior witnessed a quantum leap in enlistment in the ISF, with 993 females enlisting at sergeant and gendarme level. This is the first time in the history of the ISF that women have enlisted in such numbers.

27.2 The Ministry of Interior and Municipalities took the initiative of including a quota in the electoral bill submitted to the Council of Ministers in 2012. The bill provides for the adoption of the proportional system in expanded constituencies with a 30% quota for women on candidate lists, with the proviso that lists be arranged in the sequence of man/ woman or woman/ man. However, the Council of Ministers amended article 52 of the bill to read: "Each list must contain at least one candidate of each sex". The final bill was passed to the Chamber of Deputies pursuant to Decree no. 8913 (19 September 2013) but approval stalled. The Chamber of Deputies then formed a reduced committee to draw up a proposed law that the different political factions could agree on; this committee was open to consultation with all political parties and stakeholders. The NCLW sent a letter to the committee reminding it of Lebanon's commitments under the international conventions it has signed, in particular CEDAW, and renewed the demand for the allocation of a guaranteed quota of women in parliament. As of the present time, the electoral bill is still being discussed by parliamentary committees and women's NGOs and the NCLW continue to apply pressure to have the quota included in the anticipated bill.

28. In the Ministry of Foreign Affairs and Emigrants, a female diplomat who married a foreign member of the diplomatic corps was transferred to administration as a result. The law was then amended to enable the diplomat to continue in her diplomatic post without any change to her employment status. In this context and pursuant to the principle of keeping families together, it will be noted that the ministry endeavours as far as possible to appoint diplomat spouses to neighbouring countries. For some time now, the husband of a female diplomat has been able to obtain a diplomatic passport. A diplomat's wife who holds a diplomatic passport may take up paid employment in certain cases, with the prior approval of the ministry. This measure was put in place because she enjoys diplomatic immunity granted to her under international law. The only condition for a woman to join the diplomatic corps is that she be unmarried when taking the entrance examination. It should be noted that the Ministry of Foreign Affairs and Emigrants nominated a woman to membership of the subcommittee on the prevention of torture. Elected in 2008, she was nominated again in 2012 to the same position and succeeded in being re-elected. Furthermore, the ministry's female nominee for membership of the CEDAW committee was successful in the elections held in June 2012.

29. The Ministry of Environment is anxious to eliminate of all forms of discrimination against women, given the added value this has for strengthening sustainable development in Lebanon. The ministry thus devoted a section ("Women", under no. 2.5) of the national report to the United Nations Conference

on Sustainable Development (Rio+20) to the discrepancies between the situation of men and women.

30. It may be concluded that the absence of exceptional special measures in favour of women at general strategic level does not mean that the various State institutions and their general departments are still unaware of women's issues. On the contrary, considering the remarkable increase over the last decade in the pressure exerted by civil society organizations, including women's organizations and the NCLW, it may be affirmed that there is deeper awareness of and wider interest in women's issues in the public sphere in Lebanon. It is worth pointing out that the audio-visual and print media have become more concerned with keeping up various forms of pressure. Women's organizations have benefitted from the moral and, at times, material support of international bodies operating in Lebanon and the support of the representatives of Western countries in the diplomatic corps accredited to Lebanon. Some of these diplomats have organized lectures and forums on women's issues, where they have brought together a number of decision makers. Some have taken the initiative of calling upon women to become involved in political life by standing as candidates in the elections expected in spring 2013, and arranging foreign visits for them to introduce them to political life in the West, particularly the European Union and United States.

Overall, these initiatives have created a women-friendly public environment that has stimulated serious involvement on the part of women in public life at decision-making level, as well as positive engagement with women's issues. There is no doubt that changes such as these have become possible due to the pressure group which NGOs supportive of the quota and the new gender position of the NCLW – consisting of taking initiatives and strengthening partnerships with women's NGOs to implement publicity and support activities – represent.

III. Legislation and activities of the Chamber of Deputies

31. In 2012, a quantum leap took place in how parliament deals with human rights topics, with the parliamentary launch of a national strategy on human rights. It is worth mentioning that this treats women's rights as an indivisible part of human rights. In the light of this strategy, it is expected that a national human rights commission will be formed, charged with formulating a procedural plan of action that will undoubtedly cover specific instances of discrimination against women in the law.

IV. National Commission for Lebanese Women

32. Recently, the NCLW has taken a number of initiatives designed to give a positive boost to women's rights in Lebanon.

32.1 The NCLW has adopted a ten-year national strategy, based upon a process of participation with NGOs, professional associations and relevant ministries. On 12 June 2012, the Council of Ministers approved the strategy and requested that the concerned ministries implement the proposals and recommendations contained therein, in accordance with current laws and regulations.

In the light of the strategy, the NCLW prepared a national action plan; several governmental and official bodies participated in this process. The plan covers the

topics of awareness-raising, education, empowerment, institution-building, combating violence, political participation and ridding the law of discriminatory provisions, thereby helping to reduce discrimination against women.

32.2 Additionally, the NCLW launched a special programme to train gender support officers in various ministries and public institutions. With these officers, a special network for raising awareness of gender issues and incorporating the gender approach in the policies of all ministries and public institutions has been established. Furthermore, in 2013, the NCLW moved into working at local level in the regions to foster the drive for awareness of women's participation in various fields. The NCLW has set up and equipped six training centres in the regions, where it works in collaboration with municipalities, municipal federations and local NGOs.

V. Civil society organizations

33. In this sector, a distinction may be made between NGOs on the one hand and the different types of unions, on the other.

33.1 It is noteworthy that NGOs have taken the subject of exceptional measures on board. Their initiatives are distributed across three areas of intervention:

- Drafting bills or amendments to existing laws, of which we might mention the initiative to formulate a bill on the protection of women from domestic violence. We might also mention the civil alliance in support of the women's electoral quota and the alliance behind the bill to enable a Lebanese woman to pass on her nationality to her husband and children.
- Organizing awareness-raising, educational and empowerment campaigns on women's rights in slum areas, focusing on the discourse of "temporary special measures";
- Organizing support and information campaigns to mobilize backing for the policy of temporary special measures in certain areas.

33.2 The second category of civil society organizations are the syndicates of the free professions and the labour unions. In their discourse and agenda, these remain relatively out of touch with the gender-based approach.

33.2.1 The election of a woman president of the Beirut Bar Association (BBA) had nothing to do with any position of positive bias toward women's issues. Indeed, her victory was used against the logic of "temporary exceptional measures" as proof that the professional community is not in the least prejudiced against women and that a capable woman can rise to a leadership position without temporary exceptional measures. Note that it has become customary for one woman to enter the BBA through normal competition and without relying on the quota principle. It should be pointed out that women made up 33% of the BBA in 2007, compared with 25% in 2002. It is also worth drawing attention to the fact that a woman was elected president of the Order of Pharmacists at successive sessions, without relying on a policy of exceptional measures. Regarding the Order of Engineers, a tradition has been established that a woman sits on the council; however, the proportion of female engineers actively involved in union business is nevertheless low. Data from the Central Administration of Statistics (CAS) for 2009 indicate that women made up

21% of the Order of Engineers in Beirut (compared with 10% in 2002) and 27% of the Order of Engineers in Tripoli.

33.2.2 Rarely do women's issues appear on the agendas of the labour unions and workers' and employees' unions. Traditionally, women have been almost entirely absent from union decision-making positions. Recently, however, there have been several breaks with tradition, the latest being the election, in 2013, of a woman as president of the Union of Bank Employees in the North. And in the education sector, a woman was the elected president of the Teachers Syndicate in State schools (primary education) from 1998 to 2011. However, there is no mention of issues pertaining to women teachers on the agendas of the bodies representing teachers in the public and private sectors, although generally there are one or two women at most among the leadership of these bodies. It should be mentioned that women have a strong presence in the education sector, making up around 70% of the teaching staff in primary and intermediate education and about half of all secondary school teachers. In the League of Full-Time Professors at the Lebanese University (the only trade union body in the university sector and restricted to professors of the Lebanese University), women have no presence in the union leadership or agenda, although women make up 37% of the teaching staff.

33.3 The absence or limited presence of women in the forefront of trade union activity is basically attributable to weak union institutions and the unwillingness of women to get involved in activism outside the framework of the pursuit of their profession. However, although women are not widely mobilized around their own issues, they take part in large numbers in demonstrations for union demands. In demonstrations held over the last two years, there was a strong female presence that was equal to that of men.

VI. Political parties and forces

34. Political parties and forces are an inseparable part of civil society, with the exception of cases where a party or political group is a part of the State. Political parties play a prominent role in setting out the main trajectories of civil society in its opposition to or relationship with the State. Furthermore, political parties and forces represent bridges that enable issues to pass onto the Government's agenda and into State policy and bills before the legislature. It is normal for political parties and forces to have contact with two fronts: on the one hand with the institutions of State and on the other, with the institutions and trends of society. As such, it is perfectly natural to ask: What is the relationship between political parties and forces and the currents of opinion in Lebanese civil society? Why do political parties and forces not play the role of bridge and intermediary between civil society and the State?

34.1 In reality, women's issue are still absent from party agendas, despite the fact that many parties have a women's section, committee or organization. However, these sections and committees are mostly concerned with social issues and are independent from the party's other institutions. In such cases, if a woman becomes involved with a political party, she becomes identified with an independent section. In this way, stereotype images of women are perpetuated. In recent years, however, a widespread refusal has been observed on the part of young women involved in political parties to join a women's section that is separate from the party's other institutions. Also noteworthy is the fact that, in recent years and under

the impact of international pressures to strengthen the role of women in political life, some parties have taken an interest in forming women's cadres within their ranks and organizing training courses and seminars for women. To date, however, this has not led to adoption of a policy of positive discrimination to encourage women to rise to leadership positions.

34.2 To sum up, Lebanese political parties have no policy of positive discrimination in favour of women and the political agenda does not include adoption of a policy of temporary exceptional measures. To some extent, this may be due to the nature of the sectarian system, which reinforces sectarian anxieties instead of calming them and makes it unlikely that citizens – all citizens, men and women – will raise deep issues. Instead, it mobilizes them within sectarian frameworks that are always ready to confront one another. In an environment such as this, the issue of women's presence and participation is very much secondary and politically mobilized women are little concerned with the women's agenda.

34.3 In general, the position to date remains closer to one of neutrality – i.e. the removal of discrimination – than to positive neutrality in favour of women. As such, we are still far away from a situation of positive discrimination and universal forms of full equality in terms of opportunities and roles. These are two options at the political level of decision-making – principally at Government level – and require special exceptional measures to be taken that go beyond the fine intentions of all the ministerial statements of successive governments over the years.

VII. Obstacles and challenges

35. It is clear from the foregoing that the issue of temporary exceptional measures does not appear in the Lebanese political lexicon and has not been adopted in the majority of civil sectors. It is clear, too, that there is a wide gap between, on the one hand, the attitudes of the political community and the concerns and expectations of women's organizations and, on the other hand, the NGOs involved in publicising and supporting women's rights, democratic reform and human rights in general. This encourages the political community to disregard a policy of special exceptional measures designed to ensure women's rights.

36. It also appears that women are not only excluded and marginalized but also often alienated. The obstacles are primarily objective and subjective cultural ones. The source of alienation among many women is an inadequate awareness of their legal and civil rights. There are also structural obstacles inasmuch as it is the nature of sectarian system to marginalize equality between individuals in favour of equality between sects. The great paradox is that the quota-based sectarian system continues to reject the adoption of a quota for women.

37. Given this general scenario, the inability at national, strategic level to take special exceptional measures to ensure the participation of women has to be acknowledged, although there have been some partial and disconnected steps toward progress at Government level. Furthermore, it is necessary to recognize the need to continue applying pressure, through the alliance between the NCLW and women's organizations, at all levels of official decision-making, to incorporate the quota in the parliamentary election bill (which was put back for 17 months beyond its due date of June 2013 and is now scheduled for November 2014). This is a symbolic step that will pave the way for a public policy that is friendly to women and sympathetic to women's issues.

Article 4: Temporary special measures

38. In the light of article 4 of the Convention and the Committee's comments on Lebanon's third periodic report (2006), especially paragraph 23 thereof, in which the Committee recommends that the State Party use temporary special measures "as part of a necessary strategy to accelerate the achievement of de facto equality between women and men in particular with regard to accelerated implementation of articles 7, 8, 10, 11, 12 and 14 of the Convention";

And in the light of general recommendation no. 5 and general recommendation no. 25 (2004) on temporary special measures,

This report shall review the following:

I. Parliamentary elections bills

39. A number of parliamentary elections bills have recently been elaborated, favouring a women's quota. None of these, however, has reached the stage of adoption.

39.1 In 2006, the bill drafted by the National Commission on Electoral Law, the first electoral bill to combine the majoritarian and proportional systems, recommended a quota of at least 30% for women. Article 64 stated: "All lists in constituencies where the proportional system is applied shall be required to include a proportion of not less than 30% of women among their members; fractions equal to or exceeding one-half shall be rounded up. This provision shall be applied on a temporary basis and for three electoral rounds only".

39.2 In 2011, the Ministry of Interior and Municipalities prepared a parliamentary elections bill proposing, in addition to a reduction of the minimum age of candidacy from 25 to 22 years and of the voting age from 21 to 18, adoption of a quota for women of 30% at candidacy level (i.e. on electoral lists not seats). For an application to register and put forward a list of candidates to be accepted, the list must contain at least 30% of each sex. This is to encourage women to participate in political matters and exercise their constitutional rights in a manner consistent with the international conventions to which Lebanon has acceded, particularly CEDAW.

39.3 In 2012, the Ministry of Interior and Municipalities submitted to the Council of Ministers a new parliamentary elections bill, article 53 of which contained the following in article 53: "Each list must include a proportion of not less than 30% of women among its members; fractions equalling or exceeding one-half shall be rounded up. The list is to be arranged sequentially, such that the name of a candidate of one sex is to be followed by the name of a candidate of the other sex". However, article 52 of the Government's final bill stipulated: "Each list must contain at least one candidate of each sex among its members". The final bill was passed to the Chamber of Deputies pursuant to Decree no. 8913 (19 September 2013).

40. In this context, the NCLW and women's movements are calling for a women's quota of 30% of seats and of candidates.

II. Progress achieved in adopting certain special measures

41. *Discretionary residence permits for the husband and children of a Lebanese woman married to a non-Lebanese man*: Pursuant to Decree no. 4186 (31 May 2010), the non-Lebanese husband of a Lebanese woman shall, after having been married to her for one year, be given a discretionary residence permit free of charge; her children by the foreign husband shall also be given discretionary residence permits free of charge. These shall be granted by the General Directorate of General Security (GDGS) for a period of three years, renewable.

42. *A portion of the development funds distributed to the municipalities to be allocated to projects relating to women*: On 3 August 2012, the Ministry of Interior and Municipalities, at the request of the NCLW, circulated a letter to the municipalities on the need to allocate a portion of the development funds distributed to them to development projects relating to women.

43. *Formation of a committee concerned with “the gender perspective”*: Pursuant to circular no. 23/2009 (19 October 2009) of the Presidency of the Council of Ministers, calling upon all public offices and institutions to cooperate with the NCLW, and in the wake of the training courses organized by the NCLW on the concept of gender and the need to incorporate it in public policy, the Minister of Education and Higher Education issued Decision no. 810/M/2013 (13 July 2013), providing for the formation of a committee within the General Directorate for Education concerned with incorporating “the gender perspective” in the public policy of the Minister of Education and Higher Education.

III. Measures proposed

44. On 21 March 2012, the Council of Ministers formed a ministerial committee to study bills designed to amend the Nationality Law. On 14 November 2012, the committee recommended that a Lebanese woman should not be able to pass on her nationality to her children and husband. However, it proposed to the Council of Ministers that a raft of measures/ moderating steps be taken in respect of the husband and children of a Lebanese woman married to a foreign man, namely:

- Granting the husband and children of a Lebanese woman a residence permit without charge and without the stigma of discretion;
- The right to education and enrolment in public and private Lebanese schools, institutes and universities, just as Lebanese citizens;
- The right to work in the private sector but not the public sector, with the exception of the free professions regulated by law or those sectors for which the relevant laws, regulations and decisions expressly stipulate the condition of Lebanese nationality;
- The right to medical treatment in the public and private health sectors and to receive benefits from the Ministry of Public Health and Social Affairs and National Social Security Fund, just as Lebanese citizens.

On 17 January 2013, the Council of Ministers instructed the committee to continue studying the amendments that need to be made to certain existing laws and regulations and, likewise, to study the consequences of the measures contained in its report.

IV. Obstacles and challenges:

45. The most significant of these are:

- Insistence on the adoption of a women's quota of not less than 30% of candidates and seats in any new parliamentary elections law;
- Acquisition by Lebanese women of the right to pass on nationality to husband and children.

Article 5: Stereotype roles and violence against women

46. In the light of article 5 of the Convention and the Committee's comments on Lebanon's third periodic report (2006), especially paragraph 24 thereof, in which the Committee expresses its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society in Lebanon, and paragraphs 26 and 27, which focus on the persistence of violence against women and girls, including domestic violence, and the lack of a comprehensive approach to address all forms of violence against women, prompting the Committee to urge the State Party to accord high priority to this issue, particularly by establishing and implementing comprehensive measures and enacting legislation on violence against women, including domestic violence;

And in the light of general recommendations nos. 3, 12 and 19 on stereotype roles and violence against women,

This report shall review the following:

Theme 1: Stereotype roles**I. The facts****1. Stereotype roles: Constancy and change**

47. Stereotype images of women coexist in sociocultural expressions in Lebanon alongside those that more closely represent the contemporary situation of women.

47.1 *The persistence of stereotypes:* Certain sections of society still describe women in terms that evoke their reproductive role, failing to take account of the impact of the changes that have taken place in women's social roles. For example, it will be noticed that there is a general inclination among all communities in Lebanon to value the education of girls up to the highest levels, alongside a tendency in the family to encourage daughters to take up non-domestic employment. However, there are certain reservations about taking these to their conclusion, based upon fear of financial independence as a means to personal liberation from the authority of the man (husband, father or brother). Perhaps what most betrays the failure of stereotype images of women to reflect the real situation of women are the personal status laws, certain civil laws, such as the Nationality Law, and several articles in the Penal Code. The discrimination which these laws exude is plainly attributable to the traditional stereotype image of women within the patriarchal gender system.

47.2 *Moving beyond stereotypes*: Several field studies indicate that Lebanese society, in common with other contemporary societies, is moving beyond gender stereotypes. This is particularly the case among young women. Young Lebanese women are adopting characteristics appropriate to the roles they play, which demand capacities, skills and aptitudes normally associated with men, but without abandoning their traditional feminine roles. They no longer hold to beliefs that confine them to certain social roles and most reject the laws regulating their lives in the private and public spheres. They seek a life partner who respects their decisions and recognizes their changed situation. A behavioural phenomenon that serves as an example of how women have moved beyond the stereotype image is the increasing proportion of females in senior management positions and women's assumption of jobs which had been considered exclusively male in the judiciary, the security services and the military. Furthermore, young Lebanese women have begun raising their issues in public and taking part in mass public demonstrations; indeed, several women's organizations have begun calling for such demonstrations. The proportion of women using computers and the internet and with access to social media networks is close to that of men, particularly among young urban women, and young women's interest in political and social issues has noticeably increased. An example is women's participation in public, civil demonstrations and the initiative of several women's organizations in calling for such demonstrations.

2. The role of the media

48. *Legislation and policy*: The laws governing the working of the media in Lebanon contain no articles requiring action (in the form of temporary measures, for example) to achieve gender equality in respect of professional opportunities and representation at the different levels of the professional hierarchy. Furthermore, the policies of the official media and those regulating the private media are devoid of gender sensitivity.

49. *Media appearance*: The media faculties of Lebanese universities are full of women, who represent a majority in the profession. This, however, is not reflected in the presence of women as players in the media or in any qualitative change in the image and position of women in the media. Women's presence across the media and in the few areas given to them remains dominated by the traditional stereotype image. Moreover, women's issues raised in the media only address a few areas and these tend to be seasonal (International Women's Day, the annual campaign to combat violence against women etc.).

50. *Role of the media in strengthening and transcending gender stereotypes*: The media, culture and the arts share the role of educator with the family, school and other institutions. This involves the broadcasting of ideas, beliefs and concepts about forms of femininity and masculinity in attractive, artistic ways that represent models for people to identify with. Images of young women under the age of 30 dominate the covers of magazines and celebrity gossip and fashion news take up most of the content. Rarely do we find in these magazines anything about professional women, for example, or an interest in political awareness or women's professional development. Whether in entertainment programmes, the news, investigations or talk shows, the print and audio-visual media are obsessed with issues that are of little relevance to the concerns of the average working woman. In advertising, women are typically represented as housewives, sexual objects

associated with the object being promoted or shoppers and consumers of various types of product.

51. *New media*: The unenlightened image, all but unshakeable in the traditional media, is being countered by a promise of change, the first signs of which have appeared in the new media. The way was pioneered by the satellite channels which have penetrated most Lebanese households. While the older media are subject to the demands of the privileged male-dominated political, financial and sectarian authorities, the new media (the internet) are available to all without restriction or control. They offer a wide forum for all groups marginalized by the authorities of which women are perhaps the most significant. Social media sites have the greatest potential but no systematic study of their impact has yet been conducted. The few studies which have been carried out indicate considerable potential to exert pressure, spread women's awareness and sensitize people to manifestations of gender discrimination, as well as to the capacity of the new media to confront it. The first signs of this have become evident to those who monitor the new media.

3. Gender stereotyping and the family

52. *Sources of family upbringing*: Lebanon does not have a "national" policy on family upbringing; instead, the Constitution grants the religious sects power over citizens' personal status. For their part, the sectarian institutions do not make explicit provision for family upbringing but disseminate the substance thereof through sermons delivered orally by the clergy. These precepts and laws tend to become fixed and not to change in line with the changes that have occurred in gender roles. Indeed, they are more likely to strengthen traditional stereotype roles. Miscellaneous studies suggest that social integration, obedience to tradition and religion and appreciation of traditional male and female roles are, taken together, the most important values that parents ought to encourage among their children. These include, for example, preparing girls for their reproductive role and elevating the authority of the family above their own wishes as individuals.

53. Gender relations within the family

53.1 The Lebanese family is witnessing a move away from an extended structure toward a nuclear structure. One of the features of this is a decline in the number of members of the family, which is the main source for reproduction of the value system. However, this is not reflected in the laws governing personal status. For example, more women and young men tend to support civil personal status laws than do older groups and men. This trend is still not universal in all communities but it is prominent in elite cultural discourse.

53.2 Concern with family matters, such as preservation of standard of living and caring for children, is still basically the task of the mother/ wife, even if the woman works outside the home. In most cases, she receives help with household duties from a domestic servant or female family members but not from male family members.

53.3 Basically, the participation of working women takes the form of contributing to family expenditure. Families, even low-income ones, where the woman is working are classified in a higher income bracket than those where the wife does not work outside the home. This undermines the prevailing stereotype, which puts the man/ husband in the position of exclusive provider for his family.

53.4 Both spouses affirm a general tendency to share decision-making. The woman is responsible for taking decisions in matters relating to household management or children's education, while the man is responsible for decisions relating to money.

53.5 Dialogue as a way of resolving disputes is most common among urban groups, the better educated and families in which the woman works outside the home. Dialogue is preferred to other forms of dispute resolution (such as family mediation or the intervention of a clergyman). The resort to force and violence by one of the two parties – usually the man – is uncommon, according to both parties, and occurred in not more than 5% of sample cases studied.

54. *The culture of "honour"*

54.1 The culture of "honour" as it relates to women's sexuality has undergone some change. The manifestations of this change include, for example, a decline in the phenomenon of the murder of women motivated by "restoration of the honour of the family". In the period 1995-1998, 36 women were killed, an average of 12 per year. In 62% of these cases, the brother or father of the victim was the murderer, claiming to be "washing away the shame" of the family to which he and the victim belonged. In the 12-month period from May 2010 to May 2011, 12 women were also killed. While the rate is the same, only one of the murderers was the father; the remainder were husbands of the victims. In other words, these killings were not motivated by "honour" in the accepted sense but were, rather, cases of the crime known world-wide as uxoricide, which is the culmination of persistent and escalating "natural" violence, the prevention of which is dependent upon adoption of a law to protect women from domestic violence.

54.2 Qualitative studies have observed a change in attitudes toward "honour" among male and female teenagers and their families from urban sections of society and the better educated classes, prompting a re-evaluation of the relationship between "honour" and women's sexual behaviour, such as preservation of virginity until marriage. However, this is not the case among other, less affluent, social groups. Furthermore, the mention of "honour" during trials for the killing of women has declined and is absent from the language of judges, with the exception of some from peripheral regions in which "honour"-motivated crimes of femicide occur relatively frequently. This was the case even before parliament's annulment of article 562 in summer 2011 at a sitting that witnessed the triumph of the discourse of those deputies most supportive of women's issues.

II. Efforts undertaken

1. Efforts of women's organizations

55. *Strengthening the modernizing trend:* Governmental and non-governmental women's organizations are not content with the impromptu results of modernization, the most significant manifestation of which has been the transcending of gender stereotypes, particularly by women. Over the last two decades, these organizations have been working to strengthen the modernizing trend affecting women in Lebanon by implementing numerous activities with multiple inputs, diverse target groups, expanded geographical range and interventions covering the entire spectrum of community activity.

56. *Expanding the range of target groups:* In the mid-1990s, by way of example, the most visible activities consisted of numerous meetings, seminars and conferences under a variety of headings all to do with “women”, coupled to whatever topics of concern were highlighted by global conferences on women, in particular the Beijing conference. The participation of women in these was limited basically to the cultural and social elite. In recent years, however, there has been a strengthening of practice, with consultation meetings held across the country with field intervention officers working with women, including local middle-level officials involved with women’s affairs and grass roots workers, thereby giving expression to the strategy adopted by these organizations of interaction and dialogue with a broad cross-section of women, not only the elite. Typically, the prevailing discourse is that of human rights, while recommendations always include family upbringing and media programmes designed to combat stereotype gender roles effectively and spread the culture of equality. Gender-sensitivity training for influential workers in formal education (curriculum designers and textbook writers, for example) and non-formal education (e.g. media workers) has become almost routine.

57. *Widening the areas and channels of publicity:* Women’s activity in the last five years has been increasingly publicized and disseminated in public spaces. It has involved the regular use by women’s organizations in their campaigns of notices on roadsides and at crossroads, demonstrations, sit-ins, symbolic trials and public testimonials, media programmes devoted to the topic and intensive exchanges on social networking sites, without abandoning the traditional media that were formerly predominant. Women’s organizations have used all means at their disposal, including pressure, negotiation, public campaigns, awareness-raising, alliances and cooperation with progressive forces operating under the umbrella of human rights in order to cover all aspects of the issue.

2. Assessment of the impact

58. Those who monitor public discourse in Lebanese society can hardly fail to note its embrace of women’s issues and affairs. The emergence of women’s issues and the momentum they have acquired have led to them being thrust upon the wider public. We have begun to see a steady proliferation of both popular and elite cultural expression dealing with these issues. Of these, we might mention films (full length drama, shorts and documentaries), radio programmes for women, television serials, TV spots, traditional, open and interactive theatre, performance art in public spaces, symbolic trials, installations, photographic and fine art exhibitions, novels and other forms of expression which are hard to enumerate due to their rapid proliferation.

III. Obstacles and challenges facing women’s organizations (governmental and non-governmental)

59. *Perseverance in confronting discrimination:* Women’s organizations in Lebanon do not count upon the changes in women’s roles and in the structure of the contemporary family necessarily producing automatic changes in perceptions of and attitudes toward social and cultural patterns of female and male behaviour. They understand that the perceptions and attitudes embedded in discriminatory laws and practices can influence matters in such a way as to produce a reversal of the situation. This makes women in some Arab countries wary and cautious about the

gains they have made. As such, the challenge is one of continuing to monitor latent gender discrimination based on stereotype social roles, the cultural representations thereof and the violence arising therefrom, and working tirelessly to confront these.

60. The need to consolidate women's struggle against gender discrimination on a cognitive basis requires the publication of books and manuals dealing with laws and judicial procedures relevant to women, particularly the personal status laws of each sect, in simple language that can be understood by all women.

Theme 2: Violence against women

61. Widening the concept of violence against women to include, alongside physical violence, all forms of moral, psychological, economic and legal abuse of women simply because they are women, and everything used to justify such abuse has, in recent years, made combating violence a basic entry point for governmental and non-governmental organizations concerned with women's issues and affairs.

I. Facts and indicators

62. National surveys conducted periodically by the CAS do not include among their research tools an element devoted to monitoring the incidence or prevalence of violence against women. However, in the penultimate study (the results of which were published in 2011), under "Questionnaire for women", the following question was included: "Sometimes a husband gets annoyed or angry at something his wife does. In your opinion, is it justified for a husband to beat his wife in the following situations:?" Approximately 10% of women in the 15-49 age group answered in the affirmative, giving the main reason as "if a woman neglects her children". According to national statistics, replies differed by region (25% of women in the poorest governorate tend to approve of a man beating his wife), age (young women are more approving than middle-aged women) and academic attainment (better educated women are less approving).

63. By extrapolation based on the number of cases reported to police stations in Mount Lebanon governorate, one NGO estimated that more than 13,000 Lebanese women were subjected to domestic violence in 2009 (assuming that only 20% of actual cases are reported). What we know for certain is that at least one woman ever month is killed in a domestic violence incident and that, while the number of what are commonly called "honour killings" is declining, uxoricide is on the increase. In most cases, femicide is the culmination of persistent and escalating violence within the home and family, which will not be stamped out by considering it as "natural."

64. Qualitative and field studies conducted on appropriate samples permit us to understand more precisely the forms and types of violence practiced against women and also to identify the demographic and social features of women most at risk from such violence in order to develop ways of monitoring and supporting them.

II. Efforts undertaken

65. The relation between State institutions and NGOs is one of cooperation and neither party claims exclusive competence to combat violence. Indeed, the two sides have concluded integrated partnerships to maximize the benefit from pooled resources.

1. Official efforts

66. Lebanese State institutions are taking steady, if slow, steps toward combating violence against women in order to meet the country's obligations under agreements concluded with the international community as well as in response to the demands of civil society organizations.

66.1 Legislation: Bill to protect women from domestic violence

66.1.1 On 6 April 2010, the Council of Ministers adopted a bill submitted by the National Alliance for Legislation to Protect Women from Domestic Violence and referred it, after adding a paragraph (to ensure it does not conflict with the personal status laws and the jurisdiction of the Shariah, spiritual and sectarian courts, with the provisions of the latter on each subject applicable in the event of contradiction) to the Chamber of Deputies for adoption. The Chamber charged a special committee of deputies with studying the bill. The members of this committee divided into two groups: one group held that all forms of violence – economic and sexual and especially rape within marriage – ought to be criminalized; the other group rejected this on the grounds that intervention by the agencies of the civil State in family matters and the personal status of family members is tantamount to an assault on the jurisdiction of the sectarian courts and a violation of the Constitution. The committee referred the amended bill to the Chamber of Deputies for study in plenary session.

66.1.2 The NCLW, the Lebanese parliament's woman and child committee and the Department of Women's Affairs of the Ministry of Social Affairs support the bill submitted by the alliance. Pursuant to its advisory role for Government bodies in all matters relating to women's affairs and issues, the NCLW sent an official letter to the chairman of the parliamentary committee charged with studying the bill, drawing attention to several points dealing with amendments to the bill that alter its preventive and protective quality and, indeed, empty it of substance. The chairwoman of the woman and child committee submitted a proposal to the committee to incorporate articles 487, 488 and 489 (adultery) and articles 504, 505, 506, 513, 515 and 522 (abduction and rape) of the Penal Code into the bill to protect women from domestic violence.

66.2 Policy, strategy and measures

66.2.1 Since 2005, women's issues have emerged as a topic addressed by the ministerial statements of successive Governments. In fact, the ministerial statement of the Government formed in 9 November 2009 included an undertaking that the Government shall act to adopt an action plan to combat the phenomenon of violence against women, including concluding discussion of the bill on the protection of women from domestic violence, and shall act to formulate policies and legislation to combat trafficking in persons and children for purposes of sexual exploitation and forced labour (paragraph 22 of the ministerial statement).

66.2.2 Combating violence against women has been made one of the 12 key strategic goals and target areas for intervention in the most recent national strategy launched by the NCLW for the decade 2011-2021; this has been approved by the Chamber of Deputies.

66.2.3 Furthermore, one of the sub-goals of the national development strategy launched by the Ministry of Social Affairs in 2011 was the creation of legal

mechanisms and institutions to protect women from abuse in domestic and professional situations, commencing with civil personal status laws etc.

66.2.4 In this field, statistics arranged by sex are a valuable means of drawing up strategies and formulating related plans. In its penultimate set of statistics (2009), the CAS included several questions dealing with violence against children and wives. Furthermore, efforts have been made to include a section in the national statistics permitting the incidence of violence against women to be calculated and its prevalence to be determined.

66.2.5 In the context of judicial action, women are able, like men, to bring a case and enter into litigation in person. Studies indicate that judges in Lebanese criminal courts tend not to be lenient with cases of violence toward women and not to push women to accept settlement with the perpetrator of the violence. In this context, we might mention a decision on 29 November 2013 of the Court of Cassation confirming an order made by a judge in chambers denying the former husband of a petitioner access to the house in which she lives with her daughter in order to protect them from his habitual violence against them. Although the former husband owns part of the house, the Court of Cassation's decision stated that the safety of a human being comes before all other considerations and assault by one party against another justifies in principle the denial of contact that might lead to the occurrence of harm. The judiciary accordingly placed the personal safety of wife and daughter above ownership rights. In another situation, actions against a wife who abandons her husband's home are brought under the heading of "flight from the marital home" and result in a search and investigation warrant being issued against the woman, exposing her to the risk of detention, manhandling and humiliation. On 20 January 2014, the Public Prosecutor of the Court of Cassation sent circular no. 5939/M/2013 to the judges of the prosecution service requiring, when a complaint is brought against a wife who abandons the marital home, that it shall be sufficient, when necessary, to issue a search and investigation warrant for "a missing person".

66.2.6 Pursuant to article 399 of the Penal Code, State employees who are witness to abuse in the course of their work must report it or face disciplinary action. This includes sexual harassment to which a female employee or any woman may be exposed in the public sector.

66.2.7 For its part, the ISF prepared a strategic plan for 2010-2013, with a vision that "We are equal to the hopes of citizens and enjoy their fullest confidence". The key priorities of the plan are the protection of human rights and freedoms and promotion of efficiency and professional development within the ISF. To carry out the plan the ISF, in collaboration with civil society organizations working to combat violence against women, took a number of measures, including:

- Organizing joint workshops with ISF officers, judges and representatives of civil society organizations to exchange expertise on developing ways of dealing with victims of domestic violence. At a graduation ceremony on 25 November 2013 (International Day for the Elimination of Violence against Women) for officers who underwent a train the trainers course, the ISF command announced adoption of the concept of "community policing" in its general approach to the concept of security and the security of women within the family in particular.

- Formation of a committee under the chairmanship of the head of the planning and organization division, tasked with supervising and monitoring all decisions taken by the General Directorate to combat crimes of domestic violence with a view to developing a scheme to qualify members of the Judicial Police to handle and investigate the said crimes.
- Formation of a committee under the chairmanship of the head of the training section of the ISF Institute and in partnership with a non-governmental agency working to combat violence against women to prepare an instruction card containing the rules and procedures to be followed by members of the ISF Judicial Police when handling and investigating crimes of domestic violence, and including the instruction card in ISF Institute training programmes.
- Conducting training courses for ISF personnel working with domestic violence issues.

66.2.8 For its part, the Department of Women's Affairs of the Ministry of Social Affairs set up, in 2012, a national technical working group on violence against women in Lebanon, in collaboration with the International Medical Corps and a non-governmental organization. At the time of preparing this report, the group's most prominent achievement were:

- Development of a unified national mechanism for bringing to light cases of gender-based violence and domestic violence monitored by the medical system, and the development of a code of conduct for male and female health workers.
- Development of a form for documenting cases of gender-based violence and domestic violence monitored by social workers and formulation of guidelines setting out roles and powers when hearing complaints and conducting social intervention, aimed at social workers in development services centres attached to the Ministry of Social Affairs, primary care centres attached to the Ministry of Public Health and NGOs.

66.3 Programmes and services

66.3.1 The Department of Women's Affairs of the Ministry of Social Affairs, in collaboration with non-governmental organizations, is active in disseminating the culture of resistance to violence against women among young men and teenage boys in schools and has developed programmes for dealing with men and certain marginalized groups, such as female prisoners and migrants.

66.3.2 The training programmes implemented by the Ministry of Social Affairs, in partnership with NGOs, target various groups that are likely to receive a complaint and/ or witness the effects and repercussions of violence against women. These groups include, for example, social workers, police, health and medical service providers, religious figures, local community leaders and counsellors, teachers (male and female), judges and lawyers. Programmes are designed to sensitize and build the capacities of these groups of service providers and raise their skills level to enable them to detect violence and either deal with victims or refer them to the bodies having the capacity to do so.

66.3.3 The State still has contracts with four refuges belonging to charitable associations, most of which are religious, to shelter women who have nowhere to stay and no resources to secure temporary alternative accommodation until the risk

of sudden violence abates. More than 100 development services centres attached to the Ministry of Social Affairs across Lebanon's six governorates provide medical, psychological, legal and cultural services for women in general and the victims of violence in particular. These centres work in collaboration with NGOs, municipalities and civil and religious figures from the local community.

2. Efforts of non-governmental organizations

67. Non-governmental organizations continue to take in battered women, listen to them and provide services in response to their actual needs in respect of safety and security, including providing refuge. The most common services provided by these organizations are listening, psychological and social counselling and guidance and enabling programmes to help women sort out their current situation and manage their lives purposefully. At the same time, they are active in raising the level of women's awareness of their rights and urging them to assert these as a form of self-empowerment to confront the discrimination and violence to which they are exposed, whether within the domestic or the public sphere.

68. However, the most conspicuous trend that has begun to emerge in recent years is the endeavour to change the environment justifying violence against women – whether in terms of practices and customs or in terms of the attitudes, laws and public policies that govern women's lives in the private and public spheres – and to provide the conditions conducive to making the environment safe and empowering for women.

69. Non-governmental organizations have targeted three specific groups: battered women/ survivors of violence against women; select groups linked, actually or potentially, to the issue of violence against women or in contact with battered women; and, finally, the general public. These groups are spread throughout Lebanon, not only in the capital. There is particular concern with the peripheral regions of the Beqaa, the South and the North.

70. Perhaps the most significant of the outputs of NGO programmes and activities in recent years has been the establishment of "violence against women" as one of the components of the wider political and social discourse. A manifestation of this was the fact that, on International Women's Day 2014, more than 3,500 citizens of both sexes responded to the call of the National Alliance for Legislation to Protect Women from Domestic Violence to make a symbolic march for justice and to demand adoption of a law to protect women from violence/ murder within the family. The march was characterized by a strong presence of young men and women from all political persuasions and sects. Observers were agreed that the demonstration was a distinctly civil, not political, event.

3. Research efforts

71. Aware of the importance of consolidating their activity on a scientific basis, women's organizations collaborate with researchers to conduct field studies monitoring the phenomenon of violence against women, the factors relevant to its emergence and attitudes toward gender-based violence. It has been a feature of publications in recent years that they are available to be read online by the broad masses on the websites of commercial publishing houses, publishing organizations and other information portals.

72. Manuals, training kits and training resources have been published, aimed directly at women, men and children, as well as those in the health and care professions who work with women. Finally, there are materials aimed at researchers and those active in combating violence against women. Some of these (such as the manual for foreign female workers) are written in foreign languages, while others (the text of the Convention, for example) are written in simplified language.

73. Bibliographies of published research and manuals and of unpublished reports on violence against women.

III. Obstacles and challenges to combating violence against women

1. Official challenges

74. In Lebanon, we lack a solid statistical basis/ fundamental authority for unequivocal and comprehensive intervention to combat violence against women. This highlights the need to adopt a clear policy on systematic monitoring of the phenomenon and to strive to genderize official statistical activity in a comprehensive manner.

75. As the articles incorporated in the Penal Code were formulated using general or obsolete terms and expressions, we lack a precise description or specific designation of certain crimes and no legal articles identify the following crimes by name: sexual assault and harassment (sexual harassment, for example, is listed under “Crimes in violation of ethics and public morality”), domestic violence, marital rape and “forced” marriage of children (the giving in marriage of a minor by her father or guardian is not considered a forced marriage because there is no concept of “enlightened acceptance” and because the age of marriage stipulated in the various personal status laws in Lebanon does not criminalize child marriage). Furthermore, the penalties for perpetrators of violence are confined to imprisonment, hard labour and fines; there is no provision for rehabilitation or behavioural and psychological therapy. As such, the job of modernizing the law to embrace current discourse and terminology on the subject is a critical one.

76. Women’s organizations in Lebanon, especially the NCLW and the Department of Women’s Affairs of the Ministry of Social Affairs seek to engage in dialogue with the legislature on the subject of violence against women in an attempt to dissuade it from yielding to the demands of the more paternalistic groups in Lebanese society, i.e. the sectarian courts charged with considering people’s personal status. Here, the challenge consists in creating a widespread grassroots movement and extending it to the level of the Constitution and the law. The bill on the protection of women from domestic violence, for example, allows the judicial, security and social institutions of the State to approach the subject of violence against women in a comprehensive manner and develop a successful model to achieve gender equality and restore the rights of women – as citizens – from the hegemony of the sects and sectarian institutions.

2. Challenges facing civil society organizations

77. Women still face an argument that its proponents never tire of repeating, namely, that our country is preoccupied with more important things and women’s issues cannot be raised in “the present situation” because interest is focused on “the critical issues”. The challenge is to remove the apparent normality and matter-of-

factness from discrimination and violence against women, instead highlighting these as “sensitive issues” to which our society should accord the priority they deserve.

78. Women’s non-governmental organizations are clear about the difficulties facing their work, of which we might mention the following: the security situation, bureaucracy in State institutions, lack of secure and properly staffed refuges and inadequate adoption by the media of women’s issues. They also face internal difficulties in bringing about organizational change in line with their changing functions, including the issue of volunteering and professionalism, and a failure to develop and adopt approaches that cut across alliances and differences.

3. Research and authoring

79. To avoid repetition and redundancy, it is necessary to complete the compilation of a comprehensive bibliography of all the research conducted on violence against women and to update it regularly. It should be uploaded to recognized women’s websites and portals to form an essential knowledge base for activists and decision-makers.

Article 6: Combating the exploitation of women

80. In the light of article 6 of the Convention regarding the undertaking by States Parties to take “all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”;

And in the light of paragraphs 28 and 29 of the Committee’s concluding comments on Lebanon’s third periodic report (2006), especially its concern that “trafficking in women and girls is growing in Lebanon”, that the State Party has not enacted legislation on this form of trafficking and that there is “a lack of systematic data collection on the phenomenon”;

And in the light of general recommendation no. 26 (2008), on female migrant workers,

This report shall review the following:

I. Progress achieved in the legislative position

81. On 24 August 2011, the Lebanese parliament adopted a law (no. 164) punishing the crime of trafficking in persons (published in issue no. 40 (1 September 2011) of the Official Gazette). The provisions of one section of the law were added to chapter 8, book 2 of the Penal Code and of another to section 7 of the Code of Criminal Procedure, under the heading, “Measures of protection in respect of the crime of trafficking in persons”.

81.1 The new law defines trafficking in persons as:

- a. The enticement, transportation, harbouring, detention or sheltering of a person;
- b. By means of the threat or use of force or abduction, deception, abuse of power or a position of vulnerability, or the giving or receiving of payments or benefits or the use of such means against someone having power over another person;

- c. For the purpose of exploiting that person or facilitating his exploitation by others.

The consent of a victim shall be irrelevant where any of the means set forth above have been used.

81.2 The new law considers “exploitation” to be the coercion of a person into taking part in any of the following acts: (a) acts punishable by law; (b) prostitution or exploitation of the prostitution of others; (c) sexual exploitation; (d) begging; (e) slavery or practices similar to slavery; (f) forced or compulsory labour; (g) the forced or compulsory recruitment of children for use in armed conflicts; (h) forced involvement in terrorist acts; and (i) the removal of organs or tissues from the victim’s body.

81.3 The consent of a victim, a close member of his family, his legal guardian or any other person exercising legal or de facto authority over him to the intended exploitation set forth above shall be irrelevant.

81.4 The enticement, transportation, harbouring, detention or sheltering of a person under the age of 18 for the purpose of exploitation shall be considered as trafficking in persons, even if not accompanied by the use of any of the means set forth above, such as the threat or use of force or abduction, deception, abuse of power or a position of vulnerability, or the giving or receiving of payments or benefits or the use of such means against someone having power over another person.

82. It will be noticed from the foregoing that the definition adopted by Lebanese law is largely consistent and in harmony with the definition of the crime of trafficking in persons appearing in article three of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, concluded by Lebanon pursuant to Law no. 682 (24 August 2005).

83. The punishment for the crime of trafficking in persons is a criminal one. Anyone who, at his own initiative, informs the administrative or judicial authorities about the said crimes and provides them with information leading either to the discovery of the crime before it is committed or to the arrest of the perpetrators, accomplices, accessories or instigators shall be exempt from punishment, as long as the informant is not responsible for the crime as the perpetrator thereof. Anyone who, after committing the said crime, provides the authorities with information allowing it to be prevented from being prolonged shall benefit from mitigating circumstances.

84. According to the new law, a victim of the crime of trafficking in persons shall be any natural person who is the object of trafficking in persons or whom the authorities reasonably consider to be a victim of trafficking in persons, regardless of whether or not the perpetrator has been identified, arrested, tried or convicted. The law exempts the victim from punishment, if it is established that (s)he was forced to commit acts punishable by law or if (s)he violated the conditions of residence or employment. This only applies in relation to the crime of unlawful residence and violation of the Labour Law in Lebanon. Furthermore, the law allows the investigating magistrate or judge hearing the case to permit, pursuant to a decision to be issued by him, the victim to reside in Lebanon during the period of the investigation. The law grants the Minister of Justice the power to conclude agreements with specialist institutions and associations to provide assistance and

protection for the victims of crimes of trafficking in persons. Furthermore, a reform measure has been introduced that provides for the seizure of funds arising from crimes of trafficking and for the deposit of such funds “in a special account” belonging to the Ministry of Social Affairs to assist the victims of these crimes.

85. Accordingly, the protection given by the law to victims of the crime of trafficking in persons consists in (1) exemption from punishment, if it is established that she was forced to commit acts punishable by law, as well as exemption from punishment for illegal residence in Lebanon, if she is of foreign nationality; (2) granting the Minister of Justice the power to conclude agreements with specialist institutions and associations to provide assistance and protection for the victims of crimes of trafficking in persons; and (3) confiscation of the funds arising from these crimes and deposit of such funds in a special account belonging to the Ministry Social Affairs.

II. Legal lacunae and challenges

1. Legal lacunae

86. Despite the importance of the foregoing provisions, the law punishing the crime of trafficking in persons lacks an integrated and interconnected legal system of protection and help for victims. Note that concern for the protection and care of and support for the victim was a feature of all stages prior to promulgation of the law. Although the bill expressly acknowledged that “the measures of protection” cover plaintiff and witnesses equally, this was ignored by the law when promulgated, which instead confines “the measures of protection” provided for under this heading to witnesses only, not the plaintiff. Moreover, these measures lack effect, if they conflict with the rights of the defence.

2. Challenges

87. The GDGS acknowledges that uncovering a crime and distinguishing between it and the criminal acts of which it consists is one of the main challenges faced by the authorities in eliminating human trafficking. Other challenges consist in strengthening the new legislative situation and reforming certain existing regulations.

88. The law punishing the crime of trafficking in persons, promulgated under no. 164/2011, could be strengthened by including certain amendments to both its penal and protective provisions, in particular: the text of article 586 (5) (new punishments) – to make it properly applicable, it should stipulate a felony punishment instead of the stated misdemeanour punishment because it criminalizes circumstances requiring the more severe felony punishment for trafficking in persons; article 3 of the law which removes, without justification, the expression, “or induced him to commit it” – i.e. commit an act incompatible with decency – from articles 508, 509 and 510 of the Penal Code; and article 586 (10) (new), reworded to read: feeding “the special account.....to help victims of these crimes” from sources other than “funds arising from these crimes”, following confiscation thereof. Furthermore, the law needs to be amended to include an integrated legal system of protection for victims of human trafficking and to make the measures for the protection of witnesses commensurate with the exercise by the defendant of his right to self-defence.

89. There needs to be a review of the laws, decrees, decisions, regulations and ordinances regulating the profession of “sex workers” and workers in occupations where the way can be open in practice to offering sexual services for money. This is because the legislative and regulatory stipulations relating in one way or another to the sex trade are typically formulated in legislative climates dominated by the concern to safeguard public health and morals, without regard for the dignity of those who practice this profession or “trade”. The review of these stipulations must be carried out on objective bases that reconcile the demands of health and public order with the need to respect people’s rights and freedoms. Regulation of the work of these groups should not be left to the security agencies alone.

89.1 While Decree no. 1157 of 2 May 1991 (regulation of the security forces) gave the General Criminal Investigation Division – Bureau for the Protection of Morality – the authority to pursue and suppress crimes against morality and public order, including combating prostitution and controlling the activity of *artistes*, the statistical data published by the Public Relations Division of the ISF show the following:

Table 1
Breakdown of crimes occurring between 2006 and 2010 by nationality, where the agent (perpetrator of the crime) was female

| <i>Type of crime and nationality of perpetrator</i> | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 1 Jan. 2012- 10 Oct. 2012 | Total |
|---|------------|------------|------------|------------|------------|------------|------------------------------|--------------|
| Facilitating prostitution | | | | | | | | |
| Lebanese | 10 | 11 | 8 | 12 | 8 | 11 | 12 | 72 |
| Non-Lebanese | 11 | 4 | 5 | 5 | 4 | 8 | 5 | 42 |
| Facilitating and engaging in prostitution | | | | | | | | |
| Lebanese | - | - | - | 2 | 2 | 2 | 1 | 7 |
| Non-Lebanese | - | - | - | - | - | 1 | 0 | 1 |
| Procuring and committing indecent acts | | | | | | | | |
| Lebanese | - | - | 1 | - | 2 | 4 | 1 | 8 |
| Non-Lebanese | - | - | - | - | - | - | - | - |
| Engaging in prostitution | | | | | | | | |
| Lebanese | 103 | 122 | 96 | 93 | 146 | 125 | 58 | 743 |
| Non-Lebanese | 93 | 91 | 74 | 111 | 194 | 163 | 84 | 810 |
| Unspecified | - | - | 1 | - | - | - | - | 1 |
| Total | 217 | 228 | 185 | 223 | 356 | 314 | 161 | 1 684 |

Source: Public Relations Division, General Directorate of Internal Security Forces.

89.2 For its part, the GDGS has advised that between 3 and 5 *artistes* – women working in nightclubs – are deported every month by order of the General Director for a variety of reasons, including engaging in prostitution, violating the residence regulations or causing problems with one another. The GDGS has further advised that 986 *artistes* hold annual residence cards.

90. Reform of the position of foreign female workers in domestic service

90.1 Another group at risk of trafficking and exploitation are foreign female domestic service workers, especially if they run away from their employer's house and their residence in Lebanon becomes unlawful. It then becomes easy to traffic them through prostitution networks, exploiting their illegal residence, which typically keeps them from reporting instances of exploitation for fear of also being liable to prosecution for unlawful residence in the country. This situation was amended by the law punishing the crime of trafficking in persons, which included an explicit provision – article 586 (8) (punishments) – allowing the judge hearing a case to permit a foreign defendant illegally resident in Lebanon to stay in Lebanon during the period necessary for the investigation.

90.2 According to information published by the GDGS on 4 December 2012, there were 141,738 foreign female domestic service workers at the end of 2012. However, according to the GDGS, accurate statistics showing the prevalence of violence against foreign female domestic service workers do not exist, especially as there are a number of types of violence (physical, verbal, moral etc.). The GDGS documents all cases of possible victims of human trafficking who have made complaints of beating or violence. According to its own statistics, there were 23 such cases in 2008, 18 in 2009, 20 in 2010, 42 in 2011 and 25 in 2012, making a total of 128. However, according to information from the GDGS, these girls do not represent all female workers in domestic service at risk of violence. Not all violence involves human trafficking and there may be very many unreported cases.

III. Progress achieved in gathering data on the trafficking of women and girls

91. Since 2008, the GDGS has been gathering and using data on human trafficking in a scientific manner, noting nationality, complaint, result, final processing. This has enabled detailed conclusions to be drawn; we present those for 2011 and 2012 below:

Table 2

Breakdown of type and number of complaints brought by possible victims in 2011 and 2012

| <i>Type of complaint</i> | <i>2011</i> | <i>2012</i> | <i>Total</i> |
|---|-------------|-------------|--------------|
| Wages | 50 | 44 | 94 |
| Beating | 42 | 24 | 66 |
| Mistreatment | 37 | 21 | 58 |
| Sexual exploitation + rape + harassment | 19 | 12 | 31 |
| Exploitation + deceit + deceit regarding employment | 9 | 4 | 13 |
| Torture | 4 | 1 | 5 |
| Restriction of liberty | 3 | - | 3 |

| <i>Type of complaint</i> | <i>2011</i> | <i>2012</i> | <i>Total</i> |
|--------------------------|-------------|-------------|--------------|
| Minor | 3 | - | 3 |
| Abuse | 2 | 7 | 9 |
| Abandonment by sponsor | 1 | - | 1 |
| Bad working conditions | - | 2 | 2 |
| Intimidation | - | 1 | 1 |
| Abortion | - | 1 | 1 |
| Total | 170 | 117 | 287 |

Table prepared on the basis of data provided by the GDGS; note that more than one complaint may have been made in any one case.

92. The processing of the above complaints and the administrative status of the worker following completion of processing are shown in Tables 3 and 4. Note that, under the “Safe House” memorandum of understanding (signed on 12 January 2005 and involving, alongside the GDGS, concerned local and international bodies), the GDGS is in charge of the initial investigations with possible victims of human trafficking and, as it will assume responsibility for their residence in Lebanon during the investigation period, of ensuring that victims are protected.

Table 3
Processing of complaints submitted in 2011 and 2012

| <i>Processing</i> | <i>2011</i> | <i>2012</i> | <i>Total</i> |
|---|-------------|-------------|--------------|
| Case referred to judiciary/ competent body for wider investigation | 16 | 11 | 27 |
| Sponsor/ accused charged | 14 | 1 | 15 |
| Worker received her wages | 26 | 17 | 43 |
| Part of accusation not substantiated | 16 | 7 | 23 |
| Accusation not substantiated | 21 | 20 | 41 |
| Truth of accusation denied by plaintiff | 14 | - | 14 |
| Reconciliation achieved between worker and sponsor | - | 4 | 4 |
| Transferred to employment with new sponsor | - | 1 | 1 |
| Case processed before investigation | 6 | - | 6 |
| Left country before start of investigation/ Departed for her country as a result of investigation/ Fled before start of investigation | - | 10 | 10 |
| Fled from safe house | 2 | - | 2 |
| Crime occurred/ charge brought outside Lebanese territory | 7 | - | 7 |
| Worker is mentally deficient and investigation could not be conducted | - | 1 | 1 |
| Sponsor admitted to beating due to nervous condition of worker | - | 1 | 1 |
| Worker admitted that sexual intercourse took place with her consent | - | 1 | 1 |
| Total | 122 | 74 | 196 |

Table prepared on the basis of data provided by the GDGS.

Table 4
Administrative status of worker after processing of case by GDGS

| <i>Administrative status</i> | <i>2011</i> | <i>2012</i> | <i>Total</i> |
|-------------------------------------|-------------|-------------|--------------|
| Departed Lebanon | 73 | 62 | 135 |
| Transferred to new sponsor | 2 | 1 | 3 |
| Returned to house of sponsor | 9 | 5 | 14 |
| Warrant issued forbidding her entry | 60 | 57 | 117 |
| Miscellaneous | - | 3 | 3 |
| Total | 144 | 128 | 272 |

Table prepared on the basis of data provided by the GDGS.

93. The pursuit of crimes of trafficking in persons fall implicitly within the purview of the Bureau for the Protection of Morality of the ISF Criminal Investigation Division. This office has investigated a number of cases of trafficking in persons and has set up a dedicated database, from which the figures in the following tables have been taken:

Table 5
Number of victims and perpetrators of human trafficking, by year

| <i>Year</i> | <i>Victims</i> | <i>Perpetrators</i> |
|--------------|----------------|---------------------|
| 2009 | 7 | 3 |
| 2010 | 8 | 3 |
| 2011 | 27 | 11 |
| 2012 | 27 | 9 |
| 2013 | 13 | 8 |
| Total | 82 | 34 |

IV. Efforts undertaken and services provided to victims of trafficking in persons

94. These consist of official efforts and the joint efforts of Government agencies, civil society organizations and other relevant bodies.

94.1 To promote Law no. 164/2011, a general strategy to combat the crime of trafficking in persons in Lebanon was launched on 10 March 2013. The strategy has four themes: prevention, pursuit and investigation, victim support and protection and ongoing monitoring and control. The strategy came about as a result of joint action begun in June 2012 at the initiative of civil society organizations, in partnership with official bodies, namely, the Ministry of Justice, Ministry of Interior and Municipalities and Ministry of Social Affairs.

94.2 As regards State cooperation with countries of origin and transit countries to address the causes of trafficking in persons and improve measures to prevent it by exchanging information the GDGS, as a security agency concerned with combating trafficking, exchanges information on various crimes, including human trafficking.

94.3 As regards support and shelter and pursuant to the “Safe House” memorandum of understanding, all possible victims of the crime of human trafficking are referred to a safe house to establish whether or not they are indeed victims. Cases where there is any doubt are handled on this basis and the possible victim remains at the safe house until it is established otherwise. The safe house is anxious to support victims of human trafficking, violence and exploitation and is particularly concerned with women working in houses and nightclubs.

94.4 The numbers of women victims benefitting from safe houses from 2008 to 2012 is as follows:

Table 6

Number of women victims of non-Lebanese nationality benefitting from safe houses from 2008 to 2012

| | 2008 | 2009 | 2010 | 2011 | 2012 | Total |
|--------------|-----------|-----------|-----------|-----------|-----------|------------|
| Total | 46 | 34 | 62 | 93 | 71 | 306 |

Table prepared on the basis of data provided by the GDGS.

94.5 Raising awareness and education

- The GDGS has published a booklet, in Arabic and English, on the rights and duties of workers in domestic service. It has published another booklet, also in Arabic and English, containing the provisions regulating the employment of female workers in nightclubs, modelling and non-medical massage.
- The GDGS organizes a number of campaigns, in partnership with international bodies and domestic organizations concerned with combating the crime of trafficking in persons.
- Furthermore, the GDGS circulates the telephone numbers of the complaints room and *artistes* department to all *artistes* before they take up employment. This enables them to liaise directly with the GDGS, if they experience mistreatment or abuse or are forced to commit acts against their will outside the scope of the employment contract.

94.6 As regards the repatriation and reintegration of victims of trafficking, the “Safe House” memorandum of understanding stipulates that “permanent solutions shall be guaranteed to them (i.e. victims of trafficking), including voluntary return to their own countries”. Voluntary return is one solution. The list of solutions may also include granting the victim annual residence and/ or extension of residence. In addition, there are programmes run by the International Organization for Migration for possible victims of human trafficking among *artistes*, whereby a concerned body escorts a departing victim from Lebanon to her own country. As regards the reintegration of victims into their societies, when a foreigner is detained or to be investigated, the GDGS informs his embassy that (s)he is being held by the GDGS before the investigation begins. It also notifies the embassy of the outcome, either upon conclusion of the investigation or when the embassy enquires. It is thus the duty of the embassy to follow-up his/ her situation and ensure integration into society.

94.7 For its part, the Ministry of Social Affairs continues to provide support to relevant specialist NGOs by entering into contract with them to provide the

necessary services, including the rehabilitation of girls and women who are victims of prostitution and providing them with shelter for a certain period of time, according to the situation of each.

V. Obstacles and challenges

95. The most significant of these are:

- Strengthening the new legislative position and reviewing the laws, decrees and decisions regulating female sex workers and workers in occupations where the way can be open in practice to performing sexual services for money;
- Reforming the situation of foreign workers, especially those in domestic service, to ensure that they are protected from exploitation;
- Complications from the Syrian exodus to Lebanon, especially in terms of the economic and social impact on displaced women.

Articles 7 and 8: Women and political participation

96. In the light of articles 7 and 8 of the Convention, which stipulate that States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country;

And in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraphs 10, 12, 13 and 23, on ensuring women's participation on an equal footing with men in decision-making and considering using "a range of possible measures, such as quotas, benchmarks, targets and incentives", in particular with regard to accelerated implementation of certain articles of the Convention, including articles 7 and 8, and "to devote serious attention to the specific needs of women in the post-conflict period and ensure women's equal participation in decision-making.....";

And in the light of the Committee's general recommendations, especially no. 8, on the application of article 8 of the Convention and no. 23, relating to women in political and public life,

This report shall review the following:

I. Legislation and policy

97. At the outset, it is worth noting that the Lebanese Constitution provides for full equality between all Lebanese in respect of rights and obligations, including full political rights and the right to occupy public positions (articles 7 and 12 of the Constitution).

98. Progress achieved with regard to the national plan for human rights: After four years of work and in collaboration with the UNDP project at the Chamber of Deputies and the office of UNHCR and in partnership with relevant international organizations, official agencies and cross-sections of civil society, the parliamentary committee on human rights completed the national plan for human rights. It was announced on 10 December 2012, in preparation for discussion and adoption by the Chamber of Deputies. Drafting the plan required arranging more than 30 working meetings and preparing 23 background studies on civil, political, economic, social

and cultural human rights. It is worth mentioning in this context that the plan includes the theme of women's rights and to this end, a special study was prepared on that topic. The study was the fruit of debate and the views of the bodies and sectors taking part in the said working groups. The study covered the legal position of women in international charters and the legislative and legal structure in Lebanon. It also included a description of the challenges and difficulties of the present situation. The study concluded with a draft sector-based plan defining priorities for action and the institutions in charge of implementation. According to the plan, the priorities for action consist in ridding laws of discrimination against women, building a culture of equality, empowering women and developing their autonomous capacities.

99. *Electoral bills:* The year 2012 saw preparations for the parliamentary elections expected to be held in 2013. However, because the deputies failed to agree on a new parliamentary elections law and in view of the unstable security situation, the elections were postponed until 2014 and the current parliament was extended for a further 17 months. The Government debated a bill introduced by the Ministry of Interior and Municipalities containing, under pressure from women's governmental and non-governmental organizations, an article on the women's quota. Article 53 of the bill stipulated: "Each list must include a proportion of not less than 30% of women; fractions equalling or exceeding one-half shall be rounded up. The list is to be arranged sequentially, such that the name of a candidate of one sex is followed by the name of a candidate of the other sex". However, the Council amended the bill in such a way that article 52 stipulated: "Each list must contain at least one candidate of each sex among its members". The bill was passed to the Chamber of Deputies pursuant to Decree no. 8913 (19 September 2013) but did not receive the support of those political factions which had worked to draft, debate and submit electoral bills that, in the opinion of each, are more properly representative of the Lebanese people.

100. *Ministerial statements:* This report has already (in the context of article 3) shed light on the attitude of successive Lebanese governments to women's issues and strengthening the role of women has become a fundamental element of their ministerial statements, even if the ministerial statement of the Government (the 73rd) on 15 February 2014 included no reference to women's issues.

101. *Parliamentary committees:* The work done by the parliamentary committees in support of women's rights has been modest, with the exception of: the launch of the national plan for human rights, which contains an element relating to women's rights; adoption of the law punishing the crime of trafficking in persons; cancellation of article 562 of the Penal Code; and amendment of some discriminatory laws, which this report will indicate. As regards the strengthening of women's participation in political life, the work of parliamentary committees was limited to meeting with petitioning bodies and promising to meet their demands and provide them with support, which amounted to nothing more than public statements. It is worth noting that the woman and child committee, which is reviewing laws that discriminate against women, organized several expanded meetings with NGOs concerned with women's issues to continue studying a mechanism to incorporate the women's quota in the election law.

II. The actual situation

102. *The position of women in the formation of governments:* Two women were part of the Government formed in 2009. One took over the Ministry of Finance portfolio, considered a sovereign position and the first time it had been held by a woman. The other was Minister of State without portfolio. No woman was part of the Government formed in 2011, while the Government formed in 15 February 2014 contained one female minister, the Minister of the Displaced, out of 24 ministers.

103. The position of women in parliamentary elections:

Table 1

Number of women candidates and winning women candidates in parliamentary elections, 1992-2013

| <i>Electoral session</i> | <i>No. of female candidates</i> | <i>No. of winning female candidates</i> |
|--------------------------|---------------------------------|---|
| 1992 | 6 | 3 |
| 1996 | 11 | 3 |
| 2000 | 18 | 3 |
| 2005 | 14 | 6 |
| 2009 | 12 | 4 |
| 2013 | 38 | No parliamentary elections held |

103.1 The figures in Table 1 indicate a decline in the number of female candidates and winning female candidates in the parliamentary elections held in 2009, compared with 2005. The overall rate of nomination and election remains very modest, with no noticeable change since 1992. The proportion of winning female candidates in the 2009 elections did not exceed 3.1%. The parliamentary elections scheduled to be held in 2013 witnessed, to some extent, good headway made in the number of female candidates relative to previous years, with 38 female candidates nominated. However, despite the number of female candidates having increased many times over since 2009, it remains low in comparison with the candidature of men and only 5% of a total of 705 candidates were women.

103.2 It is worth noting that three out of the four women who entered the Chamber of Deputies in 2009 were re-elected, while only one woman entered parliament for the first time. It is clear that the reason for the entry of the four women was – as is always the case – family heritage or the death of a husband, father or brother. In this context, it is worth mentioning that the Ministry of Interior and Municipalities does not employ gender criteria when drawing up and publishing list of candidates or winning candidates in either parliamentary or municipal elections.

104. The position of women in the 2010 municipal and mayoral elections

104.1 Municipal elections

Table 2

Number and percentage of women in the 2010 municipal elections, by governorate

| <i>Governorate</i> | <i>No. of members</i> | <i>No. of female candidates</i> | <i>No. of winning female candidates</i> | <i>Percentage of winning female candidates (%)</i> |
|-------------------------|-----------------------|---------------------------------|---|--|
| Beirut | 24 | 10 | 3 | 12.5 |
| Mount Lebanon | 3 519 | 367 | 164 | 4.66 |
| South | 1 662 | 101 | 59 | 3.54 |
| Nabatieh | 1 491 | 61 | 20 | 1.34 |
| Beqaa | 1 917 | 92 | 45 | 2.34 |
| North | 2 812 | 449 | 229 | 8.14 |
| All governorates | 11 425 | 1 080 | 520 | 4.55 |

Source: Ministry of Interior and Municipalities, Directorate General of Political and Refugee Affairs.

The figures in Table 2 show that there were 520 winning women candidates in the 2010 municipal elections; the number was 220 in the 2004 elections. In spite of the progress achieved, the overall proportion remains low at 4.55%. It is, however, noteworthy that, out of 1,080 female candidates, 520 were elected. This constitutes 48% of the number of female candidates and ought to represent a stimulus for women to increase their participation in local authorities.

104.2 Mayoral elections

Table 3

Number and percentage of women in the 2010 mayoral elections, by governorate

| <i>Governorate</i> | <i>Mayors</i> | | | | <i>Members of mayoralty</i> | | | |
|--------------------|----------------------|--------------------------|----------------------------------|-----------------------------|-----------------------------|--------------------------|----------------------------------|-----------------------------|
| | <i>No. of mayors</i> | <i>Female candidates</i> | <i>Winning female candidates</i> | <i>Prop. of females (%)</i> | <i>No. of members</i> | <i>Female candidates</i> | <i>Winning female candidates</i> | <i>Prop. of females (%)</i> |
| Beirut | 108 | 11 | 5 | 4.6 | - | - | - | - |
| North | 643 | 47 | 14 | 2.1 | 1 147 | 62 | 49 | 4.3 |
| Beqaa | 476 | 17 | 5 | 1.1 | 645 | 7 | 7 | 1.1 |
| South | 307 | 11 | 5 | 1.6 | 528 | 23 | 20 | 3.8 |
| Mount Lebanon | 734 | 36 | 9 | 1.2 | 1 374 | 71 | 62 | 4.5 |
| Nabatieh | 302 | 10 | 1 | - | 363 | 10 | 10 | 2.7 |
| Total | 2 570 | 132 | 39 | 1.5 | 4 057 | 173 | 148 | 3.6 |

Source: Ministry of Interior and Municipalities, Directorate General of Political and Refugee Affairs.

In comparison with the results of the local elections held in 2004, in which some 16 women were elected as mayors, the figures in Table 3 show an increase in the number of women elected to this position in 2010, even if the overall percentage remains very low at 1.5%. What is noteworthy in the above figures is that, out of 173 female candidates for the position of member of a mayoralty, 148 (85%) were elected.

105. The position of women in political parties

Table 4

Women's participation in political parties

| | <i>General assemblies</i> | <i>Executive offices</i> |
|-----------------------------------|---------------------------|--------------------------|
| Proportion of women participating | 29%-40% | 12%-16% |

The study of the position of women in political parties was conducted on the basis of a representative sample of nine main parties; Table 4 shows the percentage of women's participation in these parties. Note that participation varies according to level of party activity. While it is good to some extent in general assemblies – because parties make use of the female element in conducting election campaigns – it diminishes markedly at leadership levels. As regards women's participation in political parties, it is significant that the structure of most parties includes a women's section, to which all women members of the party belong. Activities range from organizing awareness-raising campaigns and training courses for women party members to preparing for parliamentary elections through female district agents. Furthermore, the women's section organizes charity and social events. While it is true that the existence of a women's section does strengthen women's participation in political parties, it is nevertheless a double-edged sword. It confines women's activity to the women's section and isolates them from other party activities, especially political activity. It would perhaps be better for the issue of women to be incorporated in each party policy and for women to have a presence in all sections of the party.

106. Women in the Lebanese judiciary

The percentage of female candidates for the examinations held by the Ministry of Justice for admission to the Institute of Judicial Studies exceeds that of male candidates. In 2011, there were 543 judges, of whom 221 were women, i.e. 41 % of the total, compared with 29% in 2004. In the financial judiciary (the Court of Audit), 50% of judges are female, compared with 44% in 2004. However, a study looking at the distribution of female judges by region, position and function and based upon analysis and comparison of two judicial transfer decrees issued in 2004 shows an absence of women judges in senior positions, which continue to be held by men. These include the Attorney General (Cassation), Attorney General (Finance), First Investigating Judge (six men) and head of the Judicial Inspection Board. The same is the case with investigating judges (24 men compared with only three women), attorneys general of the Court of Appeal (five men compared with one woman), advocates and attorneys general of the courts of cassation, finance and appeal (35 men compared with seven women) and inspectors of the Judicial Inspection Board (eight men compared with two women). However, on the basis of the same study it can be said that the number of female investigating judges has

increased from zero to three, while the discrepancy in relation to other positions, such as advocates and prosecutors general, remains unpronounced (six in 2004 and seven in 2010). Furthermore, the number of women in appeal court chambers hearing civil cases is approximately double that of men (19 compared with ten), although the number falls considerably in criminal and mixed chambers (24 compared with 47).

107. Women in public positions

107.1 Data from the Civil Service Council for 2011 indicate that the distribution of male and female public sector staff is as follows:

Table 5
Number and percentage of male and female public sector staff

| <i>Official departments</i> | <i>Male</i> | | <i>Female</i> | |
|--|---------------|-----------------------|---------------|-----------------------|
| | <i>Number</i> | <i>Percentage (%)</i> | <i>Number</i> | <i>Percentage (%)</i> |
| Permanent staff | 5 543 | 65 | 3 046 | 35 |
| Temporary staff | 3 093 | 63 | 1 788 | 37 |
| Public organizations covered by the mandate of the Civil Service Council | 2 089 | 85 | 367 | 15 |
| Municipalities covered by the mandate of the Civil Service Council | 1 320 | 83 | 278 | 17 |
| Totals and percentages | 12 045 | 69 | 5 479 | 31 |

107.2 The distribution of male and female permanent staff by job category is as follows:

Table 6
Distribution of male and female permanent staff by job category

| | <i>Category 1</i> | <i>Category 2</i> | <i>Category 3</i> | <i>Category 4</i> | <i>Category 5</i> |
|---------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Female staff | 8 | 57 | 778 | 2 042 | 161 |
| Male staff | 71 | 179 | 1 361 | 3 280 | 652 |
| Total | 79 | 236 | 2 139 | 5 322 | 813 |
| Proportion of females (%) | 10.1 | 24.1 | 36.3 | 38.3 | 19.8 |

Source: Civil Service Council, 2011.

It will be noticed from the foregoing that, while women made up 6.5% of all category 1 employees in 2004, this figure rose to 10.1% in 2011. For category 2 employees, the figure rose from 18.75% to 24.1%, for category 3 employees it rose from 28.1% to 36.3% and for category 4 employees, from 31.8% to 38.3%. Despite this increase, however, the higher up the management ladder, the lower the proportion of females.

107.3 As regards women's participation in the Foreign Service, Table 7 indicates a disparity in participation between category 1 and other categories. While the figure for women's participation at category 3 is 27.5%, it falls to 22.2% at

category 2 and to 13.3% at category 1. However, it will be noticed that, in general, some headway has been made in comparison with 2004, as shown in Table 8.

Table 7

Comparison of the number of male and female staff in the Foreign Service

| <i>Category</i> | <i>No. of male staff (FS)</i> | <i>No. of female staff (FS)</i> |
|-----------------|-------------------------------|---------------------------------|
| 1 | 52 | 8 |
| 2 | 7 | 2 |
| 3 | 87 | 33 |

Source: Ministry of Foreign Affairs and Emigrants, Directorate of Administrative and Financial Affairs, Administration Department.

Table 8

Development in the percentage of women in the Foreign Service between 2004 and 2013

| <i>Category</i> | <i>Women in the Foreign Service (%)</i> | |
|-----------------|---|-------------|
| | <i>2004</i> | <i>2013</i> |
| 1 | 13.3 | 6.7 |
| 2 | 22.2 | 14.7 |
| 3 | 27.5 | 24.4 |

Source: Ministry of Foreign Affairs and Emigrants, Directorate of Administrative and Financial Affairs, Administration Department.

108. Women in the ISF and GS

108.1 The year 2012 witnessed a significant development in the ISF. In March of that year, the first batch of 570 females (492 sergeants and 78 gendarmes out of a total of 1,448 sergeants and gendarmes) entered, followed in February 2013 by a second batch of 423 female personnel (362 sergeants and 61 gendarmes out of a total of 1,805 sergeants and gendarmes). A feature of this experiment was that the ISF women took the same military, professional and legal courses as the men and that the majority of the female police officers and gendarmes will carry out military and security duties. Females recruited at the level of sergeant include those who hold the baccalaureate part 2 and above, including 150 holding university degrees in several majors. Furthermore, a number of female officers have been recruited, bring the total number of females to 1,015. Nevertheless, this represents only 3.6% of total ISF personnel.

108.2 There are 217 women in the general security service, i.e. 4.7% of total general security personnel. They hold positions commensurate with aptitude and enjoy equal rights in respect of salary and incentives.

III. Efforts undertaken

109. Efforts of the NCLW

109.1 The most significant event in the period 2006-2012 was the National Strategy for Women in Lebanon 2011-2021, prepared and launched by the NCLW on

17 May 2011. This document was the fruit of the joint labours of the NCLW and those ministries directly concerned with women's affairs in Lebanon, as well as women's organizations and associations active in the fight to strengthen the position of women and remove all forms of discrimination against women in all areas. The strategy contains general goals and priorities to promote human rights, particularly in legislation, policy, the economy, social affairs, education, health, the environment, the media etc.

109.2 As part of the efforts of the NCLW to promote women's participation, this period also witnessed the establishment of women's regional training centres in Lebanon, particularly in areas remote from the capital.

109.3 Within the framework of promoting resolution 1325, one of the 12 strategic goals contained in the National Strategy for Women 2011-2021 is, "the protection of girls and women in emergency situations, armed conflict, wars and natural disasters" and one of the sub-goals included in the national plan of action 2013-2016 is "the wider participation and active involvement of women in dialogue, conflict resolution and building the culture of peace to overcome the effects of war in a manner consistent with Security Council resolution 1325. In this context, we might mention implementation of "Women Empowerment: Peaceful Action for Security and Stability" (WEPASS), a project inspired by resolution 1325 and set up by the NCLW, in collaboration with UNFPA, in the wake of the Israeli war against Lebanon in 2006 and continuing until 2010. The initial phases of the project were implemented in ten towns, whereupon the scope was widened to cover 20 towns suffering harsh economic conditions. It is worth mentioning that one of the criteria adopted for selecting towns in which to implement the project was that one of the members of the town's municipal council or board of its social services centre be a woman. One of the results of the project was that three women's associations were founded in three rural towns and 12 women who took special courses on women's political empowerment were successful in the 2010 local municipal council elections.

109.4 In the period 2006-2012, the NCLW continued to follow up its demands to strengthen the participation of women in politics by calling upon the Chamber of Deputies to adopt a level of representation of women of not less than 30% of parliamentary seats and, likewise, by calling upon prime ministers charged with forming governments to bring women into the cabinet.

110. *Efforts of NGOs:* In this area, the following will be noted:

- Most activities are forums and round tables; training courses take second place, although these focus on building women's capacities to enable them to become candidates and get elected.
- The activities of women's organizations are focused on the electoral law, the women's quota, formulating laws to achieve gender equality and combating violence against women. Several organizations have a position on certain political issues, such as challenging the sectarian weighting, for example.
- Before the formation of any Government, demands increase for a 30% participation of women in Government. It is worth noting that, in the period 2006-2012, cooperation was strengthened between NGOs and the NCLW in numerous areas, allowing efforts to be concerted and a large pressure bloc to be created.

- Within the context of promoting resolution 1325, a number of NGOs took part in a series of advisory meetings organized with the support of international NGOs and in collaboration with the United Nations Interim Force in Lebanon (UNIFIL) to prepare an agenda to support peace, security and non-discrimination against women.

IV. Obstacles and challenges

111. The obstacles to the participation of women in political life are many and might be summarized as follows:

- The sectarian political system, distribution of seats on a sectarian basis in the Chamber of Deputies and the electoral laws constitute a system which, in the view of politicians, does not permit an additional quota for women to be adopted, even although all deputies are elected on a fixed quota basis;
- The preoccupation of politicians with Lebanon's political problems makes them unwilling to discuss or think about achieving equality between men and women, on the grounds that it is secondary to the key issues;
- The dominance of the patriarchal mentality, which does not encourage women to intrude upon a political community that men consider their exclusive domain. This hegemony was demonstrated in a study conducted by the Lebanese Council of Women (LCW) in 2006, based on a sample of 2,000 citizens; the results showed that 80% of respondents had never voted for a woman in their lives.

112. The challenge remains to continue to exert pressure in order to:

- Adopt a formula to bring about a qualitative leap in women's participation in political life;
- Work on the attitudes of both men and women, especially young people of both sexes;
- Encourage women to assume leadership positions in political parties; merging parties' women's sections into general party activity may help expedite women's access to leadership posts.

Article 9: Nationality

113. In the light of article 9 of the Constitution, especially where it stipulates: "States Parties shall grant women equal rights with men with respect to the nationality of their children";

And in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraphs 42 and 43, in which the Committee expresses concern "about the State Party's reluctance to withdraw its reservation to article 9, paragraph 2" and urges the State Party "to recognize the negative impact of its nationality law" and, accordingly, revise its nationality law and remove the said reservation;

And in the light of general recommendation no. 4 (1987) on review of reservations;

And in the light of Lebanon's continued reservation to article 9, paragraph 2 of the Convention,

This report shall review the following:

I. Efforts to amend the Nationality Law in favour of gender equality

114. Despite Lebanon's reservation to article 9, paragraph 2 of the Convention, on granting women equal rights with men in relation to granting her nationality to her children, efforts have been made to amend the Nationality Law in favour of gender equality. These efforts consist of the following:

114.1 Bills and proposed laws relating to nationality submitted after 2006:

Table 11
Distribution of health facilities

| <i>Submitting body</i> | <i>Type of legislative text</i> | <i>Date</i> | <i>Submitted to</i> | <i>Summary</i> |
|----------------------------|---------------------------------|--------------|--|---|
| Ministry of Interior | Bill | 27 Apr. 2009 | General Secretariat of Council of Ministers | <p>Bill in two versions:</p> <p>Version (a): The following text to be added to the last paragraph of article 4, Resolution no. 15 (19 Jan. 1925): Likewise, a Lebanese woman married to a foreigner shall have the right to grant Lebanese nationality to her children.</p> <p>Version (b): Contrary to any other legal provision, any person born to a Lebanese mother shall be considered Lebanese, with the proviso that the father's nationality shall have been issued by a recognized State and that there shall be no conflict with the provision of the Constitution with regard to rejecting the naturalization of Palestinian refugees.</p> |
| Two parliamentary deputies | Proposed law | 27 Apr. 2009 | Parliament (Speaker of the Chamber) of Deputies | Proposed amendment of article 1 of the Nationality Law to read: Any person born to a Lebanese father or Lebanese mother shall be considered Lebanese (instead of the present text, which reads: "Any person born to a Lebanese father shall be considered Lebanese"). |
| Parliamentary deputy | Proposed law | 2010 | Parliament | Proposed law consisting of nine articles instituting the green card for the foreign husband and children of a Lebanese woman, on the basis of which they shall be granted civil, but not political, rights. |
| Ministry of Interior | Bill | 2012 | General Secretariat of Council of Ministers | Its provisions are consistent with the previous bill submitted by the Ministry of Interior in 2009. |
| NCLW | Bill | 13 June 2012 | <p>- Chairman of General Secretariat of Council of Ministers</p> <p>- Head of ministerial committee charged with the subject</p> | <p>Bill with two articles stipulating that, with the exception of the children of a Lebanese mother and Palestinian father, any person born to a Lebanese father and/ or mother shall be considered Lebanese.</p> <p>Children born to a Lebanese mother and Palestinian refugee father duly registered with the Ministry of Interior and Municipalities shall be given a green card through administrative channels</p> |

| Submitting body | Type of legislative text | Date | Submitted to | Summary |
|-----------------|--------------------------|------|--------------|---|
| | | | | <p>granting them civil rights (but not political rights) and the right to own property. An exception to the prohibition on owning property shall be the right of the children to inherit from their mother.</p> <p>Adults holding a green card shall have the right, within a year of reaching the age of 18 and within a year from the date of the promulgation of this law, to apply to obtain Lebanese nationality.</p> <p>Lebanese nationality shall only be given to the holder of a green card after it has been ascertained that he has lawfully resided for at least ten years on Lebanese territory and that he has not been convicted of a moral crime, even if it has expired.</p> |

114.2 *Formation of a ministerial committee to study amendment of the Nationality Law:* Pursuant to Resolution no. 46 (21 March 2012), the Council of Ministers formed a ministerial committee chaired by the Deputy Prime Minister to study proposals to amend the Nationality Law. Regrettably, the committee recommended on 14 November 2012, that a Lebanese woman should not be able to grant Lebanese nationality to her children and husband, basing their recommendation on the higher interest of the Lebanese State. The committee was anxious for the Council of Ministers to approve a basket of facilities for the husband and children of a Lebanese women married to a foreigner but nothing new was offered except the possibility of access to public sector medical treatment and education. On 17 January 2013, the Council of Ministers asked the committee to continue studying the amendments that require to be introduced into several current laws and regulations and, likewise, to study the implications of the measures contained in its report.

It is worth noting that the committee based its conclusions on a decision of the Constitutional Commission on the necessity of not adopting the principle of equality between Lebanese and foreigners in respect of possession of rights in rem in Lebanon, as this involves the higher interests of the Lebanese State. However, the said decision does not apply at all to the right of a Lebanese woman to grant nationality to her husband and children, as it concerns Lebanese not foreigners.

Accordingly, on 4 March 2013, the NCLW submitted a study to the Presidency of the Council of Ministers, registered under no. 529/2 pointing out the legal flaws in the recommendation of the said committee. This was referred to the committee for study.

114.3 Temporary measures

| <i>Type of text (decree, decision etc.)</i> | <i>No.</i> | <i>Date</i> | <i>Source</i> | <i>Substance</i> |
|---|------------|---------------|----------------------|---|
| Decree | 4186 | 31 May 2010 | Council of Ministers | Amendment of Decree no. 10188 (28 July 1962), on application of the law regulating entry to, residence in and exit from Lebanon, to read: the General Director of General Security shall have the right to grant discretionary residence for a period of three years, renewable, to the foreign husband of a Lebanese woman after one year has elapsed from the date of his marriage to her, and the children of a Lebanese woman by a foreign husband, whether they are major or minor and whether working or not. |
| Decision | 122/1 | 23 Sept. 2011 | Minister of Labour | Relating to documents required from a foreigner man married to a Lebanese woman or born to a Lebanese woman in order to obtain a work permit (easing the acquisition of a work permit by abolishing the security required in order for foreigners to work, and granting a foreigner man married to a Lebanese woman or born to a Lebanese woman exemption from the prohibition imposed by the Ministry of Labour regarding jobs forbidden to foreigners). |
| Decision | 123/1 | 23 Sept. 2011 | Minister of Labour | Relating to recovery of the certificate of deposit (security) for a man married to a Lebanese woman or born to a Lebanese woman. |

114.4 Court judgements

| <i>Name of court</i> | <i>No.</i> | <i>Date of ruling</i> | <i>Subject</i> | <i>Summary of ruling</i> |
|--------------------------------------|------------|-----------------------|---|--|
| Court of First Instance, Mt. Lebanon | 200 | 16 June 2009 | Application by woman of Lebanese origin to grant Lebanese nationality to her minor children following the death of her foreign husband, pursuant to article 4, paragraph 2 of Decree no. 15/1925. | Lebanese nationality granted to minor children of a Lebanese mother whose foreign husband is deceased, by analogy with the children of a mother who has acquired Lebanese nationality. (It should be noted that, following appeal by the Lebanese State, the ruling was quashed by the Mt. Lebanon Court of Appeal; the case is still before the Court of Cassation.) |

| <i>Campaign</i> | <i>Organization</i> | <i>Main activities</i> |
|--|--|---|
| “My nationality is a right for me and my family” (since 2001) | The campaign was launched by NGOs that are part of the Lebanese Women’s Network under an initiative of the Collective for Research and Training on Development Action. | Public mobilization, campaign support, assistance; mobilizing political support; liaison with the media; providing direct support to women harmed by the current Nationality Law; training and capacity building; research and information; sit-ins. |
| “Because they are my children, my nationality is their right” (since 2005) | National Meeting to Eliminate All forms of Discrimination against Women (a group of bodies, organizations and federations coming together under the one banner). | Sit-ins and press conferences. |
| “My nationality for me and my family” (since 2008) | Non-Governmental Committee for the Follow-up of Women's Issues. | Analytical field study on the situation of Lebanese women married to foreign men; organizing workshops and training courses; formulating draft proposals to amend the Nationality Law; publication of a training guide on advocacy; media campaign on TV, radio and advertising billboards to promote the idea of amending the Nationality Law. |

114.5 Efforts of civil society organizations to implement article 9

114.6 Activities carried out by the NCLW and other organizations to disseminate the Convention:

| <i>Date</i> | <i>Subject</i> | <i>Place</i> |
|---------------------------|--|-------------------------|
| 27 Feb. 2006 | Workshop on the role of the media in implementing CEDAW (in collaboration with ESCWA). | NCLW |
| 28 Feb. and 1-2 Mar. 2006 | Workshop on the role of ministries and public institutions in preparing reports on implementation of CEDAW (in collaboration with ESCWA). | NCLW |
| 4-9 June 2007 | CEDAW promotion week: a series of activities targeting trainee judges and lawyers and human rights activists (with support from ESCWA and in collaboration with the Bar Association, Institute of Judicial Studies (IJS) in Lebanon and the Institute for Women’s Studies in the Arab World of the American University of Beirut). | IJS and Bar Association |

| <i>Date</i> | <i>Subject</i> | <i>Place</i> |
|--------------------|--|--------------|
| 14-15 April 2010 | Participation of male and female gender support officers in workshops on the substance of the Convention (articles of the Convention, Lebanon's reservations, how to compile the national report and the role of the CEDAW Committee). | NCLW |
| Last quarter, 2011 | The NCLW prepared a study on the right of Lebanese women to pass their nationality to their children (a response to the words of caution usually raised against demands for this right to be acknowledged) – a comparative study of Arab and Western laws. | NCLW |

114.7 Measures required but not yet implemented:

| <i>Type of provision</i> | <i>No.</i> | <i>Date</i> | <i>Source</i> | <i>Substance of provision</i> |
|--|------------|---------------|--------------------|--|
| Request by Ministry of Labour to Ministry of Finance, adding an article to the budget bill (Ministry of Labour chapter). | 2273/3 | 21 Sept. 2011 | Ministry of Labour | Request to exempt men married to Lebanese women or born to Lebanese women from the different types of licensing fees for employment (prior approval, work permit). |

II. Obstacles and challenges

115. The main impediments to amending the Nationality Law are:

- Fear of the naturalization of Palestinians, rejected in the preamble to the Constitution due to the sectarian imbalance which this might cause in Lebanon: there are those who maintain that giving nationality to Palestinian men married to Lebanese women or to the children of Lebanese women married to Palestinian men would lead to naturalization.
- The sense that, fundamentally, national affiliation passes from the father;
- Foreigners getting married to Lebanese women for the purpose of obtaining Lebanese nationality;
- Fear of competition for jobs and the spread of unemployment.

Article 10: Equality in education

116. In the light of article 10 of the Convention;

And in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraph 25, in which the Committee calls upon the State Party to "further encourage diversification of the educational choices of boys and girls" and, likewise, "to encourage a public dialogue on the educational choices girls and women make and their subsequent opportunities and chances in the labour market";

And to test the soundness of the widely-held belief in Lebanon that the predominance of females in education has "feminized" it and to determine the extent of progress in the situation of females/ women in education over the last eight years, this report shall review the following: the situation and prevalence of women in different types, fields, stages and grades of education, and the policies governing female education.

I. Educational policies, laws and strategies

117. Official policy

117.1 On the subject of education, the ministerial statement of the Government before last (the 72nd), as well as the ministerial statements of previous governments, indicated that public sector schools and universities would be areas of particular concern to the Government, "academically, administratively and financially". The statement went on to say that the Government would act to promote the role of women in public life, in collaboration with concerned women's organizations, pursuant to the substance of international conventions, in particular CEDAW. In other words, successive Lebanese governments have identified the wider political framework for the formulation of policies, strategies, plans and programmes supportive of women in public sector educational departments and institutions.

117.2 For its part, the NCLW pinpointed the issue of promoting opportunities for girls and women in the field of education as a fundamental goal in its ten-year strategy (2011-2021). It identified areas in education for intervention that are still, despite the progress made by women, in need of attention by official bodies and

civil society. These areas include compulsory education, eradication of illiteracy among adult women, school dropout among rural girls, gender stereotyping in curricula and vocational guidance, professionalization of the specializations favoured by women and attending to women with special needs, particularly in respect of vocational educational. Furthermore, it set out the programmes, activities and human and financial resources required to achieve the particular goals in this area in a procedural plan of action for 2012-2015, drawn up at the end of 2011 in partnership with civil society organizations and official bodies.

117.3 Following the training courses organized by the NCLW on incorporating the concept of gender in the public policy of the Ministry of Education and Higher Education, and the organization of training courses and dialogue meetings on human resources in the education sector that this entails, a committee was formed under Decision no. 810/M/2013, charged with incorporating gender within the public policy of the Ministry of Education and Higher Education.

118. *Legislation*

118.1 Following promulgation of the law on compulsory and free primary education in 1998, designed to curb pupil dropout – the implementation of which ensures that females will complete a stage that has a marked rate of dropout among girls in rural and poor areas – Law no. 150 (17 August 2011) was promulgated, stipulating that elementary education shall be compulsory and free in public sector schools. A decree to be adopted by the Council of Ministers shall determine the conditions and regulation of free, compulsory education. This decree has not yet been issued but a committee, chaired by the Director General of Education and with a membership drawn from the directorates of primary and secondary education, CERD, the Ministry of Social Affairs and Ministry of Interior and Municipalities has been charged with formulating a mechanism to compel families to send their children, both male and female, to school. The committee finished preparing the draft implementing decree, which was to be put before the Government formed on 15 February 2014. The introduction of compulsory education represents the foundation for applying gender dimensions in the ministry's education strategy. It is worth noting that one of the compelling reasons for Law no. 150 (17 August 2011) was the requirement for the minimum age for employment or work, which has to be not less than 15 years of age, to be consistent with the age for free, compulsory education.

118.2 On 30 March 2012, Law no. 211 was promulgated, permitting the Ministry of Education and Higher Education to distribute textbooks free of charge to pupils in official kindergartens and elementary schools.

118.3 On 21 September 2012, Decree no. 8917 was issued, setting the kindergarten stage at three school years, open to children above the age of three by 31 December of the school year in which enrolment takes place.

118.4 On 17 December 2012, Decree no. 9533 was issued, specifying the circumstances of those with special education needs with regard to the official examination for the intermediate certificate.

119. Curricula and teaching materials

119.1 CERD is tasked with developing curricula and reviewing textbooks to rid these of gender-based discrimination. Accordingly, starting in 2006 and in coordination with UNFPA, a number of workshops on gender in education were organized for curriculum designers and textbook writers and train the trainer courses were held. Additionally, CERD has supervised several studies on the perception of women in textbooks (particularly reading and civics textbooks) and a number of reviews of textbooks have been conducted since 2006. CERD accords special attention to gender sensitivity through the training courses its holds for teachers. These are delivered by instructors charged with verbal delivery of gender-based approaches to promote consolidation of the principle of equality between the sexes. Hundreds of teachers have benefitted from these courses, which are designed to raise the level of their gender awareness.

119.2 Except for several isolated and disconnected efforts to teach gender issues within the framework of certain majors, no express policy has been drawn up to accord a special place to women's issues in the thinking behind the structure of specializations and curricula in public sector university education. The Lebanese University still has no major in women's studies or gender studies and there is no plan to include women's or gender issues in existing majors. The only exception is that the presidency of the university has made human rights a compulsory component of all majors and, in this way, instruction is provided on those elements of international conventions relating to women's rights.

119.3 In the private university system, one university (Notre Dame University – Louaize) offers a major in women's studies, while several others (the American University of Beirut and Lebanese American University, for example) offer individual elective courses. The Faculty of Public Health of the University of Balamand includes gender in its curriculum.

119.4 The National Literacy Programme of the Ministry of Social Affairs has no specific plan for responding to the particular needs of women.

II. The status of females in education

1. General indicators

120. The net rate of enrolment in primary school (i.e. children aged six, the age of enrolment in primary grade one) is 88.5%, without gender disparities. School enrolment of those aged between six and 11 is more than 98% (98.4% of girls and 98.3% of boys), with slight difference between regions (97.5% in the districts of Akkar and Miniyeh-Danniyeh) and 96.2% in other districts of North Lebanon). Gender parity in education varies between 0.99 and 1.02, indicating that gender equality in respect of primary school enrolment is almost complete.

121. At intermediate and secondary levels, net enrolment of girls is 85.2% across Lebanon as a whole, compared with 77.4% for boys. This makes the gender parity index 1.10 – i.e. the net enrolment of girls at intermediate and secondary levels is more than 10% above that of boys. The gender parity index varies according to region, as follows:

Table 1

| Region: | Beirut | Akkar and Miniyeh-Danniyeh districts | North | Beirut suburbs | Mount Lebanon | Baalbek and Hermel | Beqaa | South Lebanon | Nabatiyeh |
|--------------|--------|--------------------------------------|-------|----------------|---------------|--------------------|-------|---------------|-----------|
| Index value: | 0.99 | 1.28 | 1.27 | 1.11 | 1.01 | 1.02 | 1.14 | 1.08 | 1.15 |

Source: Multi-indicator cluster survey, 2009 (CAS and UNICEF, Beirut).

122. There is no school dropout in Lebanon at primary level, with 99.8% of those who enrolled in first grade primary proceeding to fifth grade primary. The net primary school completion rate (successful completion of grade six) is 74.7% for boys, compared with 70.6% for girls. Some 96.7% of these enrol in grade one intermediate and secondary (96.1% of girls and 97.1% of boys).

123. Across Lebanon as a whole, 81% of children aged 12-17 are enrolled at intermediate and secondary levels (85.2% of girls, compared with 81.1% of boys who have completed primary school). The proportion varies by region, with the highest enrolment in Mount Lebanon (92% of girls and 91.6% of boys) and the lowest in the districts of Akkar and Miniyeh-Danniyeh (75% of girls and 59% of boys).

124. More boys than girls underachieve at primary school (5.5% compared with 4.9%). Underachievement is lowest in Beirut, excluding the suburbs (2.4% of boys compared with 1.2% of girls), while it exceeds 10% in the districts of Akkar and Miniyeh-Danniyeh (9.2% of girls compared with 12.1% of boys). The rate of retention across all grades is 2.1% for females and 2.8% for girls.

125. An average of 61.7% of girls aged between 36 and 59 months are enrolled in some form of pre-school education (compared with 60% of boys). This proportion varies according to geographical region (it is highest in Mount Lebanon and lowest in northern and peripheral districts).

2. Formal education

126. Enrolment

126.1 *Pre-university education*: Comprehensive statistics on formal education prepared by CERD show that the general level of female enrolment has been constant compared with males over the last eight years at approximately 50.2%. At preparatory and primary stages, the proportion of male enrolment is slightly higher but female enrolment increases at subsequent levels; male dropout is also a factor. With the exception of vocational education, the percentage of females exceeds that of males at all levels after the two initial ones, as shown in the following table:

Table 2

Female enrolment by academic year and educational stage

| School year | Kindergarten (%) | First stage (%) | Second stage (%) | Third stage (%) | Vocational (%) | Higher (university) (%) |
|-------------|------------------|-----------------|------------------|-----------------|----------------|-------------------------|
| 2003-2004 | 48.3 | 48.3 | 52.8 | 55.8 | 46.5 | 53.8 |
| 2011-2012 | 48.5 | 49.2 | 54.0 | 56.9 | 45.9 | 54.0 |

Source: adapted from CERD statistical bulletin.

126.1.1 Vocational education has suffered a decline in numbers of institutes and students since 2005. Some 20 institutes have closed and enrolment of students of both sexes has fallen (from around 96,882 in academic year 2004-2005 to 89,781 in 2011-2012, representing a decline of 8%).

126.1.2 Female enrolment at the pre-university stage is broken down by type of school as follows:

Table 3

Breakdown of total school enrolment of girls by educational sector in Lebanon, 2011-2012

| <i>Public</i> | | <i>Private (free)</i> | | <i>Private (fee-paying)</i> | | <i>Private (UNRWA)</i> | | <i>Total</i> | |
|---------------|------|-----------------------|------|-----------------------------|------|------------------------|------|--------------|------|
| No. | % | No. | % | No. | % | No. | % | No. | % |
| 275 655 | 53.9 | 240 126 | 48.1 | 509 979 | 48.5 | 31 889 | 53.2 | 943 763 | 52.0 |

Source: CERD.

126.3 University education: In academic year 2011-2012, the number of male and female students registered in public and private university education was 88,589 and 103,933, respectively, including 73,698 male and female students registered at the Lebanese University. Universities can be ranked by the presence or absence of gender balance among students, as follows:

| <i>No. of male students approx. equal to no. of female students</i> | <i>No. of female students greater than no. of male students</i> | <i>No. of male students greater than no. of female students</i> |
|---|---|---|
| American University of Beirut | Lebanese University | Beirut Arab University |
| University of Kaslik | Saint Joseph University | Jinan University |
| Lebanese American University | Ouzai University College | Islamic University |
| Lebanese International University | | Notre Dame University – Louaize |

In other words, most of the larger universities have gender parity in enrolment, at least.

127. Pass-rate and graduation

127.1 Statistics published by CERD for school year 2011-2012 on official education certificate pass rates show that, at the pre-university stage, girls surpassed boys in both the final intermediate certificate (brevet) and final secondary certificate (baccalauréat) with an overall rate of 57.71%, compared with 42.28% for boys (approximately 57% in the brevet and 59% in the baccalauréat).

127.2 In academic year 2011-2012, the number of graduates of universities, colleges and university institutes operating in Lebanon was 32,603 students of both sexes. Of these, about 39% were students at the Lebanese University, of whom 59.3% were female (compared with 54.5% in academic year 2006-2007). For example, at the Lebanese University's Faculty of Pedagogy (considered a "feminine" faculty), 60% of all those graduating with a bachelor's degree and 81% of those graduating with a master's degree were female. The predominance of

females among university graduates is a feature of the Lebanese University (which has approximately three times as many female as male students), followed by Saint Joseph University (where there are twice as many female as male graduates). In the main private universities, the number of male and female graduates is equal.

128. Academic failure

128.1 Failure and retention lead to academic underachievement and dropout. According to the statistical bulletin for school year 2011-2012, 110,222 out of 275,655 male and female pupils – 40% of the total – had to repeat a class in the four stages of the official education system (kindergarten, primary, intermediate and secondary). The dropout rate from kindergarten and primary is very low and the phenomenon does emerge until intermediate stage. Boys are more likely to fail and to repeat a class, as shown in the following table:

Table 5

Failure rate in the three pre-university stages of public sector education

| | <i>Females (%)</i> | <i>Males (%)</i> |
|--------------|--------------------|------------------|
| First stage | 43.6 | 56.9 |
| Second stage | 46.9 | 53.1 |
| Third stage | 49.2 | 50.8 |

Source: CERD, Office of Educational Research, Department of Statistics.

128.2 As regards the two types of private education – free and fee-paying – 19,349 cases of failure have come to light among boys (i.e. 62.6% compared with 37.4% among girls). This is a high percentage, which the Ministry of Education and Higher Education is working to address. However, results have been modest, with only a slight decline in the last three years.

129. *Areas of specialization*: the distribution of males and females across available specializations at all educational stages and in forms of formal education reveals that the choice of specialization is made in response to traditional expectations linked to stereotype roles.

129.1 *Secondary education*: Specialization begins in the official curricula of formal education in Lebanon at the secondary stage. Males and females are distributed across areas of specialization as follows:

Table 6

Proportion of female students registered in secondary education streams

| | <i>Literature and humanities</i> | <i>Sociology and economics</i> | <i>Life sciences</i> | <i>General science</i> |
|-------------|----------------------------------|--------------------------------|----------------------|------------------------|
| Females (%) | 80.3 | 59.9 | 56.9 | 32.8 |

Source: CERD.

The proportion of males exceeds that of females only in general science, where females made up 32.8% of the total in 2011-2012. However, it is worth noting that female enrolment in this stream has increased from 26.3% in 2003 – a rise of 6.5% in about ten years.

129.2 Vocational education

129.2.1 In school year 2004-2005, females made up 45.5% of all students registered for official vocational and technical certificates in the public and private sectors. In school year 2011-2012, the figure was 46.5 in the public sector, compared with 45.5 in the private sector. Distribution by vocational and technical certificate was as follows:

Table 7

| | <i>Technical intermediate (brevet)</i> | <i>Technical baccalaureate</i> | <i>Advanced technician</i> | <i>B. Tech</i> |
|------------------------|--|------------------------------------|--------------------------------|----------------|
| Female students (%) | 32 | 45 | 58 | 51 |

Source: Statistical bulletin, CERD, (school years 2004-2005 and 2011-2012).

129.2.2 As regards specializations, the range of academic, vocational and technical choices is wider for males than for females. This is evident when it comes to, for example, the technical baccalaureate (BT): official data indicate that there are no female students majoring in industrial mechanics and air conditioning, while no male students major in fashion design, beauty treatment and social service.

129.2.3 The gender segregation of certain vocational and technical specializations was still evident in academic year 2011-2012. For the advanced technician (technicien supérieur) certificate, for example, almost no males specialize in nursery education and men are hardly to be found specializing in tourism. On the other hand, there certain specializations from which a female presence is absent, namely, hotel management, accountancy, electrical engineering, electronics, air conditioning, industrial information and mechanics. When it comes to the bachelor of technology (B. Tech), there are almost no males in the special education stream, while males monopolize electronics, industrial mechanics and aircraft maintenance, in which there is no female presence. On the other hand, females predominate in optometry, nursing, laboratory sciences and special education.

129.2.4 However, this sort of segregation is on the retreat in certain specializations, to the advantage of women. For example, while there was a complete absence of females specializing in mechanics in 2003, we find, by 2012, a total of 37 girls specializing in automobile maintenance and 18 specializing in aircraft mechanics.

129.3 *University level:* Most females still gravitate toward the humanities, social sciences and health specializations, while the majority of males opt for the applied sciences. For example, at bachelor's degree (*licence*) level at the Lebanese University, males clearly predominate in mechanical engineering, electronics, economics and industrial engineering majors, while there is a preponderance of females in the faculties of pharmacy, nursing, laboratory sciences, chemistry, biology, economic science, social science and literature, and in psychology, fine arts, translation, English, journalism, public relations, special education, nursery education, educational counselling, mathematics and science teaching and information management. Note that males do not "monopolize" any university majors and it would appear that their predominance in certain majors is declining over time. Women, however, do "monopolize" several majors, including nutrition,

midwifery, educational counselling, special education, elocution, psychomotor rehabilitation and industrial chemistry. In branch one of the Faculty of Pedagogy, for example, 173 students graduated with a bachelor's degree in academic year 2011-2012, of whom only one was a man. This is not confined to bachelor's degree level: for example, the proportion of female doctoral students of pedagogical sciences registered at the Higher Doctoral Institute is more than 76%. To sum up, the predominance of women in certain specializations and their access to others that were formerly the preserve of men is being reinforced with the passage of time. This is a feature of higher education at all the private universities, not only of the Lebanese University.

130 Teaching staff and decision-making positions

130.1 There is still a predominance of women among the teaching staff at pre-university level and their numbers are increasing. The number of female teachers educated by the Lebanese University's Faculty of Pedagogy each year, for example, is many times greater than the number of male teachers (in academic year 2011-2012, there were 458 female teachers compared with 38 male teachers). However, women's presence on the teaching staff of higher education is relatively low, as the following table shows:

Table 8
Percentage of women on the teaching staff

| | <i>Pre-university education</i> | <i>University education</i> |
|-------------------------|---------------------------------|-----------------------------|
| Academic year 2011-2012 | 75.8% | 38% |

Source: adapted from CERD statistical bulletin, 2011-2012.

It is worth noting that the proportion of female professors in university education, although lower than that of male professors, has witnessed a marked increase in the last eight years (from approximately 31% in academic year 2003-2004 to 38% in 2011-2012).

130.2 *Management*: As with public sector and private sector institutions in general, the ratio of women to men in educational management is lower than in its non-educational management counterpart.

130.2.1 *Official supervisory staff in pre-university education*: The following table shows the percentage of women among official teaching, administrative, technical and supervisory staff at pre-university level:

Table 9

| <i>Academic year</i> | <i>School</i> | <i>Type of administration</i> | | | | | | |
|----------------------|---------------|-------------------------------|---|---|---------------------------------|---|---|-------------------------------------|
| | | <i>Educational district</i> | <i>Ministry of Education department</i> | <i>Educational guidance/counselling</i> | <i>Educational coordination</i> | <i>Educational inspection (inspectors/administrators)</i> | <i>Advisors (curriculum designers/textbook writers)</i> | <i>Educational direction (CERD)</i> |
| 2011-2012 | 35.3% | 30.0% | 53.0% | 66.0% | 38.0% | 61.0% | 85.0% | 68.0% |

Source: interviews with researchers, investigators and heads of units; CERD statistical bulletin, 2011-2012.

It is noteworthy that in 1997, for example, there were only 120 women compared with 246 men (approximately half) on curriculum development and textbook writing committees. Furthermore, most curriculum committee coordinators, members of advisory and planning boards and members of bodies assisting the presidency of CERD were men. Since 2006, however, the participation of women in these committees has doubled and, for example, women have achieved absolute domination of the curriculum development committee, with some 85% of the membership. In vocational education and contrary to the declining proportion of female students over the years, the proportion of female teachers and administrators increased from 46.2% in 2003-2004 to 50.3% in 2011-2012.

130.2.2 *Official supervisory staff in university education*: The following table shows the percentage of women among the teaching, administrative, technical and supervisory staff of the Lebanese University.

Table 10

Proportion of women in academic, technical and general management at the Lebanese University

| Academic year | <i>Academic management (directors, deans, departmental heads)</i> | <i>Management of the Presidency of the Lebanese University</i> | <i>Management of Higher Doctoral Institute</i> | <i>Committee members of Higher Doctoral Institute</i> | <i>Technical staff of Higher Doctoral Institute</i> |
|---------------|---|--|--|---|---|
| 2011-2012 | 25% | 60% | 20% | 45% | 53% |

Source: Presidency of the Lebanese University

In other words, while women occupy general administrative positions, academic management remains primarily a man's job.

In the private universities, just as in the Lebanese University, the number of male professors is greater than the number of female ones. However, the number of female administrators in these universities exceeds the number of male administrators. In the Beirut Arab University and the Islamic University, the senior academic and administrative positions are held by men.

131. *Scientific research*: There is no single place in which research in Lebanon is concentrated and which would enable us to determine the number of female researchers each year. Accordingly and by way of example, we shall discuss two research sites: the governmental Higher Doctoral Institute (HDC) of the Lebanese University and non-governmental Lebanese Association for Educational Studies (LAES). At the first, there is a total of 33 research professors in receipt of financial support for their university research. Of these, 18 are male and 15, female, in all fields of specialization. The management committee of the second includes three women out of a total of seven members. In 2012, female participation in the research teams operating within the LAES framework varied from 11% (a study of higher education in Lebanon) to 42% (the teaching of history at the pre-university stage) to 50% (the Tempus study, on the creation of a body to ensure the quality of higher education in Lebanon). This suggests that the nature of the determinants of the disparity needs to be identified.

3. Non-formal education

132. *Female illiteracy*: In the past, the level of female illiteracy was twice that of male illiteracy, among all age groups. The gap between the sexes then began to diminish until, by 2010, equality was reached, despite the existence of regional disparities, particularly in the countryside and poor suburbs of the larger cities. The last statistics published by the CAS (2011) showed that the general level of reading illiteracy among Lebanese women is 10.2% (compared with 5.6% for men) and 8% among married or previously married women in the 15-24 age group. The figure falls to zero in the South but rises to over 17% in the districts of Akkar and Miniyeh-Danniyeh in North Lebanon; it is under 4% in the suburbs of Beirut. It is noteworthy that the figure is less than 4% among girls whose mothers received an intermediate-level education and zero among whose mothers received secondary-level education or above. On the basis of the scientific estimates employed, as well as Government and international statistics, estimates and projections, the almost 100% enrolment of girls allows us to envisage that the level of illiteracy will soon decline to zero (source: Centre for Development Studies and Projects, Beirut).

133. *Efforts to combat illiteracy*: The literacy department of the Ministry of Social Affairs does not have a gender map permitting the precise number or distribution by governorate of women benefitting from the literacy programme over the last few years to be determined. According to a report prepared by the literacy department specifically for this report, a total of 9,292 persons benefitted from literacy classes conducted by the National Adult Education Programme in 2012, in collaboration with NGOs and international organizations, at development services centres attached to the Ministry of Social Affairs; the majority were women. In 2004, the number of beneficiaries was 3,220. In other words, the number of beneficiaries from this programme has almost trebled. In 2010, the National Adult Education Programme collaborated with the Lebanon Young Women's Christian Association to implement information literacy programmes, from which around 800 women benefitted; the women were awarded certificates in the use of the computer and the internet.

III. Obstacles and challenges

134. There are still groups of officials – both male and female – in public agencies and institutions concerned with pedagogy who are unaware of the structural discrimination against women in all the institutions of our society, including education. Consequently, they deny the existence of any discrimination against women in the workplace.

135. To curb school dropout, prompt action must be taken to ensure promulgation of a decree to define and regulate free, compulsory education.

136. The adoption of a periodic mechanism to rid the content of textbooks of social stereotypes that hinder the role of women in society, whenever the curricula are changed; making the training of trainers and, subsequently, teachers in gender sensitivity an ongoing process, not an ad hoc one; giving vocational guidance to girls at school to encourage them to study the theoretical and applied sciences and new fields of specialization; and helping them to identify their true vocational capacities and potential, as well as the needs of the job market, in the absence of stereotype notions of women's role in society – these are all translations in practice of the general vision for incorporating gender in education.

137. As regards combating reading and information illiteracy, it appears that the lack of a clear strategy and plans with quantifiable outputs over a phased timeframe has left the fight dependent upon groups seeking to implement isolated projects that do not constitute a comprehensive and targeted programme. Officials attribute this to a lack of human and material resources allocated to this area. Accordingly, there is a pressing need to make such resources available and to take action to launch an inclusive workshop, in partnership with civil society, with a view to formulating a national plan under the auspices of the Ministry of Social Affairs and in collaboration with CAS, to identify illiterate women and to propose incentives likely to attract them into reading programmes (provision of nursery facilities for children, travel allowances, symbolic financial incentives, certificates, training to qualify them for particular jobs etc.). The idea is not only to eliminate illiteracy but also to place women in suitable employment.

Article 11: Equality at work

138. In the light of article 11 of the Convention; and in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraph 10, to "eliminate occupational segregation, ensure equal opportunities for women and men in the labour market and establish a monitoring mechanism to ensure enforcement of legislation requiring employers to provide equal pay for work of equal value"; paragraph 31, on the situation of women domestic service workers; paragraph 33, on elimination of discrimination against women in taxation; paragraph 49, on encouraging Lebanon to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and in the light of general recommendation no. 13 (1989) on equal pay for work of equal value, this report shall review the following:

I. Legislation and policy

1. Legislation

139. In what follows, we shall demonstrate the extent to which the Lebanese Constitution and Lebanese substantive law are consistent with article 11 of the Convention:

139.1 Article 7 of the Lebanese Constitution states: "All Lebanese shall be equal before the law. They.....shall equally be bound by public obligations and duties without any distinction".

139.2 There is no discrimination in respect of the right to work, employment opportunities and conditions, wages or permanence of employment.

139.3 As regards rest hours during work, article 34 of the Labour Law observes positive discrimination, giving a woman an hour's rest every five working hours, while men are given the same right every six working hours.

139.4 As regards vocational and industrial training, there is no discrimination against women. In fact, social organizations devote considerable attention to training women in a variety of jobs.

139.5 As regards protecting women from discrimination because of marriage or maternity, we note that there is no discrimination on grounds of sex. There used

to be intra-gender discrimination between female salaried staff and wage earners in the public sector in relation to maternity leave. However, action was taken to remove this discrimination by raising maternity leave for salaried workers from 40 days to 60 days, the same as for salaried staff (Decree no. 9825 of 1 February 2013).

139.6 Lebanese law does not yet recognize paternity leave. Furthermore, the law does not accord support services for women, such as nursery or child care facilities, sufficient attention, thereby hindering her family and professional responsibilities.

139.7 As regards social security benefits for women, there is no discrimination against women vis-à-vis end of service benefit or work-related accident insurance benefit. Note that an old age insurance system has not yet been adopted.

139.8 The Labour Law forbids a working woman being dismissed on grounds of pregnancy or during maternity leave and gives a working woman seven weeks maternity leave on full pay.

139.9 As regards annual leave, there is no discrimination on grounds of sex in the Labour Law or employee regulations.

139.10 There is no discrimination on grounds of sex regarding the right of both men and women to receive the minimum wage. Wages in excess of the minimum are subject to agreement between the two parties.

139.11 Judicial review ensuing from work-related disputes is available to all and there is no discrimination on grounds of sex. The competent judicial bodies are the employment tribunals and employment cases are exempt from judicial fees and stamp duty.

139.12 As regards the possibility of a working woman benefitting from the tax deduction on her income for husband and children, efforts undertaken in this area have resulted in the law being amended to give a working women the right to benefit from tax deductions for her husband and children on her gross income (Law no. 180 of 29 August 2011).

140. Areas where the law is deficient are:

140.1 The Social Security Law, chapter on sickness and maternity:

- Making membership of the fund for a period of more than ten months a condition of enjoying maternity benefits, specifically delivery (article 16, clause 2 of the Social Security Law);
- Giving an insured woman maternity benefit of two-thirds her salary for a maximum of ten weeks (article 26 of the Social Security Law).

140.2 The Labour Law:

- Exclusion of peasants (male and female) and domestic service workers (male and female) from the Labour Law (article 7);
- Absence of provision in the Labour Law for punishment of sexual harassment in the workplace;
- Failure to increase maternity leave from seven to ten weeks on full salary.

140.3 In the public sector workers regulations:

- The demand to increase maternity leave to seven weeks on full pay (article 15 of Legislative Decree no. 5883/94).

141. International agreements: So far, Lebanon has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2. Policy

142. In this area, it is worth drawing attention to the commitment of successive Lebanese governments since 2005 to work to strengthen the role of women in public life and in official agencies and organizations, especially in leadership positions.

It is also worth drawing attention to the National Strategy for Women in Lebanon 2011-2021, formulated by the NCLW, and the action programme relating to implementation of this strategy in all fields, including employment.

For its part, the Ministry of Social Affairs, in partnership with certain NGOs, supports issues of equality and development in women's employment and the eradication of violence against women.

II. Decisions and measures taken in implementation of article 11 of the Convention

143. To regulate the employment of women domestic service workers, the following have been adopted

| <i>Decision or measure</i> | <i>Body that acted to have measure adopted</i> | <i>Substance</i> |
|----------------------------------|--|---|
| Decision no. 205/1 (3 Oct. 2008) | Ministry of Labour | Relating to documents required to obtain initial approvals. |
| Decision no. 19/1 (31 Jan. 2009) | Ministry of Labour | Relating to the employment contract for male and female domestic service workers (adoption of a standardized employment contract form for all). |
| Decision no. 47/1 (28 Mar. 2009) | Ministry of Labour | Relating to terms for applications for prior approval and labour permits for foreigners who have been processed by the GDGS. |
| Decision no. 1/1 (3 Jan. 2011) | Ministry of Labour | Regulation of foreign labour recruitment offices (females, category 4) |

III. Efforts to implement article 11 of the Convention after 2006

144. Apart from what has been stated above in relation to the efforts which resulted in amendments to certain laws and decrees, other efforts have been made to implement article 11 of the Convention; these consist of the following:

144.1 Bills and proposed laws and decrees to amend certain relevant laws after 2006:

| <i>Law to be amended</i> | <i>Submitting body</i> | <i>Type of legislative text</i> | <i>Date and no. of document; receiving body</i> | <i>Substance of present text</i> | <i>Summary of draft</i> | <i>Outcome</i> |
|--|--|---------------------------------|---|--|---|---|
| 1 Social Security Law (sickness and maternity benefits) – amendment of art. 16 clause 2. | Bill introduced on 17 April 2007 by chair of parliament’s woman and child committee. | Bill | | For an insured woman to enjoy maternity benefits, she must have been a member of the fund for at least ten months prior to presumed date of delivery. | Annulment of condition linking enjoyment of maternity benefits to insured woman’s membership of the fund for at least ten months. | Annulment of condition approved by administration and justice committee; referred to health and finance committees. |
| 2 Social Security Law (sickness and maternity benefits) – amendment of art. 26. | Bill introduced on 17 April 2007 by chair of parliament’s woman and child committee. | Bill | | An insured woman is given the right to maternity leave of ten weeks during the period in which delivery occurs, on condition that she refrains from working and does not claim any wage during that period. Maternity allowance is the equivalent of two-thirds of average daily earnings. | Increase maternity benefit by giving the insured full pay during the ten-week period, not two-thirds pay. | Text amended by administration and justice committee to ensure women’s rights in this area; referred to health and finance committees. |
| 3 Labour Law (maternity leave) – amendment of arts. 28 and 29. | Bill prepared by NCLW and introduced by two deputies. | Bill | 26 July 2011 (registered in joint dept. of Chamber of Deputies under no. 478/2011). | Women working in the private sector receive only seven weeks maternity leave on full pay. | Increase maternity leave for women working in the private sector to ten weeks by analogy with the stipulation of the Social Security Law; maternity leave is to be with full pay. | Approved by woman and child committee on 5 June 2012; approved by administration and justice committee on 9 Aug. 2012; presently on the agenda of the next plenary session of parliament. |
| 4 Labour Law (exclusions from the provisions of the | Submitted by NCLW at request of Ministry of Labour; | Application to amend bill | Submitted by Minister of Labour to | Category of peasants (male and female) excluded from benefit | Category of peasants to be added to beneficiaries under | No response yet. |

| <i>Law to be amended</i> | <i>Submitting body</i> | <i>Type of legislative text</i> | <i>Date and no. of document; receiving body</i> | <i>Substance of present text</i> | <i>Summary of draft</i> | <i>Outcome</i> |
|--|--|---------------------------------|---|---|---|---|
| Labour Law) – amendment of art. 7. | registered at the ministry’s registry under no. 2530/3 (14 Sept. 2012) – addition of category of peasants (male and female) to Labour Law. | | Council of Ministers. | under the provisions of the Labour Law. | the provisions of the Labour Law, in line with CEDAW. | |
| 5 Labour Law (exclusions from the provisions of the Labour Law) – amendment of art. 7. | Submitted by NCLW at request of Ministry of Labour; registered at the ministry’s registry under no. 2530/3 (14 Sept. 2012) – addition of category of domestic servants to Labour Law. | Application to amend bill | Submitted by Minister of Labour to Council of Ministers. | Domestic servants excluded from benefit under the provisions of the Labour Law. | Category of peasants to be added to beneficiaries under the provisions of the Labour Law, in line with CEDAW. | No response yet. |
| 6 Labour Law: introduction of an article punishing sexual harassment in the workplace. | Submitted by NCLW at request of Ministry of Labour; registered at the ministry’s registry under no. 2530/3 (14 Sept. 2012) – addition of article punishing sexual harassment in the workplace. | Application to amend bill | Bill submitted by Minister of Labour to Council of Ministers. | There is no provision for punishing sexual harassment in the workplace. | Addition of article punishing sexual harassment in the workplace. | No response yet. |
| 7 Employee regulations – Legislative Decree no. 112/59 (art. 38). | Deputy, at NCLW initiative. | Proposed law. | | Female employees granted maternity leave of 60 days. | Maternity leave to be increased to ten weeks. | Approved; awaiting final decision from plenary session. |

144.2 NGO efforts in the area of women and employment: NGOs are concerned with a number of themes relating to women and employment. These involve organizing campaigns of awareness of the need to amend laws biased against women in the areas of employment, sexual harassment and violence against women.

IV. Data on women in employment

145. The results of the multi-indicator cluster survey (2009) indicate that the economic activity rate of individuals aged 15 and above was 47.6% (22.8% for women compared with 72.8% for men) and that the ratio of those in employment to the total population of individuals aged 15 and above was 44.6% (20.4% for women compared with 69.2% for men). The unemployment rate of individuals aged 15-64 was estimated at 6.4% (10.4% for women compared with 5% for men). The breakdown of workers by economic sector was as follows:

Table 1
Breakdown of workers by economic sector and sex (%), 2009

| <i>Economic sector</i> | <i>Men and women together (%)</i> | <i>Men (%)</i> | <i>Women (%)</i> |
|--|-----------------------------------|----------------|----------------------|
| Agriculture | 6.3 | 6.5 | 5.7 |
| Industry | 12.1 | 13.4 | 7.5 |
| Construction | 8.9 | 11.5 | (less than 25 cases) |
| Commerce | 27.0 | 28.7 | 21.5 |
| Transport, post and telecommunications | 6.8 | 8.4 | 1.4 |
| Services | 36.9 | 29.9 | 60.2 |
| Finance and insurance | 2.0 | 1.6 | 3.2 |
| Total | 100.0 | 100.0 | 100.0 |

Source: Tutelian Guidanian, M., The Status of Women in Lebanon in Figures (CAS).

146. The most significant observation to be made regarding the above figures is that the highest proportion of women workers is still in the services sector followed, at some distance, by commerce (21.5% of women, compared with 28.7% of men). Levels fall progressively until reaching their lowest at 1.4% in the transport, post and telecommunications sector.

147. The results show the following breakdown of workers by occupational category:

Table 2
Breakdown of workers by occupational category and sex (%), 2009

| <i>Occupational category</i> | <i>Men and women together (%)</i> | <i>Men (%)</i> | <i>Women (%)</i> |
|---|-----------------------------------|----------------|----------------------|
| Senior staff and managers | 14.1 | 16.3 | 6.5 |
| Specialists | 12.1 | 7.9 | 25.9 |
| Mid-level professions | 6.3 | 4.6 | 12.3 |
| Administrative staff | 6.4 | 4.8 | 11.5 |
| Service sector workers and salespersons | 12.7 | 10.9 | 18.6 |
| Farmer workers and fishermen | 5.3 | 5.4 | 5.2 |
| Skilled labourers | 18.6 | 22.8 | 4.8 |
| Heavy equipment operators and drivers | 8.4 | 10.9 | (less than 25 cases) |
| Unskilled labourers | 9.8 | 8.4 | 14.5 |
| Armed forces | 6.2 | 8.0 | (less than 25 cases) |
| Total | 100.0 | 100.0 | 100.0 |

Source: Tutelian Guidanian, M., The Status of Women in Lebanon in Figures (CAS).

148. On the breakdown of workers by social status, the results of the multi-indicator cluster survey (2009) indicate that 57.1% of all working women have never been married, while 34.6% are married. Some 79.2% of working women are classified as employees (with a monthly or weekly wage or one based on productivity). A small number of women are employers or self-employed.

149. As regards the gap in employment income between women and men, figures for 2007 show the following:

Table 3
Average income and the income gap between women and men by sector, 2007

| <i>Economic sector</i> | <i>Income gap (%)</i> | <i>Men (LBP)</i> | <i>Women (LBP)</i> |
|---|-----------------------|------------------|--------------------|
| Agriculture | 21.0 | 295 000 | 233 000 |
| Industry | 23.8 | 596 000 | 455 000 |
| Commerce | 10.8 | 595 000 | 531 000 |
| Transport, post and telecommunications | 38.0 | 1 070 000 | 664 000 |
| Services, finance and insurance | 6.2 | 785 000 | 736 000 |
| Income gap between women and men in all sectors | 6.0 | 702 000 | 660 000 |

Source: Tutelian Guidanian, M., The Status of Women in Lebanon in Figures (CAS).

150. *Informal and marginal employment*: This concerns, by way of example, female peasants and domestic workers who are, in general, young women and has come to represent a major part of economic activity (one-third of GDP according to World Bank statistics). The sector suffers from the absence of any representation that might assume responsibility for the defence of workers' interests. Furthermore, workers do not enjoy any benefits.

151. *Women and union activity*: Lebanese law does not distinguish between women and men regarding the opportunity to join trades unions at membership or leadership level. However, the facts indicate that, despite the relative increase in the participation of women in union activity in recent years, their presence in the leadership committees of federations, unions and associations is still weak.

V. Obstacles and challenges

152. The most significant of these are:

- The difficulty working women have of combining family and work duties given the lack of a network of child care facilities (nurseries at work, for example), sometimes forcing them to resign;
- Inherited social patterns that stand in the way of recognizing paternity leave, etc.;
- Increasing levels of poverty and illiteracy among women, limiting their access to the job market;
- Lack of equality of opportunity for advancement and promotion – other than symbolic – on the basis of competence without pulling strings;
- The need to strive for the wider involvement of women in unions.

Article 12: Equality in health care

153. In the light of article 12 of the Convention;

And in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraphs 34 and 35, where the Committee noted the high quality of health services in Lebanon but nevertheless expressed its concern about "the geographical disparity in the delivery of services, preventing access to health care for women and girls from poor and rural areas, as well as disabled women";

And in the light of the Committee's recommendation that the State Party "put in place mechanisms to make health care services accessible to all groups of women and to ensure that all health policies and programmes integrate a gender perspective....";

And in the light of general recommendation no. 15 (1990), on avoiding discrimination in national anti-HIV/AIDS strategies, and recommendation no. 24 (1999), relating to health,

This report shall review the following:

I. The legislative position in Lebanon and the health care system

154. *Lebanese abortion laws*: Lebanese law prohibits abortion (art. 539 of the Penal Code). It further prohibits the sale of items to induce abortion and facilitation of the use thereof (art. 540 of the Penal Code). The penalty for a woman who deliberately induces a miscarriage by herself or with the help of others with her consent is imprisonment of from six months to three years (art. 541 of the Penal Code). The woman may benefit from mitigating circumstances if her pregnancy was the result of an illicit relationship, such as adultery (art. 545 of the Penal Code). Note that mitigating circumstances shall not apply to her partner (art. 216 of the Penal Code). The law considers that a miscarriage provoked deliberately, without the woman's consent, is a crime. If an abortion, whether carried out with or without her consent, results in the woman's death, it shall be considered a crime. Lebanese law allows abortion on medical grounds, under specific conditions set out in the Code of Medical Ethics, no. 288 (22 February 1994), which has not been amended since promulgation.

155. *Lebanese laws relating to public health*: The most conspicuous flaw in Lebanese public health laws is the failure to enshrine the citizen's right to health and access to health facilities in an explicit legal provision.

156. *The health aspect of Lebanese laws relating to domestic violence*: In expectation of the bill on "Protection of Women and Other Family Members from Domestic Violence" being adopted, the Ministry of Public Health issued circular no. 58 (June 2012), requiring physicians, nurses and other professionals to notify the relevant authorities at once of any suspected case of violence, making the health professional and health institution fully responsible in the event of carelessness or negligence and liable to prosecution. The circular drew particular attention to instances of domestic violence against women and children.

157. *Lebanese media law and health education programmes*: The audio-visual media operate in accordance with article 30 of Law no. 3820/94, broadcasting health guidance programmes for an average of one hour per week, free of charge. The radio allocates at least 26 hours to health programmes.

II. Strategies and plans since 2006

158. *The National Strategy for Women in Lebanon 2011-2021*: The objectives set out in this document were formulated on the basis of numerous international charters and conventions focusing on the achievement of gender equality and improving the situation of women on all fronts. The third objective focuses on women's health and stipulates "achieving full equality between men and women in health care through the provision of health services and care for girls and women, including reproductive health care." The main elements of objective three of the document are:

- Exerting pressure for the scope of health protection to be expanded to cover the seasonal agricultural sector and artisanal sector, given that women form the majority of workers in these sectors;
- Widening the social security system to cover domestic service;

- Extending compulsory insurance to female migrant domestic workers, covering medical treatment in clinics, hospital services and preventive services relating to women's reproductive health;
- Expanding and strengthening existing medical services to enable females of all age groups to access psychological, school and nutritional services;
- Targeting marginalized groups of women, including female breadwinners, women with special needs, those living with chronic illness and female migrant workers;
- Providing a network of health services by setting up and equipping dispensaries and mobile clinics in remote villages and towns, slums and poor neighbourhoods in cities, and taking action to ensure that domestic workers are covered by these services.

159. *The Lebanese Government's plan for the Paris III Conference:* The Lebanese Government submitted a plan to the Paris III Conference, held on 25 January 2007, for economic and social revitalization, reconstruction and reform. The plan focused on six basic points, two of which concerned social issues. The document also gave prominence to a series of measures to energize the social security network and reform the social sectors. Of these measures, we might mention: increasing the basket of assistance for poor families, especially children and pregnant women. In this framework, the present health programme is designed to promote public health, targeting children under the age of five, pregnant women and women of post-reproductive age. The programme will be improved and extended by increasing the number of free visits to health clinics.

160. *The National Strategy Plan for Primary Health Care:* In 2013, the Ministry of Public Health issued the "Beirut UNESCO Declaration" on the National Strategy Plan for Primary Health Care, under the slogan, "I want you to be healthy: 170 centres focusing on your health". The plan is designed to facilitate access by citizens of both sexes to the health service, expand the network of health centres in operation and reduce the health bill. Furthermore, the plan will strengthen partnership with the private sector and improve the quality of service. Home visits will be made to ensure early detection of disease. The budget allocated to primary health care centres, representing 2% of the Ministry of Health's budget, will be increased.

III. Features of the Lebanese health system: the current situation and a review of changes since 2006

161. Despite the efforts of the Ministry of Health, Ministry of Social Affairs and the non-governmental sector to extend a comprehensive network of primary care centres across the country, the health system in Lebanon is still primarily focused on the private sector, which is driven by liberalism. There is a wide disparity in the distribution of services, which are largely concentrated in Beirut and Mount Lebanon. Furthermore, the health system in Lebanon is characterized by over-investment in technology, with an emphasis on treatment rather prevention.

161.1 In total, there are 165 health centres, distributed across the governorates as follows: 23 in Nabatieh governorate, 26 in the South, 30 in the Beqaa, 37 in the North, 35 in Mount Lebanon and 14 in Beirut. Alongside these centres, Lebanon has 950 dispensaries across the country. However, human and material capacities in

these dispensaries are generally poor, resulting in the delivery of a limited service. Primary health care centres are constantly developing and offer a diverse range of services, covering reproductive health, family planning, post-natal care, dispensing medication, and education and awareness programmes.

161.2 There are 34 public hospitals, of which three are classified as teaching hospitals, with 2,550 beds. There are 135 private hospitals, of which 12% are teaching hospitals, with a total of 12,648 beds, representing 82% of absorptive capacity compared to 6.16% for public hospitals. In 2011, there were 62 kidney dialysis centres, of which half were in Beirut and Mount Lebanon.

162. Statistics show that approximately 1,747 insured cancer patients were registered in 2011. Of these, 1,032 (59%) were women, of whom 270 were unmarried. Breast cancer accounted for 40.9% of all cases, varying from 30.6% in Baalbek district to 54.6% in the Matn.

According to the national cancer register, there were 8,868 diagnosed cases of cancer in 2007. Of these, 50.1% were women and 49.9% men. Among women cancer patients, breast cancer was the most common (39%).

163. Statistics show that women are less likely than men to be involved in traffic accidents (22.95% women compared with 77.05% men).

164. Genetic diseases maintain a presence in certain Lebanese villages and regions, where marriage between relatives remains common, despite obligatory medical and laboratory tests for couples before they marry.

165. As regards medication, the programme to dispense medicines for chronic diseases, which came into operation in 1988, is still operating. In 2010, the Ministry of Health provided funding of LBP 4,875 billion for this programme, benefitting 435 dispensaries and health centres throughout the country. The programme covers a list of 65 medicines. Additionally, the State provides drugs for cancer, multiple sclerosis, epilepsy, haemophilia, and organ transplant, free of charge.

IV. Health workers

166. The data indicate the following:

166.1 *Physicians*: In Lebanon, there are two physicians per 1,000 persons, distributed unequally among regions, with the greatest concentration being in Beirut. In 2009, women made up 32% of the Order of Physicians, compared with 18.8% in 2002.

166.2 *Pharmacists*: There were 6,638 pharmacists in 2012, of whom 3,934 were women (59.26%, compared with 57% in 2002).

166.3 *Dentists*: There were 4,912 dentists in 2010, of whom 1,235 were women (25%, compared with 24.5% in 2002).

166.4 *Nurses*: There were 9,460 male and female nurses affiliated to the Order of Nurses as of April 2011. Of these, 81% were women, 68.51% belonged to the 26-40 age group and 86.7% worked in hospitals. As regards geographical distribution, 61% of nurses were to be found in the governorates of Mount Lebanon (34.62%) and Beirut (26.56%).

166.5 *Physiotherapists*: There were 1,709 physiotherapists registered with the Order at the end of 2012 (46% men and 54% women).

V. Efforts undertaken and progress made

1. In achieving the Millennium Development Goals

167. The Millennium Development Goals identify eight goals to be achieved by 2015. Three of these relate to health: reduce child mortality; reduce maternal mortality, ensuring full access for all to reproductive health services; and combat HIV/AIDS and tuberculosis.

167.1 Regarding the first two goals, national studies and reports show the following results:

| <i>Indicator</i> | <i>2004</i> | <i>2005</i> |
|---|-------------|-------------|
| Under-five mortality rate (per 1,000 population) | 19.1 | 10 |
| Infant mortality rate (per 1,000 of population) | 18.6 | 9 |
| Maternal mortality rate (per million live births) | 86.3 | 23* |

Source: Lebanese survey of family health (CAS and League of Arab States, 2004); 2009 multi-indicator cluster survey (CAS and UNICEF, December 2011);

* Joint study (RAMOS) conducted by WHO and Ministry of Public Health (2009).

The above shows that Lebanon has made considerable efforts in the said areas, particularly with regard to the immunization of children. The results of the 2009 multi-indicator cluster survey show that 91.3% of children aged between 12 and 23 months possessed health cards (54.6% of these cards had been seen) and nearly 85.3% of children aged between 12 and 23 months had received the first dose of the poliomyelitis vaccine before the age of 12 months, while 83.2% of children had received the triple vaccine before 12 months. As regards the low maternal mortality rate, there has been considerable progress in the number of deliveries carried out by specialists and in post-natal monitoring of mothers. However, it should be noted that there is regional discrepancy, particularly in the South, the Beqaa and the North.

167.2 The number of declared cases of HIV/AIDS to 2011 was 1,455. It will be observed that the proportion of men infected is higher (93% are men and 7% women). Some 28% of cases are among persons aged 30 and under, while 30% of cases are among persons in the 31-50 year age group. Sexual relations remain the primary cause for the transmission of infection, accounting for 70% of cases. Note that the Ministry of Public Health provides medication free of charge. As regards tuberculosis, statistics indicate that there are approximately 1,000 current cases. Treatment is provided by the Ministry of Public Health, with a recovery rate of 100% in 2009, compared with 92% in 2005.

2. Regarding women's health in general and the health of certain groups of women in particular

168. Women's health from the perspective of reproductive health

168.1 The National Reproductive Health Programme: The Ministry of Public Health and Ministry of Social Affairs launched the reproductive health programme in 1997, designed to ensure safe childbirth and proper monitoring of pregnant

women before and during pregnancy and after delivery. Subsequently, in 2011, the Ministry of Social Affairs proceeded to focus on reproductive health, establishing the reproductive and sexual health unit, which had previously operated as the reproductive health project. On 13 July 2011, the Ministry of Public Health launched the pregnant woman and child health programme, which seeks to ensure the conditions for safe childbirth and, consequently, reduce the mortality rate of pregnant women before, during and after delivery to 10 per 100,000. The practical steps taken by the ministry include setting up a technical committee of specialists to formulate a protocol for the care of pregnant women and natural development of pregnancy, including examinations, laboratory tests and X-rays, the costs of which are to be covered by the ministry. Furthermore, a second committee was set up to study and document maternal mortality; work has started on publication of a health register of pregnant women as a qualitative first step. Work is currently underway on fostering youth-friendly centres specializing in the health and well-being of young men and women, particularly sexual and reproductive health, within the framework of a joint project funded by UNFPA and UNICEF, administered by the University Centre for Family and Community Health of Saint Joseph University and to be implemented in collaboration with the reproductive health programme, (Ministry of Social Affairs) and the Mother and Child Department (Ministry of Public Health).

168.2 *Women and contraception*: The multi-indicator cluster study conducted by the CAS and UNICEF in 2009 covered 15,778 households across the entire country, excluding the Palestinian camps. The survey showed that 53.7% of married women between the ages of 15 and 49 at the time the survey was conducted used contraception. Most women (44.8%) use modern methods of contraception rather than traditional methods (8.9%); the most commonly used methods are the contraceptive pill and the coil. It further emerged that contraception is most widely used in Beirut and the suburbs (62.4%). The figure is lower in other the governorates and falls to 32.6% in Nabatieh.

168.3 Women and pregnancy, abortion and childbirth

168.3.1 There are no official statistics to determine the abortion rate in Lebanon with accuracy. However, abortions are carried out secretly in private clinics and private houses, although these are unsafe environments where the woman receives no psychological support or health care following the procedure.

168.3.2 A 2010 study conducted indicated that 29% of all pregnancies in Lebanon were unwanted and 14% were unplanned by the woman; in 14% of cases, the woman wanted to delay pregnancy. The lack of legislation to regulate abortion in Lebanon puts women's health at risk, as pregnant women may resort to unlawful and unsafe methods of abortion.

168.3.3 In Lebanon, there is a high recorded rate of caesarean delivery (more than 40% of all deliveries); the WHO maintains that the rate of caesarean delivery should not exceed 15% of total deliveries in any given country. The results of ten years of research on the health of women and new-born children presented by the Choices and Challenges in Changing Childbirth regional research network at the American University of Beirut (AUB) show that 49% of mothers in Lebanon do not receive adequate post-natal care; the results also show a marked increase in the number of caesarean deliveries.

169. *Psychological health*: The Hôpital Psychiatrique de la Croix is the only psychiatric hospital. In 2008, 110 cases were admitted, of whom 82 were men and 28, women; 35% were under the age of 20.

170. *The health of battered women*: In Lebanon, special centres admit women victims of violence and provide them with a range of primary health care services, commensurate with the capacities and resources of each institution. Services include: social services (listening, counselling and monitoring), health and psychological services (examination by a judicial medical officer), psychological therapy and legal services (free legal advice), in addition to referral to a refuge, where the women are monitored by a multidisciplinary team.

171. *Young people's health*: In common with other groups of society, young people suffer from general health problems that require solutions within a public health policy framework implemented by both the State and civil society. Additionally, young people are more affected than other groups of society by certain health risks, such as those concerned with reproductive health, sexually transmitted diseases, drugs, smoking, nutritional health and traffic accidents, which require action to reduce their occurrence and find appropriate solutions for prevention. On this basis, the "youth policy document" was launched, adopted by the Council of Ministers in April 2012 and ratified by the parliamentary committee for youth and sport in June 2012. The document contains recommendations and the measures the State intends to take including, on the issue of health: raising awareness of the concept of holistic health; spreading health awareness and health-related preventive education, with a focus on young people most at risk and those in rural areas; establishing special centres to provide psychological counselling and support, education and guidance; promoting prevention; and putting in place special programmes to raise awareness of sex education and reproductive health among young men and women.

172. The health of women with limited incomes

172.1 The results of the 2009 multi-indicator cluster survey indicate that the rate of economic activity of individuals aged 15 and above was 47.6% (22.8% for women). The unemployment rate for individuals aged 15 and above was estimated at approximately 6.4%. Note that the unemployment rate among women in this age group was 10.4% of the total female workforce, compared with 5% among men). Families headed by widows with children represent the neediest cases.

172.2 An ESCWA study looking at the scale of poverty in the city of Tripoli, found that 73% of families have no health insurance (the overall national figure is 52%); this figure rises to 90% in the districts of Tabbaneh and Sweiqa. The study revealed that 10% of deliveries are still carried out at home (a phenomenon widespread in Tabbaneh, Sweiqa and some of the port districts). Some 51% of citizens receive treatment in public hospitals and 35% in private hospitals.

173. The health of women addicts

173.1 *Female drug addicts and health care*: A study carried out by the Ministry of Public Health in 2011 showed that the total number of persons receiving treatment for drug addiction in hospitals or special centres belonging to NGOs was 2,127 in 2010 and 1,411 in 2011; of these, women made up 17% in 2011. The study further showed that the number of persons arrested on suspicion of drug use in 2011 was 1,726, of whom only 62 were women. This may mean that the proportion of women drug users is less than that of men and this is the interpretation placed on the

figures by an organization specializing in treating addiction, which show that in 2011 and 2010, the proportion of women presenting to the organization seeking counselling was no more than 13% and 14%. However, it may also be due to the difficulty women have of speaking openly about this problem or to other problems associated with addiction, such as prostitution, violence, alcoholism and a range of social issues. It is worth noting that a wing for addicts has been opened at the Dahr el-Bashiq Hospital (a public hospital), providing treatment free of charge.

173.2 *Women, smoking and alcoholism:* A 2009 study on a representative sample of the Lebanese population (1,982 persons) showed that 39% of adults smoke, while 57% have never smoked. The study further showed that 47% of men smoke compared with 32% of women. Some 32% of men consume alcohol, compared with 11% of women.

3. Efforts of civil society bodies and non-governmental organizations

174. In addition to the Government's efforts, a number of non-governmental bodies and organizations have been very active in the area of health services, awareness campaigns and health counselling to improve the level of health and ensure optimum access to services and information. These bodies and organizations have been responsible for numerous initiatives. Although it is difficult to estimate their number, there are estimated to be 950 clinics distributed across most of the country. However, there is a lack of cooperation and coordination between them. International bodies and organizations, as well as several foreign States, are active in providing technical and material support.

VI. National programmes

In addition to the above-mentioned National Reproductive Health Programme, the following programmes should also be noted:

175. Programme to provide medication for the chronically sick: the programme has been in operation since 1988 and involves some 435 dispensaries, which have filled around 1,528,738 prescriptions for patients suffering from chronic diseases. The programme is administered and implemented by an NGO with funding from the Ministry of Public Health and is directed at men and women equally.

176. National programme on non-communicable diseases: The programme was set up in 1996 and recently reviewed. Its activity and structure are currently focused on:

- A national programme to combat diabetes (prevention and treatment);
- A national programme on diseases of the heart and blood vessels;
- A national programme for the prevention of road traffic accidents;
- A national programme to combat viral hepatitis (HBV).

All these programs are directed at men and women equally, including the national programme to combat smoking, which has been ongoing since 1997.

177. *The national programme to combat AIDS and sexually transmitted diseases:* Through the Ministry of Public Health, the Lebanese Government has for ten years been responsible for the treatment of tuberculosis and AIDS. Statistics from 2012 showed that there were some 1,000 tuberculosis sufferers and 350 persons infected

with HIV/AIDS, receiving medication at a cost of USD 50 per month and USD 52 per month, respectively.

Furthermore, it is worth noting that the national programme to combat AIDS, launched in 1989 in collaboration with the WHO and based on the principle of equality and non-discrimination between men and women, has targeted during the last five years groups of young people, the marginalized and the vulnerable, including prisoners, sex workers and drug users. In collaboration with NGOs, the programme has helped to equip 20 HIV testing centres, for those wishing to be tested; confidentiality and privacy are fully respected.

178. National breast cancer campaign

178.1 In collaboration with the Order of Physicians and Order of Pharmacists in Lebanon, the National Breast Cancer Committee, NCLW and NGOs, the Ministry of Public Health has for the last ten years been running an annual national campaign to prevent breast cancer. The campaign seeks to raise awareness of breast cancer among women in Lebanon and launch public initiatives to encourage early detection by means of self-examination, medical examination and X-ray screening. The programme is consistent with the WHO strategy for preventing non-communicable diseases, especially cancer, which is premised upon encouraging early detection. According to the Ministry of Public Health, the level of participation in the campaign increases each year, having reached 55% of the target group over the last ten years. Some 15,000 presented for mammography and early screening in 2011.

178.2 The 2012 national breast cancer awareness campaign lasted for three months, giving women the chance to benefit from mammography screening at a discount until the end of December 2012. Private hospitals and medical centres across the country lowered the cost of mammography to LBP 40,000, while Government hospitals offered it free of charge during the campaign. The national committee overseeing the campaign set up a hotline to respond to basic questions about the campaign and direct women to the nearest mammography centre.

VII. Obstacles and challenges

179. The most significant of these are:

- Many groups of Lebanese and non-Lebanese have no social security coverage;
- Health services are distributed unevenly across the regions of the country;
- There is no old age insurance.

Article 13: Economic and social rights and benefits

180. In the light of article 13 of the Convention and in the light of the comments by the Committee on Lebanon's third periodic report (2006), this report shall review the following:

I. Legislation and policy

1. Legislation

181. In the following, we shall demonstrate the extent to which the Lebanese Constitution and Lebanese substantive law are consistent with article 13 of the Convention:

181.1 Article 7 of the Lebanese Constitution states, “All Lebanese shall be equal before the law. They shallequally be bound by public obligations and duties without any distinction”.

181.2 The preamble to the Lebanese Constitution affirms Lebanon’s commitment to United Nations charters and the Universal Declaration of Human Rights. Lebanon acceded to the International Covenant on Economic, Social and Cultural Rights in 1972.

181.3 Lebanon’s Constitutional Commission arrived at the conclusion that the International Covenant on Economic, Social and Cultural Rights is complementary to the Universal Declaration of Human Rights and that the international charters noted in the preamble to the Constitution form, together with the preamble, an indivisible whole enjoying constitutional force (decision no. 2/2002 of 10 May 2001).

181.4 As regards the right to housing, Lebanese law contains no discrimination between men and women. The State ensures this right by continuing to provide access roads to populated areas and infrastructure, including water, electricity and telephone. In addition, the State has taken a number of legislative and administrative measures to give practical effect to the right to housing. An example is the promulgation of the Housing Law, followed by creation of the Ministry of Housing and Cooperatives (the ministry was subsequently abolished and the General Directorate of Housing attached to the Ministry of Social Affairs, while cooperatives were attached to the Ministry of Agriculture), the establishment of Banque de l’Habitat and founding of the General Organization for Housing. Furthermore, measures were recently taken by Banque du Liban to ease the terms for obtaining housing loans from banks.

181.5 As regards benefitting from the right to vocational training and empowerment, there is no discrimination whatsoever between men and women. Indeed, women receive greater attention because they have more need of “qualification, empowerment and capacity-building” courses. At official level, the Institute of Administration (attached to the Civil Service Council) and Institute of Finance (attached to the Ministry of Finance) are in charge of organizing these courses, together with the National Employment Office and the development services centres attached to the Ministry of Social Affairs, in collaboration with NGOs.

181.6 As regards the terms of affiliation to the Association of Lebanese Industrialists (ALI), there is no discrimination between male and female factory owners and all benefit equally from the services of the ALI.

181.7 The conditions that must be met by candidates for study grants or assistance for specialised study overseas are the same for all, with no discrimination on the basis of sex. Likewise, the regulations for overseas study for employees of or

candidates for positions in Government departments, public organizations and municipalities requiring special knowledge and qualifications do not involve any form of discrimination (Decree 8868 (27 February 1962), amended).

181.8 The efforts of recent years have borne fruit and led to the adoption of the following:

181.8.1 Amendment of the National Defence Law, giving a second wife (after the death of the first) the right to benefit from the retirement pension of her soldier husband (pursuant to Law no. 239 (22 October 2012)).

181.8.2 Amendment of the Transfer Law, giving a woman the right to benefit from deductions for family on her bequest prior to the application of transfer duty (pursuant to Law no. 179 (29 August 2011)).

181.8.3 Amendment of Decree no. 3950 (27 April 1960), on the regulation of family benefits and employee allowances, introducing equality in respect of the terms of benefit for male and female employees (pursuant to Decree no. 10110 (22 March 2013)).

181.8.4 Amendment of the Income Tax Law, introducing equality between men and women such that a working married woman benefits from a tax deduction for her husband and children, in the same way as a man (pursuant to Decree no. 180 (29 August 2011)).

182. Legal lacunae

182.1 In the Social Security Law:

- Discrimination between men and women as regards sickness and maternity benefit (article 14, paragraph (c) of the Social Security Law);
- Working women affiliated to the Social Security Fund do not benefit from family allowance for an unemployed husband (article 46, paragraph (c) of the Social Security Law);
- Precedence in respect of receiving family allowance for children is given to a father affiliated to the Social Security Fund, unless the mother has sole custody of the children (article 47 of the Social Security Law);

182.2 The Commerce Law (bankruptcy chapter), includes restrictions on a woman's property rights in the event of her husband's bankruptcy. The Law holds that a woman's property rights derive from her husband (articles 625 and 685 of the Commerce Law).

2. Policy

183. It is worth drawing attention to the commitment of successive Lebanese governments since 2005 to strengthening the role of women in public life, in collaboration with the relevant women's organizations, pursuant to the substance of international conventions, especially CEDAW, in the form of appropriate legislation.

II. Decisions and measures taken in implementation of article 13 of the Convention

184. The follow may be noted in this regard:

| <i>Decision or measure</i> | <i>Body acting to have measure adopted</i> | <i>Substance</i> |
|---|--|---|
| 1 Decision no. 56/2 (9 Apr. 2013), issued by Ministry of Labour | Ministry of Labour | Reduction in the cost of the certificate of deposit required by the Ministry of Labour when recruiting a foreign worker (male or female) to help a person with special needs. |
| 2 Circular no. 305/2009 of the Association of Banks in Lebanon, giving a married woman the right to open a credit account for a minor child without the guardian's agreement. | NCLW | NCLW application approved; a married woman is allowed to open a credit account for a minor child. |
| 3 Decision of the Governor of Banque du Liban permitting the NCLW to offer micro-credits through the banks | NCLW | Intermediate Decision no. 11211, amending Basic Decision no. 8779 (13 July 2004) on micro-credits, published in issue no. 44 of the Official Gazette (18 October 2012). |
| 4 Decisions of the Governor of Banque du Liban | Banque du Liban | Housing loans subsidized and 75% of the value of commercial and industrial loans guaranteed through the Deposit Insurance Corporation. |

III. Indicators on women's participation in sports federations and committees

185. Girls in both public and private schools in Lebanon enjoy the same opportunities as boys in terms of participating in sports and physical education and there are no rules forbidding or hindering their participation. Since 1977, there has been a noticeable development of women's sport in Lebanon, following the establishment of the Arab Women's Sports Association, of which Lebanon was a founder member, becoming a member of the executive office on 23 December 2005. In 2000, the International Olympic Committee issued a resolution requiring that women occupy some 20% of the positions in the administrative bodies of local Olympic committees, sports federations and associations. With the support of the Government, in the form of the Ministry of Youth and Sports, Lebanon has endeavoured to apply this ruling. Today, women sit on the administrative bodies of 16 out of a total of 37 sports federations, although they make up only 8.5% of the total membership of the administrative bodies of these 37 federations. There are nine sporting committees (including the Lebanese Olympic Committee) and women are represented on six of these (a total level of participation of only 15.6%). Note that the lowest level of participation is in the Lebanese Olympic Committee (6.6%).

IV. Efforts undertaken to implement article 13 of the Convention

186. Aside from the mentioned efforts previously, which produced amendments to the said laws and decrees, other efforts have been undertaken in implementation of article 13 of the Convention. These consist of:

186.1 Bills, proposed laws and decrees to amend certain laws with economic effect subsequent to 2006:

| <i>Law to be amended</i> | <i>Submitting body</i> | <i>Type of legislation</i> | <i>Date and no. of document; receiving body</i> | <i>Substance of present text</i> | <i>Summary of draft</i> | <i>Outcome</i> |
|--|--|----------------------------|--|--|--|--|
| 1 Social Security Law (chapter on sickness and maternity) – amendment of art. 14 clause (c). | Bill prepared by NCLW and introduced to Chamber by two deputies on 26 July 2011 (registered in joint dept. of Chamber of Deputies under no. 479/2011). | Proposed law | Submitted to Council of Deputies; registered under no. 138/2009 (4 March 2009). | The wife of an insured, working husband receives social security benefits unconditionally (chapter on sickness and maternity), whereas the husband of an insured, working wife does not, unless he is above 60 years of age or disabled. | Equality and non-discrimination between husband and wife vis-à-vis the terms of sickness and maternity benefit, in application of CEDAW, duly ratified by the Lebanese State. | - On 14 May 2012, the board of the Social Security Fund approved the NCLW proposals (arts. 14, 46 and 47). - Bill referred to the competent parliamentary committee. |
| 2 Social Security Law (chapter on family allowance) – amendment of art. 46 clause (c). | Bill introduced on 17 April 2007 by chair of parliament's woman and child committee. | | Submitted to Council of Deputies; registered under no. 138/2009 (14 March 2009). | An insured, working husband receives family allowance for his non-working wife, whereas an insured, working wife does not receive family allowance for her husband, if he is unemployed and uninsured. | Equality and non-discrimination between husband and wife vis-à-vis family allowance for her husband, if he is unemployed, in application of the Convention, duly ratified by the Lebanese State. | - Text amended by administration and justice committee. - Bill referred to the competent parliamentary committee. - On 14 May 2012, the board of the Social Security Fund approved the NCLW proposals (arts. 14, 46 and 47). |

| <i>Law to be amended</i> | <i>Submitting body</i> | <i>Type of legislation</i> | <i>Date and no. of document; receiving body</i> | <i>Substance of present text</i> | <i>Summary of draft</i> | <i>Outcome</i> |
|--|--|----------------------------|---|--|---|--|
| 3 Social Security Law (child benefits) – amendment of art. 47. | Bill introduced on 17 April 2007 by chair of parliament’s woman and child committee. | Bill | Submitted to Ministry of Justice; registered under no. 3440/3 (11 June 2010) and referred to the legislation and consultation committee (registered under no. 447/2010 (14 June 2010)). | If the father and mother are both working and affiliated to the Social Security Fund, preference is given to the father to in respect of receipt of family allowance for children; the mother is only granted this right if she has custody of the children. | Equality between insured father and mother vis-à-vis family allowance for children; a declaration to be submitted by both to the Social Security Dept. stating which shall have the right to receive family allowance for the children, in application of CEDAW, duly ratified by the Lebanese State. | Equality between insured father and mother vis-à-vis family allowance for children; a declaration to be submitted by both to the Social Security Dept. stating which shall have the right to receive family allowance for the children, in application of CEDAW, duly ratified by the Lebanese State. - On 14 May 2012, the board of the Social Security Fund approved the NCLW proposals (arts. 14, 46 and 47). - Bill referred to the competent parliamentary committee. |
| 4 Commerce and Bankruptcy Law – amendment of arts. 625-8. | Bill introduced on 17 April 2007 by chair of parliament’s woman and child committee. | Proposed law | Submitted to Council of Deputies. | The present restrictions imposed on a woman must be removed to allow her to reclaim her rights in the event of her husband’s bankruptcy. Note that there are no such restrictions in the event of the bankruptcy of the wife. | Discrimination against the wife in the event of bankruptcy to be removed. | The entire Commerce Law has been referred to the committee for modernization of laws for full redrafting, including articles for amendment. |

186.2 NCLW efforts consist basically of the following:

- Launch of the national campaign to rid laws with an economic impact of provisions that discriminate against women; the amendment of 13 laws discriminating against women has been requested;
- Introduction of the “*Najah*” loan, a small and medium-size facility provided by one of the banks and backed by Banque du Liban and the Deposit Insurance Corporation (pursuant to the classification of the NCLW as a microcredit institution).
- A cooperation programme as part of the “We can” project, encouraging medium-size loans to promote women’s business initiatives;
- The signing of a protocol of cooperation with the Beirut Chamber of Commerce and Industry to train women who wish to set up their own businesses in entrepreneurship; and the signing of protocols of cooperation with the BBA, AUB and Lebanese Council of Women (LCW) designed, inter alia, to implement article 13 of the Convention;
- Training gender focal points (GFP) in the gender-based approach to the public budget;
- Offering a programme entitled, “Economic awareness, empowerment and capacity-building for women” in several rural villages in Lebanon, within the framework of the “WEPASS”, in collaboration with UNFPA.

186.3 Efforts of NGOs

The efforts of NGOs focus on key themes, of which the principal ones are: empowerment of women at work; qualification in the field of information technology, preparing a CV and developing the skills to undertake simple jobs; qualification to undertake entrepreneurial initiatives and facilitate start-up procedures and operations; and assisting women to set up and develop their own enterprises. The available information indicates that, in the field of IT qualification, for example, some 500 young women in one region of the country alone benefitted from the services on offer in recent years (2010-2012) – that is, around 2,500 throughout the whole country annually. Furthermore, the number of programmes and organizations working in the field of entrepreneurship has increased and there is information to indicate that the number of female beneficiaries from entrepreneurial services is approximately half that of male beneficiaries; young women are particularly adept at advancing attractive business propositions.

V. Obstacles and challenges

187. The most significant of these are:

- Changing people’s mentality and inherited social and cultural traditions; not restricting economic and social benefits exclusively to men (an example being social security benefits);
- The increasing poverty level;
- Shortcomings in national policies and strategies on economic and social benefits and women’s rights.

Article 14: Rural women

188. In the light of article 14 of the Convention;

And in the light of paragraph 37 of the comments of the Committee on Lebanon's third periodic report (2006), especially as regards the State Party paying "special attention to the needs of rural women, ensuring that they participate in decision-making processes that affect them and have full access to justice, education, health services and credit facilities" and ensuring that "a gender perspective is included in all poverty reduction plans and strategies";

And in the light of the Committee's general recommendations, especially no. 16 (1991), on women working without pay in rural and urban family businesses,

This report shall review the following:

I. General overview

189. There are a number of hurdles to face when assessing the position of rural women in Lebanon, for two basic reasons:

189.1 The first of these is the difficulty of defining rural areas because of the increasing overlap between "urbanisation" and "ruralisation". Eastern and southern areas have witnessed a migration toward the capital, Beirut, and northern areas toward the city of Tripoli. According to a study published in 2007, these waves have affected around 40% of the population of those regions. The rate of rural migration has reached approximately 20% in the Beqaa governorate, 19% in the South, 12% in the North and 2.29% in Nabatieh governorate. Furthermore, it is difficult to describe certain areas as rural once real estate investment projects designed to induce inhabitants of the capital to buy residential apartments have been attracted.

189.2 The second reason is the lack of accurate, detailed and up-to-date statistical data on the involvement of women in the agricultural sector. Usually, statistics only take into account registered women workers in agricultural enterprises and do not indicate the agricultural sectors in which women work. They do not show the real value of women's labour at the various stages of agricultural production, which is not factored in to GDP. Additionally, there is no statistical information on women's resources, particularly regarding land ownership. Moreover, rural women in Lebanon do not constitute a homogenous group: their position varies according to social position, qualifications, the choices available to them and their access to productive resources and suitable opportunities.

190. Lebanese regions generally regarded as rural are: Akkar, Hermel, Baalbek, western Beqaa, Becharre, Hasbaya, Rachaya, Marjayoun and Bint Jubail. Note that these areas have a rural population of 60% and above. In 2010, the rural population made up 12.8% of the country's total. In 2009, the female workforce in the agricultural sector was estimated at 5.7% of the country's total female workforce. Note that the economic activity rate of women in Lebanon in the same year was 22.8%.

II. Legislation

191. Lebanon's Labour Law excludes all day labourers and agricultural sector labourers from its provisions. Seasonal labourers, who represent around 40% of the agricultural workforce, are thereby denied social security benefits. This, of course, applies to women workers, who enjoy no social security benefits unless they are Lebanese and employed on a permanent basis in an agricultural enterprise.

192. Accordingly, in 2011 and 2012, the NCLW, as part of a campaign launched with several civil society organizations to rid laws with economic effect of provisions that discriminate against women, called upon the Ministry of Labour officially to introduce a bill to amend article 7 of the Labour Law to cover agricultural day labourers and domestic service workers.

III. Progress achieved

193. In recent years, the Lebanese Government has accorded particular attention to women's issues in rural development. Among the policies adopted in this area, we might mention the following:

193.1 In 2008, the Ministry of Agriculture launched the National Observatory for Women in Agriculture and Rural Areas (NOWARA), with support from the Italian Government and the Mediterranean Agronomic Institute of Bari, Italy (CIHEAM). NOWARA is an advisory, instructional and executive body that seeks to create an innovative dynamic for women in agriculture, food processing and rural development. The observatory is aimed directly at women who are economically active in the agricultural, agro-food and artisanal sectors in rural areas. Its main tasks are:

- Studying laws and provisions relating to the employment status of rural women and presenting appropriate recommendations for change;
- Conducting national surveys to highlight the true value of women's employment in the agricultural sector;
- Proposing initiatives to encourage businesswomen to become involved in agro-food production;
- Helping to create a women-friendly investment climate in the rural development sector;
- Empowering and training women to assume management and leadership positions in the planning and formulation of rural development policy, production, marketing and cooperative activity.

The observatory has undertaken a number of initiatives, of which the main ones are: a study on the role of women in rural areas, highlighting their business activities in general; the award of an annual prize aimed at rural women who own small and medium-size enterprises and artisanal businesses; a programme to support rural businesswomen; the launch in 2012 of an economic and social development project for the rural population of South Lebanon, focusing on women in agriculture.

193.2 Since 2011, the Ministry of Social Affairs has been enhancing the effectiveness of the development services centres, which have been in operation since 1994 in all areas of the country and which provide health, social and

empowerment services for women, within the framework of a national programme for local social and economic development put in place by the Ministry of Social Affairs with the support of the Italian Government. Note that, following the establishment of 12 additional centres in 2010 and ten in 2011, there are 87 such centres, with 76 branches spread across the entire country. Development plans discussed in 2013 with the World Bank, within the framework of a programme to combat poverty by enhancing the services offered by the development services centres, indicate the possibility of increasing the number of beneficiaries from the anti-poverty programme from 93,900 to 160,700.

193.3 The Lebanese Government, in the form of the Presidency of the Council of Ministers and Ministry of Social Affairs has proceeded with the implementation of a national programme targeting the poorest families in the country in order to reinforce the social security net and build up a national information bank on poor families in Lebanon. At the time of writing this report, some 65,000 Lebanese families were registered with the programme. Of these, approximately 18,000 were classified as below the poverty line. It is worth noting that the Lebanese Government took gender into account when planning this national programme and women-headed households receive a larger share of the benefit of the services it provides. Furthermore, initial results show that, at the time of writing, women heads of households who applied to the programme made up 36% of all applications; of these, however, only 24% met the programme's criteria for poverty. Nevertheless, 52% of successful applications were from women.

194.4 On 12 June 2012, the Lebanese Government gave its consent in principle to the National Strategy for Women in Lebanon 2011-2021, formulated by the NCLW in partnership with civil society organizations and academics. The strategy's goals include combating poverty among women, strengthening the participation of women in economic and political life and improving the level of health services in remote areas. The Government asked ministries to apply the proposals and recommendations contained in the strategy, in accordance with current laws.

193.5 On 3 August 2012, at the request of the NCLW, the Ministry of Interior and Municipalities circulated the municipalities on the need to allocate a portion of the development funds allocated to them to development projects relevant to women.

193.6 In 2013, under an agreement with the European Union and the loan guarantee company, *Kafalat*, the Ministry of Agriculture set aside EUR 3.5 million for small loans to finance agricultural enterprises set up primarily by young and women farmers.

193.7 The Economic and Social Fund for Development (ESFD), set up by the Presidency of the Council of Ministers (represented by the Council for Development and Reconstruction) in 2000, within the framework of the Euro-Mediterranean Partnership, supported 78 development enterprises at a cost of EUR 10.5 million in 2003-2013. Note that the ESFD pays particular attention to incorporating the priorities and needs of women in the projects it finances. During this period, the district of Akkar received 43% of these projects, of which 28 were concerned agricultural and irrigation. The share of other rural areas was as follows: Bint Jubail 17%, Hasbaya 6%, Baalbek 5%, Marjayoun 5% and Hermel 3%.

IV. Data on the status of women in the countryside

194. Family situation and rates of spinsterhood:

194.1 The results of a nation-wide study on the living standards of families (2007) show that 37.7% of women in Lebanon are unmarried and 51.0% are married; 9.8% are widows, 1.2% are divorced and 0.3% are separated/ runaway.

194.2 A nation-wide study conducted by NOWARA in 2011 and covering 150 villages in different rural areas of the country, shows that 18.7% of women are unmarried, 78.0% are married and 3.3% are widows.

194.3 Furthermore, the figures show that the rates of early marriage of girls differs between town and country. It is clear from the annexed schedule that rates are higher in rural areas. This is linked to inherited customs and tradition prevalent among many rural families.

Table 1

Proportion of girls marrying at an early age, by governorate and region

| <i>Governorate/ area</i> | <i>Women married under the age of 15 (%)</i> | <i>Women married under the age of 18 (%)</i> |
|--------------------------------------|--|--|
| Beirut governorate | 1.7 | 13.6 |
| Beirut suburbs | 1.9 | 10.5 |
| Rest of Mt. Lebanon | 1.7 | 7.7 |
| Akkar and Miniyeh-Danniyeh districts | 2.5 | 17.2 |
| Other northern districts | 3.0 | 16.1 |
| Baalbek and Hermel districts | 2.4 | 18.3 |
| Other Beqaa districts | 2.2 | 15.6 |
| South Lebanon governorate | 2.3 | 16.5 |
| Nabatieh governorate | 1.9 | 15.7 |

Source: adapted from 2009 multi-indicator cluster survey (CAS and UNICEF).

194.4 As regards average family size in rural areas, the results of the 2009 multi-indicator cluster survey indicate, for example, that approximately 45% of all families in the Akkar and Miniyeh-Danniyeh districts consist of six or more persons.

195. Health situation

195.1 There are 135 private hospitals in Lebanon (17 in the South, 21 in the North and 19 in the Beqaa) and 28 public hospitals (five in Nabatieh, three in the South, seven in the North and five in the Beqaa).

195.2 Some 53.7% of women in Lebanon were using methods of contraception 2009. The figure was highest in Beirut and the suburbs (62.4%) and lowest in Nabatieh (32.6%).

196. Educational situation

196.1 Migration from rural areas has raised the awareness of the rural community of the importance of women's education. Furthermore, the illiteracy

rate has fallen due to the literacy programmes undertaken by the Ministry of Social Affairs, NGOs and international organizations.

196.2 In Lebanon, enrolment in one or other form of pre-school education is approximately the same among the sexes (63.2% of girls and 60.4% of boys). However, there are geographical variations: 79.4% in Mount Lebanon governorate (excluding the Beirut suburbs) compared with 65.9% in Nabatieh governorate and 58.5% in Baalbek and Hermel; the lowest rate (57.5%) is recorded in the districts of Akkar and Miniyeh-Danniyeh.

196.3 Enrolment in primary and intermediate school in Lebanon is very high, at 98.4% of girls and 98.3% of boys, with some slight regional variation: 97.5% in Akkar and Miniyeh-Danniyeh and 96.2% in other districts of North Lebanon.

196.4 According to the 2009 multi-indicator survey, enrolment in intermediate and secondary school is lowest in Akkar and Miniyeh-Danniyeh (66.9%), with a discrepancy between girls (75.6%) and boys (59.2%). It rises to 79.8% in the South (83% of girls and 76.7% of boys) and 90.4% in the districts of Baalbek and Hermel (91.3% of girls and 89.7% of boys). The discrepancy between the sexes in different regions can be explained by boys entering the job market at an early age.

196.5 There is a disparity between the sexes in levels of school underachievement in several areas: some 7.0% of girls and 10.1% of boys of intermediate and secondary school age (12-17 years) enrolled in primary schools in the districts of Akkar and Miniyeh-Danniyeh, while in the districts of Baalbek and Hermel, the figure is less than 5% (4.6% of girls and 4.7% of boys). The greatest disparity is in Nabatieh governorate (2.8% of girls and 6.6% of boys). Across the country as a whole, underachievement is 5.2% (in excess of 5.5% of boys and 4.9% of girls).

196.6 The proportion of women in the 20-24 year age group who can read and write is 92.4%; in the 15-19 year age group, it is 88.6%. The ability to read and write among young married women or those who have been married is highest in the governorate of South Lebanon (100%), falling to 83.2% in the districts of Akkar and Miniyeh-Danniyeh.

196.7 There is a close link between the level of education of the mother and that of her daughters. Some 72.3% of girls whose mothers have primary level education, 97.5% of girls whose mothers have intermediate level education and 100% of girls whose mothers have secondary or university level education or above, can read and write.

197. Economic situation

197.1 Economic activity

197.1.1 The economic activity rate of the total population of Lebanon (aged 15 and above) was 47.6% in 2009. In this age group, the participation of women in economic life remains three times below that of men (22.8% among women compared with 72.8% for men).

197.1.2 The economic activity rate of women is 15.2% in Akkar and Miniyeh-Danniyeh, 15.8% in the districts of Baalbek and Hermel and 23.4% in the governorate of Nabatieh.

197.1.3 According to a 2011 NOWARA study, rural women are employed in various sectors, as follows:

Table 2
Breakdown of employment of rural women by sector

| | <i>Housewife</i> | <i>Agriculture</i> | <i>Education</i> | <i>Health</i> | <i>Artisanal</i> | <i>Private business</i> | <i>Outside village</i> | <i>Total</i> |
|----------------|------------------|--------------------|------------------|---------------|------------------|-------------------------|------------------------|--------------|
| Percentage (%) | 27.3 | 30.7 | 7.3 | 1.3 | 1.3 | 15.3 | 6.7 | 100 |

It is worth pointing out here that the proportion of working women by sector across Lebanon is as follows: 60.2% in services, 21.5% in commerce, 7.5% in industry and 5.7% in agriculture.

197.2 Employment in the agricultural sector:

The agricultural sector has the lowest proportion of workers in Lebanon (6.3%) and only 5.7% of working women work in the sector, compared with 6.5% of men. A 2007 study of agricultural labour in 13 villages in the Beqaa indicates that women contribute 35% of agricultural field labour and labour complementary thereto, in addition to supervising the female Bedouin and Syrian migrant workforce and serving male family members working full-time in agriculture. Note that the contribution of rural women to the agricultural sector varies with the size of agricultural holding. Thus, in small holdings, the women of the family assist in 50% of the jobs, rising to 75% of the jobs complementary to field labour. In medium-size, large and capitalized holdings, most of the female agricultural workforce are Syrian migrants and Bedouin women. Rural women, whose activity is confined to the role of housewives, perform a number of jobs in the agricultural sector, such as producing consumer goods, serving the family and rearing cattle and chickens. However, the prevailing attitude within the community is that women do not work, despite the fact that there are opportunities to profit from selling their products in local or city markets.

197.3 Unemployment

The unemployment rate in Lebanon among the 15-64 year age group is estimated at about 6.4% (5% of men and 10.4% of women). The rate of female unemployment varies between regions, with the highest (13.2%) recorded in the districts of Akkar and Miniyeh-Danniyeh.

197.4 Income gap between men and women

According to a national study on the living standards of families (2007), the income gap between men and women, by economic sector, is 21.0% in agriculture, compared with a maximum of 38.0% in the transport, post and telecommunications sector and a minimum of 6.2% in the service, finance and insurance sector. The same source indicates that the income gap between men and women across all sectors is 6%. A NOWARA study estimated the gap at one third, in favour of men. It is worth pointing out that there is no income gap between the sexes in the public sector.

197.5 Difficulty in obtaining loans

Due to the prevailing culture, which holds that it is desirable to limit the transfer of inherited real estate to male children, it is difficult for women to acquire land tenure in rural areas in general. This represents an obstacle to women obtaining bank loans. In this context, a NOWARA study of 2011 indicated that 76% of the women covered by the study had never obtained any loan or credit and that 44.7% had never made an application for credit or had not felt the need to do so. Some 22% indicated that they had not applied because of the difficulty of repayment. Note here that, nationally, 17% of Lebanese businesswomen have obtained bank loans. As such, most women finance their enterprises from their own resources (e.g. savings) and with the support of friends and family, as well as by reinvesting income.

198. Participation of rural women in decision-making

198.1 The available statistics show that the level of women's participation in local decision-making is very low. In villages covered by a 2011 NOWARA study, only 4.7% of women were members of an agricultural cooperative, 6.0% of a political party or movement and 2.7% of a union. The situation improves slightly when we look at women's membership of NGOs and charitable organizations (12% in both cases) and women's savings NGOs (11.3%).

198.2 The representation of women in municipal councils, including the position of mayor, is similarly low, despite the increase recorded in the number of women nominated as candidates. The results of the 2010 municipal elections show that the total number of women elected in Lebanon rose from 220 in 2004 to 520 in 2010, corresponding to 4.55% of all successful candidates. The results of the mayoral elections show that not more than 1.5% of all successful candidates for the position of mayor were women, with a clear disparity between regions, as the figures in the following table indicate:

Table 3

Breakdown of winning candidates in the 2010 municipal and mayoral elections by governorate, excluding Beirut governorate, and by minimum and maximum percentages at district level

| Governorate | Women elected in 2010 municipal elections | | | | | Women elected to position of mayor in 2010 mayoral elections | | | | |
|-------------|---|---------|------------------|---------|---------------|--|---------|--------------------------------|---------|---------------|
| | No. of winning candidates | Min (%) | District | Max (%) | District | No. of winning candidates | Min (%) | District | Max (%) | District |
| Mt. Lebanon | 164 | 2.27 | Jubail | 7.42 | Northern Matn | 9 | 0 | Jubail, Baabda and Aley | 4.2 | Northern Matn |
| South | 59 | 1.47 | Tyre | 7.16 | Jezzine | 5 | 0.9 | Sidon - Zahrani | 2.3 | Tyre |
| Nabatieh | 20 | 0.72 | Hasbaya | 2.33 | Marjayoun | 1 | 0 | Nabatieh, Bint Jubail, Hasbaya | 1.2 | Marjayoun |
| Beqaa | 45 | 1.23 | Hermel | 3.50 | Rachaya | 5 | 0 | Rachaya | 3.2 | Western Beqaa |
| North | 229 | 3.56 | Miniyeh-Danniyeh | 17.0 | Becharre | 14 | 1 | Miniyeh-Danniyeh | 9.3 | Becharre |

Source: Ministry of Interior, General Directorate of Political and Refugee Affairs.

V. Efforts to improve the situation of women in rural areas

199. Official efforts: Official bodies in Lebanon are aware of the difficulties preventing the human development of rural women and several ministries and concerned public organizations have undertaken initiatives to overcome some of these. Among these initiatives, we might mention the following by way of example:

199.1 Through its primary health services centres and centres run jointly with NGOs and municipalities, the Ministry of Public Health has sought to improve the health situation of rural women. In the district of Akkar and in collaboration with an NGO, the ministry undertook to provide maternity services through the primary health services centres, referring serious cases to hospital. As a result, 15,000 pregnant women were monitored in 2008 and 2009 without a single case of mortality recorded.

199.2 The NCLW has sought to develop the contribution of women to economic life by establishing training centres for women in centres attached to the municipal unions in four rural areas – Jezzine (South), Qaytaa (Akkar), Hadath Baalbek (Beqaa) and Shebaa (South) – and implementing programmes designed to provide women with soft loans, particularly in rural areas. In this context the NCLW, in collaboration with the Lebanese Association for Development (*Al Majmoua*) and with support from UNFPA, made available 135 loans to rural women to set up or develop their own businesses.

200. Efforts of NGOs and civil society groups: There have been numerous NGO initiatives, mostly with the support of international bodies, targeting social and economic development in the countryside. Of these initiatives, we might mention the following by way of example:

- A scheme to set up rural banks to improve the possibilities for rural women to access productive resources and economic opportunities; the scheme has been in operation since 2007 in the Beqaa, Baalbek, Hermel, Akkar and Batroun and approximately 1,000 rural women have benefitted.
- A scheme to enable women to participate in a local community social and economic rehabilitation workshop after the 2006 war; the scheme was put into effect in 2008 in seven towns in the Beqaa and the North and approximately 200 rural women have benefitted.
- A scheme designed to develop the competitiveness of rural products by providing technical support in the areas of production and marketing for agricultural, artisanal and agro-industrial cooperatives in the districts of Baalbek and Bint Jubail; eight agricultural cooperatives have benefitted from the scheme, including four women's cooperatives.
- A programme to stimulate markets and rural transformation in order to curb the unemployment prevalent among rural women; within the framework of the programme, the *Atayeb el Rif* ("Rural delights") cooperative was set up and 42 food processing centres were established, in which between 400 and 500 women are employed. Some 2,586 women have been trained.
- A vocational qualification programme for young women from rural areas, which trained a total of 647 students between 2006 and 2012.

- A project to involve rural women in promoting and protecting the cultivation of medicinal and aromatic plants; launched in 2009 and aimed at developing the agricultural sector in Lebanon and providing job opportunities in the Beqaa region.
- An economic empowerment project for women, launched in 2007 and designed to foster the role of production cooperatives, provide economic support for rural women, develop their capacities and promote the marketing of their agricultural and artisanal products.
- The *Souk el Tayeb* project, in which more than 30 rural women take part out of a total of 70 members; the project is designed to provide a direct commercial link between producer and consumer. In 2010, the project branched out into opening up restaurants in which rural women work and supervise the kitchens.

VI. Obstacles and challenges

201. Improving the position of women in rural areas faces a number of hurdles, of which the main ones are:

- Prevailing customs and traditions, which focus on a woman's role exclusively as housewife and do not acknowledge the economic value of the work she does inside and outside the home, unless she receives a wage for it;
- A lack of national surveys precisely identifying rural areas and what their needs are;
- A lack of coordination between the various official bodies responsible for gathering essential information to formulate appropriate policies in order to improve the position of rural women;
- Most training programmes designed to empower rural women still have a traditional character and do not meet women's need for modern, income-generating skills.
- It is difficult for rural women in general to benefit from credit facilities due to the difficulties they face in providing the required security.

Article 15: Equality before the law

202. In the light of article 15 of the Convention;

And in the light of the Committee's comments on Lebanon's third periodic report (2006), especially paragraph 10 thereof, on including in legislation "provisions guaranteeing equality on the basis of sex", paragraph 26, urging the State Party to review discriminatory provisions in the Penal Code and other comments;

And to avoid repetition of what has been previously mentioned in this regard and stated under each article of the Convention, whereby the report shows, for each area, progress achieved in promulgating new legislation – including the law punishing the crime of trafficking in persons (2011), the cancellation or amendment of provisions discriminating against women, such as cancellation of article 562 of the Penal Code (2011), amendment of the law on transfer duty on all equity and movable and immovable property, amendment of the Income Tax Law (2011) and

other laws (in addition to the considerable efforts that have been and are still being exerted to have a law protecting women from domestic violence adopted, at the same time as the Nationality Law has faced outright rejection, as noted in the context of article 9);

For the above reasons, the following review of article 15 shall focus specifically on the continuing efforts to follow-up other amendments still on the table,

I. Efforts since 2006 to monitor amendments proposed in implementation of article 15 of the Convention

The amendments proposed concern the following areas: the Penal Code, personal status, participation in politics, the Social Security Law, the Employees Law and the Commerce Law.

203.1 The Penal Code

| <i>Subject of articles to be amended</i> | <i>Sponsoring body</i> | <i>Date of introduction</i> | <i>Current status of proposal/ bill</i> |
|--|---|-----------------------------|---|
| <p>(a) Misdemeanours in breach of family morality: Provisions on adultery: arts. 487, 488 and 489.</p> <p>Art. 487 (currently in force): “An adulterous woman shall be punished by imprisonment of from three months to two years.</p> <p>The partner of the adulterous women shall be liable to the same punishment, if he is married, and otherwise to imprisonment of from one month to one year.</p> <p>In the absence of a legal confession and flagrante delicto, the only admissible evidence against the partner in the adultery shall be that which arises from correspondence and documents handwritten by that partner”.</p> <p>Art. 488 (currently in force): “The husband shall be punished by imprisonment of from one month to one year if he commits adultery in the marital home or openly takes a mistress in any place.</p> <p>The same penalty shall be imposed on the woman partner.”</p> <p>Art. 489 (currently in force): “The act of adultery may not be prosecuted except on the basis of a complaint lodged by one of the spouses, who must also act as a personal plaintiff.</p> <p>Neither the partner nor the accomplice shall be prosecuted except in conjunction with the husband.</p> <p>A complaint by a husband with whose consent the adultery was committed shall be inadmissible.</p> | <p>Chair of parliamentary woman and child committee</p> | <p>28 April 2007</p> | <p>Amended by the parliamentary committee for modernization of laws on 3 Oct. 2011, to read as follows:</p> <p>Art. 487 (amended): “Adultery committed by a husband or wife shall be punished by imprisonment of from three months to two years and a fine of from LBP 1 million to LBP 5 million.</p> <p>The partner of the adulterer shall be liable to the same punishment, if married, and otherwise to imprisonment of from one month to one year and a fine of from LBP 500,000 to LBP 5 million.</p> <p>In the absence of a legal confession and flagrante delicto, the only admissible evidence against the partner in the adultery shall be that which arises from correspondence and documents handwritten by that partner.”</p> <p>Art. 488 (amended): “Pursuant to article 257, the penalty stipulated in the preceding article shall be increased if adultery is committed in the marital home.”</p> <p>Art. 489 (amended): “The act of adultery shall not be prosecuted except by means of a complaint lodged by one of the spouses, who must act as a personal plaintiff.</p> <p>A complaint lodged by a person with whose consent the adultery was committed or over three months after it came to the notice of such person shall be inadmissible.</p> <p>A person who incited, participated or intervened in the adultery shall be prosecuted only in conjunction with the adulterer.</p> |

| <i>Subject of articles to be amended</i> | <i>Sponsoring body</i> | <i>Date of introduction</i> | <i>Current status of proposal/ bill</i> |
|---|--|-----------------------------|--|
| <p>A complaint lodged after the passage of three months from the day the crime came to the notice of the husband shall be inadmissible.</p> <p>If the claim against the husband or wife is dropped, the public claim and the personal case against all offenders shall consequently be dropped.</p> <p>If the man consents to the resumption of shared life, the complaint shall be dropped.”</p> | | | <p>If a personal claim against the adulterer is dropped, the public claim against him and against the accused in the offence shall consequently be dropped.</p> <p>Agreement to resume marital life shall be considered tantamount to dropping the case.”</p> |
| <p>(b) Crimes in breach of ethics and public morality</p> <p>(b.1) Violation of honour: arts. 503 and 504</p> | <p>Chair of parliamentary woman and child committee and two deputies</p> | <p>17 April 2007</p> | <p>Amended by the parliamentary committee for modernization of laws on 3 Oct. 2011.</p> |
| <p>Art. 503 (amended): “Whoever uses violence and intimidation to force someone other than his spouse to engage in sexual intercourse shall be sentenced to at least five years’ hard labour.</p> | | | <p>Art. 503 (currently in force): “Whoever engages in sexual intercourse with a person other than his spouse without that person’s consent, using violence, force, intimidation or other means to neutralize the resistance of that person, shall be sentenced to at least five years’ imprisonment and a fine of from LBP 1 million to LBP 5 million.</p> |
| <p>The sentence shall be at least seven years, if the victim is under the age of fifteen.”</p> | | | <p>The sentence shall be at least seven years and a fine of LBP 5 million, if the victim is under the age of eighteen.”</p> |
| <p>Art. 504 (currently in force): “Whoever engages in sexual intercourse with a person other than his spouse, who is unable to resist due to physical or mental deficiency or because of the types of deception employed, shall be sentenced to temporary hard labour.”</p> | | <p>12 Oct. 2011</p> | <p>Art. 504 (amended): “Whoever engages in sexual intercourse with a person other than his spouse, taking advantage of physical, psychological or mental weakness, shall be sentenced to at least five years’ imprisonment and a fine of from LBP 1 million to LBP 5 million.</p> <p>Whoever engages in sexual intercourse with a person other than his spouse, employing forms of deceit or sudden assault, shall be sentenced to a maximum of five years’ imprisonment and a fine of between LBP 500,000 and LBP 3 million.”</p> |

| <i>Subject of articles to be amended</i> | <i>Sponsoring body</i> | <i>Date of introduction</i> | <i>Current status of proposal/ bill</i> |
|--|---|-----------------------------|--|
| <p>(b.2) Crimes of rape: arts. 505 and 506:</p> <p>Art. 505 (currently in force): “Whoever engages in sexual intercourse with a minor under the age of 15 years of age shall be sentenced to temporary hard labour.</p> <p>The sentence shall be not less than five years, if the child is under 12 years of age.</p> <p>Whoever engages in sexual intercourse with a minor above the age of fifteen and below the age of eighteen shall be sentenced to imprisonment of from two months to two years.”</p> <p>Art. 506 (currently in force): “If a relative by law or otherwise, a relative by marriage, a person exercising legal or de facto authority or a servant of such persons engages in sexual intercourse with a minor aged between 15 and 18 years shall be sentenced to temporary hard labour.</p> <p>The same penalty shall be mandatory if the criminal is an employee, man of religion or the manager or an employee of a recruitment agency and he commits an act of abuse of power or of the facilities available by virtue of his job.”</p> | <p>Chair of parliamentary woman and child committee</p> | <p>17 April 2007</p> | <p>Amended by the parliamentary committee for modernization of laws on 3 Oct. 2011.</p> <p>Art. 505 (amended): “Whoever engages in sexual intercourse with a minor under the age of 15 years of age shall be sentenced to imprisonment and a fine of from LBP 1 million to LBP 5 million.</p> <p>The sentence shall be not less than five years’ imprisonment and a fine of LBP 7 million, if the minor is under 12 years of age.</p> <p>The sentence shall be not less than ten years’ imprisonment and a fine of LBP 10 million, if the minor is under 7 years of age.”</p> <p>Art. 506 (amended): “A person related by law or otherwise, a relative by marriage, a person exercising legal or de facto authority or a servant of such persons who engages in sexual intercourse with a minor aged between 15 and 18 years shall be sentenced to at least five years’ imprisonment and a fine of between LBP 2 million and LBP 5 million.</p> <p>The sentence shall not be less than seven years’ imprisonment and a fine of LBP 8 million, if the minor is between 12 and 15 years old, ten years’ and LBP 10 million, if under 12 and 12 years’ and LBP 12 million, if under 7.”</p> |
| <p>(b.2) Attempted seduction by an official of the wife of a prisoner or detainee:</p> <p>Art. 513 (currently in force): “Any employee who attempts to seduce the wife of a prisoner or detainee or of a person under his supervision or authority or who attempts to seduce a female relative of these persons shall be sentenced to imprisonment of from three months to one year.</p> | <p>Chair of parliamentary woman and child committee</p> | <p>17 April 2007</p> | <p>Art. 513 (amended): “Any employee who attempts to seduce the wife of a prisoner or detainee or of a person under his supervision or authority or who attempts to seduce a relative of these persons shall be sentenced to imprisonment of from six months to two years and a fine of from LBP 200,000 to LBP 2 million.</p> |

| <i>Subject of articles to be amended</i> | <i>Sponsoring body</i> | <i>Date of introduction</i> | <i>Current status of proposal/ bill</i> |
|---|---|-----------------------------|---|
| <p>The same sentence shall be imposed on an employee who attempts to seduce the wife or female relative of a person who has an issue to be decided by the employee or his superiors.</p> <p>The sentence shall be doubled if the criminal has his way with any of the above-mentioned women.”</p> <p>(c) Crimes relating to abduction and incitement to commit debauchery:</p> <p>Art. 515 (currently in force): “Whoever abducts using deception or violence any person, male or female, with the intent to commit debauchery with that person, shall be sentenced to temporary hard labour. If the said act is committed, the sentence shall be not less than seven years.”</p> | | | <p>The same sentence shall be imposed on an employee who attempts to seduce the spouse or relative of a person who has an issue to be decided by the employee or his superiors.</p> <p>The sentence shall be doubled if the perpetrator has his way with any of the persons mentioned in the first paragraph.”</p> <p>Art. 515 (amended): “Whoever abducts using trickery or violence or any means of coercion any person with the intent to commit debauchery with that person shall be sentenced to imprisonment and a fine of from LBP 1 million to LBP 3 million. If the said act is committed, the sentence shall be not less than seven years and a fine of LBP 5 million.”</p> |
| <p>(d) Exemption from punishment for those who marry their victims:</p> <p>Art. 522 (currently in force): “If a valid marriage is contracted between the perpetrator of one of the offences set forth in this section and the victim, prosecution shall cease; if a judgement has been delivered in the case, enforcement of the punishment imposed on the offender shall be suspended.</p> <p>Prosecution or enforcement of the punishment shall be resumed if, within three years in case of a misdemeanour or five years of a felony, the marriage ends with divorce of the woman without legitimate cause or because a divorce is ordered in the interest of the victim.”</p> | Chair of parliamentary woman and child committee and two deputies | 17 April 2007/12 Oct. 2011 | The parliamentary committee for modernization of laws agreed to annul art. 522. |
| <p>(e) Crime of employing minors:</p> <p>Art. 627 (currently in force): “The owner of a bar who employs girls or women not from his own family under the age of 21 years in his bar shall deserve the same sentence.”</p> | Chair of parliamentary woman and child committee | 17 April 2007 | <p>Amendment adopted by the parliamentary committee for modernization of laws on 3 Oct. 2011.</p> <p>Art. 627 (amended): “The owner of a bar who employs females or males under the age of 21 years in his bar shall deserve the same sentence.”</p> |

| <i>Subject of articles to be amended</i> | <i>Sponsoring body</i> | <i>Date of introduction</i> | <i>Current status of proposal/ bill</i> |
|--|--|-----------------------------|---|
| <p>(f) Preventing minors from frequenting public places:</p> <p>Art. 753 (currently in force): “The managers or staff of theatres or cinemas who admit, when showing a play or film prohibited to children, a male or female child or adolescent, or girl under the age of 18 unaccompanied by her father, mother, legal guardian or close adult relative, shall be sentenced to imprisonment of up to three months and/ or a fine of from LBP 40,000 to LBP 400,000.</p> <p>In the event of a repeat offence, the establishment may be ordered to close for a period of between three days and three months.”</p> | Chair of parliamentary woman and child committee | 17 April 2007 | <p>Amendment adopted by the parliamentary committee for modernization of laws on 3 Oct. 2011.</p> <p>Article 753 (amended): “The managers or staff of theatres or cinemas who admit, when showing a play or film prohibited to minors, a male or female child under the age of 15 unaccompanied by his father, mother, legal guardian or close adult relative (male or female), shall be sentenced to imprisonment of up to ten days and/ or a fine of from LBP 200,000 to LBP 1 million.</p> <p>In the event of a repeat offence, the establishment may be ordered to close for a period of between three days and 10 days.”</p> |

203.2 Personal status

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|---|------------------------|------------------------|--|
| <p>Proposal for civil personal status code:</p> <p>The creation of a unified personal status code will standardize judicial authority and procedures, acknowledge the principle of equality between men and women, uphold equal rights in the terms of marriage and divorce application and ensure a woman’s rights to alimony, custody and the marital home.</p> | Parliamentary deputy | 18 March 2011 | Referred to joint parliamentary committee on 21 March 2011; not yet studied. |

203.3 Political participation

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|--|---|---------------------------------|--|
| <p>(a) Proposed law to add a new article to the electoral law:</p> <p>Each constituency list shall be required to include not less than 10% women.</p> <p>The introduction of a women's quota (10%) among the number of deputies (128) will mean 14 seats reserved for women, to be distributed equally between Muslims and Christians and proportionally among the sects.</p> | Chair of parliamentary woman and child committee | 3 Sept. 2008 | Referred to parliamentary administration and justice committee on 3 Sept. 2008; not studied. |
| (b) Bill to reserve 14 seats for women members of the Chamber of Deputies | Chair of parliamentary woman and child committee and several deputies | 3 Sept. 2008 | Not studied. |
| (c) Parliamentary elections bill | Council of Ministers | Decree no. 8913 (19 Sept. 2006) | Under study by parliamentary committees |

203.4 Social Security Law

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|---|------------------------|------------------------|--|
| (a) Proposed law amending certain provisions of the Social Security Law and creating a retirement and social protection system: designed to put in place a new, integrated retirement and social protection system including, specifically, the establishment of a retirement and social protection fund, retirement pension, disability pension, successors' pension, sickness and maternity | Several deputies | 19 June 2006 | Referred to the public health committee, administration and justice committee and finance and budget committee on 22 June 2006 and to the prime minister's office on the same day; currently under study by a reduced committee of joint parliamentary committees. |

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|--|--|------------------------|--|
| insurance benefits; with full details of precise funding. | | | |
| (b) Proposed law amending certain provisions of chapter 1 (sickness and maternity benefits) of the Social Security Law: Amendment of art. 14, clause (c) (sickness and maternity benefits): designed to affirm equality, such that a working wife affiliated to the social security fund shall receive benefit for her unemployed and uninsured husband, without conditions, just as a man receives benefit for his wife, without conditions. | Several deputies, in collaboration with the NCLW | 26 July 2011 | Not yet studied. |
| Amendment of art. 16, clause (2) (sickness and maternity benefits), which stipulates the following: "Pursuant to the foregoing and for the insured woman or one of the members of her family to receive maternity benefits, the insured woman must have been a member of the social security fund for at least ten months prior to the presumed date of delivery." | Chair of parliamentary woman and child committee | | On 16 May 2011, the public health committee, administration and justice committee and finance and budget committee approved annulment of art. 16, clause (2); it remains to be followed up by the plenary session. |
| Amendment of art. 26 (maternity leave): Article 26 (currently in force): "Each insured woman shall have the right to maternity benefit for the ten-week period in the course of which delivery occurs, on condition that she does not work or claim any wage during that period." | Chair of parliamentary woman and child committee | | On 16 May 2011, the public health committee, administration and justice committee and finance and budget committee resolved to adopt new wording for article 26, to read as follows: "Each insured woman shall have the right to maternity benefit equivalent to her full salary during the ten-week period in the course of which delivery occurs, on condition that she does not work or claim any wage during that period." |
| (c) Amendment of certain provisions of chapter 3 (family benefits) of the Social Security Law: Amendment of art. 47 (currently in force): "1. A child shall not be granted the right to more | Chair of parliamentary woman and child committee | | On 16 May 2011, the public health committee, administration and justice committee and finance and budget committee resolved to adopt new wording for article 47, to read as follows: "1. A child shall not be granted the right to more |

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|--|------------------------|------------------------|--|
| <p>than one family benefit in accordance with the preceding article. If the conditions stated in the previous article are satisfied by several persons vis-à-vis a single child, in accordance with the preceding article, family benefits shall be paid to:</p> <p>(a) the father, if the aforementioned conditions are satisfied by the father and mother, unless the mother has sole custody of the children;</p> <p>(b) the adoptive parents or guardians, when they, as the parents, satisfy the said conditions.</p> <p>2. Family benefits shall be received for up to five children only by each head of family.”</p> | | | <p>than one family benefit in accordance with the preceding article. If the conditions stated in the previous article are satisfied by several persons vis-à-vis a single child, in accordance with the preceding article, family benefits shall be paid to:</p> <p>(a) the father or mother who declares responsibility for the children, on condition that the other party foregoes receipt of family benefit from any other source; the mother, if the children are in her care;</p> <p>(b) the adoptive parents or guardians, when they, as the parents, satisfy the said conditions.</p> <p>2. Family benefits shall be received for up to five children only by each insured person (male or female).”</p> |

203.5 Employees Law

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|---|--|------------------------|--|
| <p>(a) Amendment of art. 38 of Legislative Decree no. 112 (maternity leave):</p> <p>To give female employee maternity leave of ten weeks, and maternity leave not to be included in the calculation of administrative leave or of sick leave.</p> | <p>Chair of parliamentary woman and child committee and several deputies, in collaboration with NCLW</p> | <p>26 July 2011</p> | <p>Proposed amendment approved by parliamentary woman and child committee, public health committee and administration and justice committee.</p> |
| <p>(b) Proposed law to amend articles 3, 5, 6 and 7 of Decree no. 3950 (27 April 1960), relating to employees</p> | <p>Chair of parliamentary woman and child committee</p> | <p>17 April 2007</p> | <p>Letter sent to President of the Council of Ministers on 3 Aug. 2011 by NCLW requesting amendment of the said article to remove discrimination between men and women (approved by Council of Ministers on 4 April 2012).</p> |

203.6 Commerce Law

| <i>Subject of articles to be adopted</i> | <i>Submitting body</i> | <i>Submission date</i> | <i>Current status of proposal</i> |
|--|--|------------------------|--|
| <p>Bankruptcy provisions: arts. 626, 627 and 628, affirming a wife's right to her property and funds in the event of her husband's bankruptcy:</p> <p>Lebanese law places restrictions on the property of a wife, if her husband is declared bankrupt. In this case, the wife is her husband's dependent her husband and the property she acquired during the period of the marriage shall be considered to have been purchased with her husband's money, unless proven otherwise.</p> | Chair of parliamentary woman and child committee | 17 April 2007 | Proposal discussed with administration and justice committee in 2008; adopted recently by a subcommittee of the administration and justice committee, which will reinstate the subject on the agenda for decision thereon. |

204. In addition to the foregoing, article 25, section 2 of the Municipal Elections Law, no. 665 (29 December 1997) has been interpreted by the legislation and consultation department of the Ministry of Justice to mean that a women's membership of a municipal council shall terminate in the event of her marriage and the transfer of her personal registration to her husband's record. This requires that the law be amended to give a woman the right to stand as a candidate in her original place of registration or place of registration after her marriage or, at least, to retain membership of the municipal council for the entire session for which she was elected.

II. Obstacles and challenges

205. The most significant of these are:

- Lebanon's reservation to certain clauses of articles 9 and 16 of the Convention;
- Inherited socio-cultural attitudes and customs that require the man to be head of the household;
- The absence of the concept of full citizenship, despite the fact that "All Lebanese shall be equal before the law", according to article 7 of the Constitution.

Article 16: Equality in marriage and family relations

206. In the light of article 16 of the Convention, on equality in marriage and family relations, and Lebanon's continued reservation to article 1 (c), (d), (e) and (f) of the said article;

And in the light of the comments by the Committee on Lebanon's third periodic report (2006), especially "its recommendation that the State Party urgently adopt a unified personal status code which is in line with the Convention and would be applicable to all women in Lebanon, irrespective of their religion" and that the State Party include, in its next periodic report, "detailed information on the various personal status codes affecting women and the impact of these codes on implementation of the Convention" (paragraph 19 of the comments), as well as calling upon the State Party to "ensure equality for women in marriage and its dissolution by giving women equal rights to property accumulated during marriage" (paragraph 45 of the comments);

And in the light of the Committee's general recommendations, especially no. 4 (1987) and no. 20 (1992), relating to reservations to the Convention, no. 21 (1994), on equality in marriage and family relations, and the recommendation issued on 26 February 2013;

And aside from what the third periodic report has to say about personal status laws in Lebanon,

This report shall review the following:

I. The legislative position

207. Exclusivity of the sectarian system

207.1 In parallel with Lebanon's commitment, in paragraph (b) of the preamble to the Constitution, to United Nations' charters, the Universal Declaration of Human Rights and that "the State shall embody these principles in all fields and areas, without exception", article 9 of the Constitution also guarantees "respect for the system of personal status and religious interests of inhabitants from the various religious communities". Accordingly, the Lebanese State leaves issues of personal status exclusively to the care of sectarian legislation, thereby relinquishing its obligation to adopt a civil personal status system, at least to address the affairs of persons belonging to the common right (i.e. persons who do not belong to any of the religious sects recognized by Lebanese law). The result is that the system of marriage in force in Lebanon is exclusively a sectarian one and the resort, on Lebanese territory, to another system – i.e. a sectarian one – is almost impossible due to the absence of relevant law.

207.2 This exclusivity is such that, if a civil marriage is concluded abroad, the spouses belong to one of the Shia or Sunni sects and at least one of them is Lebanese, it is the religious courts and not the civil courts which have jurisdiction to hear disputes arising from the marriage. Furthermore, under the Law of 2 April 1951, defining the powers of the religious authorities of the Christian denominations and Jewish faith, any marriage effected in Lebanon by a Lebanese belonging to one of the Christian denominations or the Jewish faith before a civil authority shall be considered null and void (article 16 of the law).

208. Transition to a civil personal status system

208.1 The closure of the legal horizon in Lebanon to the transition to a civil personal status system and civil marriage in particular has led numbers of Lebanese to opt for a civil personal status arrangement overseas. Statistical studies note hundreds of civil marriages contracted abroad by Lebanese and duly registered in Lebanon. Furthermore, a group of Lebanese is still calling for adoption of a civil marriage system in Lebanon, albeit voluntarily. A couple from this group successfully recorded a breakthrough here, when they obliged the Lebanese State to register a civil marriage effected in Lebanon before a Lebanese notary public. This unprecedented event delighted those quarters calling for the formulation of civil personal status legislation, as it boosted the hope of one day reaching the desired goal. In this regard, it is worth drawing attention to the advice given by the Higher Advisory Commission of the Ministry of Justice on 11 February 2013, which can be summarized as affirming the following:

- It is the right of Lebanese who do not belong to a sect to conclude a civil marriage in Lebanon.
- The notary public is the authority competent to conclude and certify a civil marriage.
- The spouses are free to choose for themselves the civil law under which their marriage contract is to be effected in relation to all effects of the marriage and there is no objection to registering the marriage document in the register of persons.

In the same context, the Ministry of Justice drafted a bill to regulate optional civil marriage, requiring the amendment of several legal provisions. Under no. 271/3 (18 January 2014), it was referred to the General Secretariat of the Council of Ministers, where it was registered under no. 133 (incoming, 21 January 2014). In referring it, the Minister of Justice noted that the bill is an interim first step until such time as proper legislation is promulgated consistent with the provisions of civil marriage. It expressly allows an optional civil marriage to be effected in Lebanon, with the proviso that the couple choose the foreign civil law whose terms they wish the effects of their marriage to be subject to in Lebanon, instead of travelling abroad where the choice of foreign law will not be optional; the provisions thereof shall apply in Lebanon.

208.2 In a related context, the NCLW requested that the phrase “family status” be struck out from certain personal status documents designed for public use. The application received the approval of the Legislation and Consultation Committee of the Ministry of Justice on 1 June 2009 and the approval of the Minister of Interior and Municipalities, who issued a decision thereon.

209. Progress achieved in certain provisions of the personal status codes

209.1 In a qualitative step forward, the Sunni sect amended the age of custody, raising it, without discriminating between boys and girls, to 12 years of age (article 15 of Decision no. 46, issued by the Higher Islamic Shariah Council on 1 October 2011, pursuant to Law no. 177 (29 August 2011)). The same decision (no. 46) ruled that, when a dowry or the remainder thereof denominated in paper currency becomes payable, the amount due shall be calculated on the basis of the number of ounces of gold on the date of the contract, in accordance with Banque du Liban records, and paid in gold or valid paper currency. This procedure shall also be applied to marriage contracts effected before 12 January 2012, with the proviso that five years or more shall have elapsed since the contract was concluded. However, a subsequent decision (Decision no. 15 (5 May 2012) of the Higher Islamic Shariah Council) suspended these provisions until such time as a new decision is issued, amending the basis for determining the criteria for evaluating dowries in marriage contracts during periods of currency instability.

209.2 Similarly, the Catholic sects drew up a bill advancing 14 years as a unified age of custody.

210. Areas of discrimination against women in various stages of married life

210.1 Choosing a marriage system and choosing a husband

210.1.1 Aside from what was mentioned in the third report (2006) and stated above regarding the exclusive regulation of family affairs in Lebanon by the sectarian system, there are restrictions on the freedom to choose a spouse, one of which is that, among most Lebanese sects, difference of religion represents an obstacle to marriage, although each sect’s provisions are different. One example is that, among the Unitarian Druze, interfaith and inter-sectarian marriage are impermissible because a Druze religious judge or his deputy are prohibited from concluding a marriage between a Druze man and non-Druze woman or between a Druze woman and non-Druze man, for reasons relating to the spirit of the Druze tradition. The same is the case with the Jewish faith where, if one of the spouses is from a different sect, the marriage will be invalid. Among the Sunni and Shiite sects, it is permissible for a Muslim man to marry a non-Muslim woman, on

condition that she adheres to one of the revealed religions, but it is absolutely impermissible for a Sunni or Shiite Muslim woman to marry a non-Muslim man. In cases where a mixed marriage is valid, with one of the spouses being Sunni and the other, Shiite, the authority competent to effect the marriage shall be the court of the husband's religion or sect, in accordance with the rules of competence in force, unless both parties – Sunni and Shiite – agree to designate in the text of the marriage contract the religious court to which they shall have recourse, in which case the agreed court shall be the competent authority. The priority accorded to the religious authority to which the man belongs is also evident among the Christian sects, although there is the possibility that the couple applying to marry may choose the authority of the sect to which the wife belongs.

210.1.2 Another restriction upon the right to marry and freedom to choose a husband is that, among most Lebanese sects, both Christian and Muslim, the mother's right to custody of her children terminates upon termination of her marriage. Among Christians and Unitarian Druze, a mother loses the right to custody of her children if she takes as a husband a man other than one forbidden in law to marry the minor. However, a Sunni judge has the right to rule otherwise in the interest of the child. In the Shiite sect, the mother loses the right to custody of her children whether she marries a man forbidden or permitted in law to marry the minor. The same is the case with the Christian sects, with the exception of the Greek Orthodox, whose laws stipulate that, for a mother to lose the right of custody, it must be established that the minor may incur harm as a result of her marriage. The court shall be responsible for assessing this harm.

210.2 Rights and responsibilities during marriage

210.2.1 Married life is replete with a formidable amount of responsibilities, of which the most important may be those of parenthood. However, women often come up against the many legal obstacles which prevent or hinder them from caring for their children. This is because the current laws of most sects do not accord women the same rights as men in matters relating to parenting. In fact, the right to guardianship of children – both guardianship of life and of property – belongs to the father, even while the mother has custody. As such, a mother with custody enjoys none of the powers of guardianship over the children in her custody, except for taking care of and raising a child until the custody period expires or the minor's guardian or the judge gives her the right.

210.2.2 The upshot is that, with the exception of the Armenian Orthodox sect, whose laws grant the right to exercise parental authority to the father and mother equally, the current personal status laws in Lebanon deny a mother the right to exercise guardianship over her children, to the extent that she does not have the right to open a bank account in favour of her minor children. Another aspect of this discrimination is that, for example, a mother's approval is not required for the marriage of her male or female minor children.

210.2.3 In relation to application for a passport for a minor under the age of 18, it is worth pointing out that instructions from the GDGS require that, with effect from 10 January 2014, the application must be approved and signed by both parents.

210.3 Rights and responsibilities upon dissolution of marriage

210.3.1 Equality is also lacking when it comes to the right to dissolve a marriage, especially among the Muslim sects. Neither the Sunni nor Shiite sects

have restrictions on the right of the man to effect a divorce of his own volition; he is only required to be of legal majority, sane mind, acting voluntarily without coercion, and desirous of and intent upon divorce. Furthermore, the Shiite sect requires the divorce to be witnessed by two upright male witnesses at the same time. Among the Unitarian Druze, a marriage contract may only be dissolved by a ruling of a Druze judge. It is, however, worth noting that Sunni law holds that a wife may divorce herself by herself, if she has stipulated the right to unilateral divorce in the marriage contract. For the Shiite sect, it is invalid for a wife to impose the condition on her husband in the marriage contract that she has the option to divorce. It is, however, valid for a husband to authorize his wife to divorce herself from him.

210.3.2 Among the Christian sects, where a woman can only obtain a separation, divorce, dissolution or annulment after a lengthy ordeal and at a cost that is frequently extortionate, it is the competent spiritual court which has sole judicial authority to hear application for separation or dissolution of the marital bond.

210.3.3 Among the Christian sects, the party causing the annulment or dissolution of the marriage or divorce is obliged to pay compensation, to be set by the court. The law of the Sunni and Shiite religious courts, however, does not require a wife to be compensated for divorce. She is only entitled to alimony during the “iddat” period in which she may not remarry, in accordance with the terms stipulated, and to the deferred portion of her dowry. Among the Unitarian Druze, if it appears to the judge that divorce is not justified on legal grounds, he may award damages to the wife, in addition to the deferred portion of the dowry, taking into account moral and material damage.

II. Implications of the personal status laws on rights in other areas

211. Implications of the personal status laws on women’s political rights

211.1 There are many factors that adversely affect the political participation of women in Lebanon, including those linked to social, economic and cultural considerations, such as the paternalistic, male-oriented mind-set generally prevalent in Lebanese society, as well as considerations relating to a political system focused essentially on sectarianism and traditional feudalism, that is not, in general, favourably disposed toward women’s access to positions of political leadership.

211.2 Aside from the above factors, the Personal Status Records Registration Law (1951, amended) requires the transfer of a married women’s registration from her record prior to marriage to that of her husband. The transfer is processed automatically upon registering the marriage document with the personal status department. In parallel with these provisions, the local elections law requires a candidate to be a voter registered on the electoral list of the municipality of whose council he seeks to be a member, unlike parliamentary elections. This means that a married woman – whose registration has been transferred from her record prior to marriage to that of her husband – cannot stand for election in the place she was registered before she married. This has an adverse effect on women standing as candidates in municipal elections and their chances of success (article 25 of Law no. 665 (29 December 1997), containing amendments to certain provisions on the law on the election of members of the Chamber of Deputies, the municipal election law and the mayoral election law; and the Personal Status Records Registration Law (7 December 1951, amended)). Moreover, a case recently came to light concerning the legal status of a female member of a municipal council whose registration was

removed from one town and transferred to another because of her marriage. The Legislation and Consultation Committee of the Ministry of Justice held that “the condition of continuity of a municipal council member’s registration on the electoral list of the municipality of which he is a member must be maintained throughout his term of membership, otherwise the member shall have forfeited one of the conditions of membership and this, in turn, will result in termination of his membership of the council due to loss of his capacity to represent the people of the town” (Consultation no. 733/2012 (11 September 2012)). The upshot is that a woman member of a municipal council is forbidden from marrying outside her town, otherwise she will forfeit membership of the municipal council in her village or town.

212. Implications of the personal status laws on women’s economic and social rights.

212.1 A woman’s right to work

212.1.1 Although the Lebanese Constitution contains no provision discriminating against women and, indeed, affirms that all Lebanese shall be equal before the law, shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction (article 7), several current personal status laws in Lebanon make the right of a married woman to work dependent on the consent of the husband or on the husband not stipulating that his wife may not work outside the home. This is because it is generally allowed to set conditions in the marriage contract and a condition is held to be valid unless it violates religious law or is incompatible with the contract.

212.1.2 In a related context and with regard to her enjoyment of full legal competence to engage in business, a Lebanese woman has not needed, since implementation of Law no. 380 (4 November 1994), the consent of her husband to engage in business. However, a foreign woman still needs permission from her husband if she wants to engage in business on Lebanese territory, if the law pertaining to her personal status obliges her to obtain such permission (article 24, paragraph 5 of the Commerce Law).

212.2 Right to housing

212.2.1 Although Lebanese law recognizes no discrimination between men and women regarding the right to housing, most of the current Lebanese personal status laws do not guarantee a married woman the right to live in the matrimonial home after dissolution of the marriage contract (and, for the Islamic sects, expiry of the “iddat” waiting period, unless she owns the property or has the right of use thereof).

212.2.2 The basic principle is that the husband is required to prepare and furnish the marital home, given that the home is one of the elements of marital expenditure. With the exception of matters relating to the dowry or dower among some Christian sects, if the wife contributes her own money to preparing and furnishing the home, the protection the law gives her is dependent upon her ability to prove this contribution in accordance with the current rules of competence and proof.

212.2.3 In a related context, a judicial practice protecting a women’s right to the marital home was instanced following an allegation by a woman that her husband had installed an extra lock on the front door of her home to prevent her

from entering and it emerged that the husband had sold the flat in which the family lived. The prosecutor of the Mount Lebanon Court of Appeal ordered the keys to the flat to be handed over to the plaintiff and for her to be able to remain in the flat with her two young daughters until a marital home was provided for her by the defendant (General Directorate of Internal Security Forces, Bikfaya station, report no. 1102/302 (4 September 2013)).

212.3 The status of property acquired during marriage

212.3.1 With the exception of the personal status code of the Jewish faith – which stipulates that a man has the right to what his wife earns from her toil, to whatever she finds and to the fruits of her wealth (article 136) and that a woman is forbidden to dispose of her wealth without her husband’s permission (article 149) – the established principle in all the personal status laws concerning spouses’ finances is the financial independence of each. This means that each spouse may freely dispose of his/ her own wealth and that a husband does not have the right to dispose of the property of his wife without her permission, unless agreed otherwise.

212.3.2 It may happen that the source of a wife’s wealth is her own toil and effort, which finds expression in helping her husband in his agricultural, commercial or industrial business or in practising a craft at home that earns her a certain income. However, if the husband purchases movable or immovable property (real estate) and registers it under his own name then, although the wife may have contributed with her money or effort to acquiring the property, Lebanese law gives her no protection in this case. Indeed, if the husband is a businessman and is declared bankrupt, any property purchased by the wife in the course of the marriage shall be reckoned as having been bought with the husband’s money and placed under receivership, unless the wife can prove otherwise (Commercial Law, article 626). Similarly, if the wife pays off her husband’s debts, there is a presumption of law that these debts have been paid with the husband’s money (Commercial Law, article 627). This means that a wife, in the event of her husband’s bankruptcy, cannot bring a case to claim her rights, unless she proves the contrary of the said *praesumptio juris*.

212.3.3 The upshot is that, despite the economic value and social importance of the work done by a wife at home, the issue of her entitlement in return for this work or that she should have some right to what has developed and grown through her efforts in the course of married life is not a part of the legal system in Lebanon.

212.4 *Implications of the personal status laws on a mother’s right to grant her nationality to her children:* The sectarian system and effect of the personal status laws in terms of the overriding priority they accord the father to guardianship over the children, even while the mother has custody, remains one of the fundamental obstacles to recognizing a mother’s right to grant her nationality to her children.

212.5 *Implications of the personal status laws on protecting women from domestic violence:* The most common criticism of the bill to protect women from domestic violence and which resulted in changing the title to “Law on the Protection of Women and Other Family Members from Domestic Violence”, has been the accusation by its opponents that it infringes the authority of the sects and sectarian institutions. However, this bill may be the only one unrelated to personal status on which the opinion of the religious authorities was sought. Moreover, the parliamentary committees to which it was submitted, including the joint parliamentary committees, were keen for it to include a provision cancelling “all

provisions incompatible with its provisions and inconsistent with its substance, with the exception of the rules of jurisdiction of the personal status courts and personal status provisions, which shall continue to be applied exclusively in their area of competence.” Note that, when the bill received the consent of the Council of Ministers (6 April 2010), the following was added to article 26, paragraph (first): “In the event of conflict between the provisions set forth in this law and the provisions of the personal status laws and rules of jurisdiction of the religious, spiritual and sectarian courts, the provisions of the latter pertaining to each subject shall be applied”.

III. Judicial practices supportive of separated mothers and their minor children

213. Aside from Lebanon’s accession to the Convention on the Rights of the Child in October 1990 and to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2002, the promulgation of Law no. 422/2002 (6 June 2002), on the protection of juvenile offenders and juveniles at risk, represented a significant turning-point in the provision of legal protection for children, particularly as juvenile justice employs a “comprehensive notion” of the “risk” that may threaten minors, allowing it to intervene in numerous cases, often when these intersect with personal status issues. On the premise that the best interests of the child are always paramount in all measures relating thereto, many new decisions have been adopted by the special judiciary hearing juvenile cases, on the basis of which several important principles have been established, including:

213.1 The independence of the Juvenile Court judge from other courts with jurisdiction over personal status issues in determining the ground rules and criteria to be followed when transferring a female minor from her mother’s house to her father’s house, especially not transferring her without warning, when it has been established that the environment in which she has been raised is a good one and the child is unaccustomed to living with her father (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 24 October 2007, decision of 31 July 2008 and, similarly, decision of 14 July 2008).

213.2 The right of the mother to retain her children in her care whenever it is established that the father is unfit to look after them, without being bound by any ruling delivered by other courts on guardianship, custody, alimony or other issues (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 15 April 2010 and decision of 13 December 2010).

213.3 The right of the mother to see her children, with a compulsory fine imposed on the father in the event of his partial or total refusal or if he is tardy in carrying out the decision of the Juvenile Court in this regard (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 30 December 2008 and decision of 19 January 2009). A mother’s right to see her children living with their father pursuant to a religious court ruling was upheld even although she had previously been charged with the crime of adultery, as long as the meeting takes place in the presence of a social worker and under the supervision of the competent court (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 8 October 2008).

213.4 The right of the mother to apply for any official document pertaining to her children (e.g. personal civil registration record) upon satisfying the legal

conditions and establishing the father's obstinacy in refusing to hand them over to her (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 15 April 2010).

213.5 The right of a minor child separated from one or both parents to maintain regular personal relations, direct contact, strong bonds and stable interaction with each parent in order to ensure his well-balanced and proper development, unless this would not be in the best interests of the child. On this basis, the Juvenile Court judge held that it is the right of the mother of a minor child to participate in school events to which both parents are generally invited to gladden the child. Accordingly, the judge permitted the mother "to attend all school events that are open to the parents of pupils in accordance with the administrative instructions of the school on the day and at the time stated by the school administration under the supervision of a representative of the Association for the Protection of Juveniles" (Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 3 July 2010 and, likewise, Beirut Criminal Court, single judge hearing cases of juvenile misdemeanour, decision of 4 February 2010).

IV. Efforts and challenges

214. With the exception of the advisory opinion supportive of civil marriage contracts on Lebanese territory and the bill drafted by the Ministry of Justice in January 2014, referred to in paragraph 208.1 of this report, the drive for adoption of a civil personal status law emanates exclusively from women's groups, NGOs and civil society organizations, whose activities are divided between holding meetings and organizing training courses on CEDAW, especially article 16 thereof, as well as media and publicity campaigns, such as the posters that aroused public curiosity by revolving around the phrase, "16 below zero". To those who tried to interpret the significance of this, it seemed that, on the one hand, it was giving approval to article 16 of the Convention and, on the other hand, saying that the personal status situation in Lebanon is 16 degrees below zero. Furthermore, it is worth pointing out that the conclusion of a civil marriage in Lebanon and its registration with the authorities would not have happened without the meetings, discussions and debates held by a group of concerned individuals from civil society, in the same manner as the tireless efforts of concerned women's groups paved the way for amendment of the Sunni age of custody.

215. However, there are challenges to be faced before achieving the goal; these include:

- The sectarian social system and its growing political impact on decision-making;
- The attitudes enshrined in discriminatory laws and practices and governed by a male-oriented, sectarian mentality;
- The many challenges facing NGOs and civil society organizations, and the interventions required of them (amendment of the Nationality Law, adoption of a bill to protect women from domestic violence, the abolition of discriminatory provisions in the Penal Code, the protection of vulnerable groups of women etc.).

- The scale of the institutional work required of organizations and associations accustomed to social work in its narrow sense turning their activity toward more difficult and sensitive issues, such as legal and judicial issues related to personal status.

Women with special circumstances

216. In the light of the comments by the international Committee on Lebanon's third periodic report (2006), especially paragraph 13, urging the State Party to devote serious attention to the specific needs of women in the post-conflict period, and paragraph 30, in which the Committee expresses concern at "the abuse and exploitation of women employed as domestic workers" and the fact that article 7 of the Labour Law "excludes domestic workers from its scope of application thereby depriving them of a range of critical labour protections and making them vulnerable to all forms of exploitation"; and the Committee's recommendation that the State Party take a raft of measures, including adopting a bill to regulate the employment of domestic workers and putting in place arrangements to monitor and protect the rights of this group of workers, as well as other measures;

And considering the series of wars which Lebanon has experienced, the Committee expressed concern about "the number and situation of women with disabilities, as well as women who care for disabled family members who often suffer from multiple forms of discrimination" and requested that the State Party provide, in its next report, "a comprehensive picture of the de facto situation of disabled women as well as women who care for disabled family members....." (Comments, paragraphs 38 and 39);

And while commending the State Party for its efforts to host refugees from neighbouring countries, the Committee noted with concern that "refugee women and girls and internally displaced women and girls remain in a vulnerable and marginalized situation, in particular with regard to access to education, employment, health and housing and protection from all forms of violence", and urged the State Party to "implement targeted measures for refugee women and girls and internally displaced women and girls, within specific timetables, to improve access to education, employment, health and housing and to protect them from all forms of violence and to monitor their implementation";

And in the light of the Committee's general recommendations, especially recommendation no. 18 (1991), relating to disabled women, recommendation no. 26 (2008), on female migrant workers and recommendation no. 27 (2010), on elderly women and the protection of their human rights;

This report shall review below the situation of the following groups: elderly women, disabled women, women mine victims, women prisoners, female migrant workers in domestic service, refugee women and displaced women.

1. Elderly women

I. General overview of the situation of the elderly in Lebanon

217. *The demographic situation:* The results of the 2009 multi-indicator cluster survey of Lebanon indicate that the overall proportion of the elderly (65 years of age and above) is 7.8%, varying from a low of 4.2% in the districts of Baalbek and

Hermel to a high of 12.5% in Beirut. The male to female ratio among the elderly appears to be converging: according to the national study on the living standards of families (2007), 50.4% of the elderly are male and 49.6%, female.

218. *The social situation:* 2007 statistics show that the greatest proportion (67.1%) of elderly men and women are married, while 28.2% are widows/ widowers; 3.7% of elderly men and women have never married. Comparing elderly males and females, the proportion of married males rises to 86.8%, while the proportion of married females declines to 47.2%. Some 46.6% of elderly women are widows, compared with 10.0% of elderly men who are widowers.

219. *Place of residence of the elderly:* Some 12% of the elderly live alone; of these, 27% are male and 73% female. Some 77% of the elderly live in their own home, with others, while 11% live in the home of other persons. Statistics for 2007 indicate a decline in the traditional role of the family in caring for the elderly: 0.5% of families have a male grandparent living with them, while 2.2% of families have a female grandparent.

220. *Economic activity:* The 2007 statistics also show that 14% of all elderly men and women continue to work, representing 4.5% of all workers in Lebanon. Of these, 94.5% are men and only 5.5% are women. According to one study, this is due to the lower level of education among elderly women and their poor access to or ownership of resources. Note that the highest proportion of elderly women who work are in the 65-69 age range (3.2%), compared with 44.7% of men in the same age group. It is worth noting that approximately 20% of elderly men and women receive a retirement pension.

221. *The health situation of the elderly:* The most commonly recorded ailments among elderly women compared with elderly men are high blood pressure (43.4% among women and 30.0% among men), heart disease (24.3% among women and 22.6% among men) and diabetes (23.9% among women compared with 19.0% among men).

According to World Bank population data (2010), the incidence of osteoporosis among women aged between 65 and 84 is 33%. Regarding vertebral fracture, the same sample indicates that the proportion of women sufferers is 19.9% annually. A number of studies carried out on adults in Lebanon show that vitamin D deficiency is fairly widespread and represents a fundamental, contributing factor in osteoporosis. As regards mental illness, a national study carried out in 2008 showed that 15.2% of the elderly suffer from mental health disorders, of whom 9.3% suffer from depression and 10.6% from anxiety. Nevertheless, only 10% of these elderly people sought medical treatment.

II. Policies adopted to strengthen the rights of the elderly

222. Since the establishment of the Permanent National Commission on the Elderly (PNCE) in 1999, the Lebanese State has been seeking to include policies for the elderly at the very heart of its social plans and policies. In this area, the following might be mentioned:

222.1 The social action plan drawn up by the Lebanese Government in 2007 at the same time as and in preparation for the Paris III donors' conference, covered a number of marginalized groups, including the elderly, and drew attention to the need to grant financial assistance to, in particular, families cared for by elderly women.

222.2 The ministerial statements of successive governments since 2008 have stressed the need to accord proper attention to the elderly and the old and to take action to adopt a retirement and social protection bill.

222.3 While the social charter drawn up by the Ministry of Social Affairs in 2010 recognized the elderly from the standpoint of achieving justice and equality, the national strategy for social development drawn up by the ministry in 2011 stressed the need to ensure health rights for all members of society, take action to raise the level of coverage and quality of physical and mental health services, provide long-term social and financial security for individuals and families, put in place a suitable retirement and health insurance system and provide security in old age. The Ministry of Social Affairs and PNCE have formulated standards for institutions for the elderly, taking into account the concept of gender and paying attention to the special needs of elderly women and creating special sections for them, in addition to addressing their issues and providing the requisites to meet their needs.

From all of the above, it will be apparent that current policies do not in general discriminate between elderly men and women. Indeed, there is a sort of positive discrimination in favour of elderly women in the standards formulated for institutions for the elderly.

III. Programmes, activities and studies

223. In partnership with the NGO and private sector, the Ministry of Social Affairs and PNCE have implemented a set of programmes, activities and awareness-raising campaigns, of which the most significant are:

- A good neighbourliness initiative, “University for Seniors”: an initiative of the AUB in the form of a programme that approaches the concept of “continuous learning” from a new angle and promotes a new vision of a healthy and active old age for elderly men and women as workers, volunteers and activists.
- A training workshop on the topic of “companionship for elderly people with disabilities and special needs” and “capacity-building for companions of the elderly in home-based care”.
- A national campaign to raise awareness of the subject of “protecting against bone fractures among the elderly” and a workshop to raise awareness of Alzheimer’s disease and ways of caring for sufferers.

224. As regards studies and research, special mention might be made of:

- A study entitled, “The elderly: their experience, needs, vulnerability and resources – the July 2006 war against Lebanon”;
- “National report on services for the elderly in Lebanon” (2010);
- “Directory of residential institutions and day-care services for the elderly in Lebanon” (2011);
- A study on “Daily activities for the elderly and the factors influencing these in Mount Lebanon governorate” (2013);
- A study on “Vitamin D deficiency and the link between bones and minerals, fats and metabolism among the elderly” (conducted 2013-2014);

- A field study currently being conducted on determining the soundness of tests using the Arabic language and those used with illiterates for “the early detection of memory loss and diminution of mental faculties among the elderly”.

IV. Efforts of NGOs and civil society institutions

225. NGOs and civil society institutions played a prominent role in caring for the elderly during the years of war. A national study by the Ministry of Social Affairs in 2008 indicates that there are 181 institutions providing a range of services and support to the elderly of both sexes. The nature of these services varies according to type of institution: (a) residential institutions (homes for the elderly, rehabilitation centres, homes for disabled elderly people); (b) day-care institutions for the elderly (clubs for men and women, day centres); (c) home care service institutions; (d) external care service institutions; (e) dispensaries for the elderly and (f) restaurants for the elderly. The study and certain other reports present the following statistics:

Table 1
Type and number of institutions for the elderly

| <i>Type of institution</i> | <i>No. of institutions</i> | <i>Type of service</i> | <i>No. of beneficiaries per annum (approx.)</i> |
|--|--|--|---|
| Residential | 49 | Care | 4 181 |
| Day-care | 58 (incl. 30 clubs attached to the Ministry of Social Affairs/ development services centres) | Care | 13 731 |
| External and home care | 74 (most attached to either residential institutions or day-care institutions) | Care | 7 952 |
| Restaurants | 41 | Providing meals | 3 934 |
| Dispensaries for the elderly | 21 (most attached to either residential institutions or day-care institutions) | Health services | 2 966 |
| Caritas – programme for the marginalized elderly | | Care and development services, monthly financial assistance (with support from Ministry of Social Affairs) | 1 000 |

Source: *National report on services for the elderly in Lebanon*, Ministry of Social Affairs (2010) and *Annual report*, Caritas (Beirut, 2011)

The geographical distribution of the above institutions is as follows: Mount Lebanon (47%), Beqaa (7%), South (7%) and North (7.8%).

The following will be observed from the above:

- The NGO sector has achieved qualitative development in the provision of services, consisting in the transformation of institutions for the elderly in Lebanon from largely charitable in nature to providers of a professional, specialized service.
- Despite the efforts of NGOs and civil society institutions, these organizations and institutions still plan and provide their services for the elderly without including the concept of gender in their plans and programmes.

V. Obstacles and challenges

226. The most significant of these are:

- There is no old age insurance in Lebanon.
- There are few specialized studies on elderly women and a shortage of statistics by gender.
- There are no senior-friendly primary health care centres.
- There are few specialists in geriatric medicine in Lebanon and a major shortage of staff in nursing, physiotherapy, locomotion therapy and speech therapy and of social workers specializing in geriatrics and rehabilitation of the elderly.
- There are few programmes and services that specifically target the elderly.

2. Handicapped women

I. General information

227. Information drawn from the files of holders of the personal disability card – a card given to all Lebanese, male and female, who apply for it provided that their disability appears on the list in article 3 of Law no. 220 (29 May 2000), on the rights of disabled persons, and the lists prepared by the Ministry of Social Affairs – indicate the following:

227.1 The total number of disabled persons, male and female, in Lebanon is 80,060, of whom 49,808 (62.21%) are male and 30,252 (37.79%) female. Suffering from marginalization of their rights, the disabled are at the bottom of the ladder of priorities and not included within a framework of comprehensive and effective social strategy plans.

227.2 There are 33,115 cases of disability among women (noting that 2,863 have more than one disability or type of disability) and 53,792 among men (3,984 have more than one disability or type of disability).

227.3 While rates among men and women appear to converge in the age groups from five to 34 years, the figures in the following table indicate that the highest rates of disability are recorded among both men and women in the 34-65 age group, followed by the over-65s. Rates are higher among women than men.

Table 2
Distribution of the disabled by age and gender

| <i>Age</i> | <i>Males</i> | | <i>Females</i> | |
|------------|---------------|--------------------------------|----------------|----------------------------------|
| | <i>Number</i> | <i>Proportion of males (%)</i> | <i>Number</i> | <i>Proportion of females (%)</i> |
| Under 5 | 1 140 | 2.29 | 768 | 2.54 |
| 6-18 | 6 574 | 13.20 | 4 609 | 15.24 |
| 19-34 | 9 555 | 19.18 | 5 747 | 19.00 |
| 34-65 | 20 787 | 41.73 | 10 184 | 33.66 |
| Over 65 | 11 752 | 23.59 | 8 944 | 29.56 |

227.4 As regards distribution of the disabled by declared educational level, more than 68% (30.64% of males compared with 48.07% of females) are either semi-literate (“did not enrol in school”) or educated to primary level (38.10% of males compared with 30.59% of females), according to the following table:

Table 3
Distribution of the disabled by declared educational level

| <i>Educational level</i> | <i>Number</i> | <i>Proportion of males (%)</i> | <i>Proportion of females (%)</i> |
|----------------------------------|---------------|--------------------------------|----------------------------------|
| Did not enrol in school | 14 541 | 30.64 | 48.07 |
| Primary | 9 253 | 38.10 | 30.59 |
| Intermediate | 2 996 | 14.89 | 9.90 |
| Secondary | 1 882 | 9.47 | 6.22 |
| University (without certificate) | 537 | 2.29 | 1.078 |
| University (with certificate) | 529 | 2.82 | 1.75 |
| Other | 162 | 6.70 | 0.54 |
| Not stated | 352 | 11.30 | 1.16 |

II. Legislation and policy measures

228. Law no. 220 (29 May 2000), on the rights of the disabled, contains no specific provisions for handicapped women but guarantees the rights of all disabled persons without differentiation on grounds of sex.

229. Since 2006, the following have been registered:

- In 2006, Law no. 774 (11 November 2006) was promulgated to facilitate the granting of housing loans to disabled persons;
- In 2007, Lebanon signed the Convention on the Rights of Persons with Disabilities, although has not yet ratified it. On a related front, on 12 January

2007, the Council of Ministers charged a committee in the Ministry of Public Health with deciding the cases of released handicapped prisoners.

- On 7 August 2008, the Ministry of Social Affairs issued Decision no. 351/1, setting out the conditions for benefitting from and completing the learning difficulties programme at institutions under contract with the Ministry of Social Affairs.
- In 2009, on the occasion of the parliamentary and municipal elections, Decree no. 2214 (6 June 2009) was issued, on measures and arrangements to facilitate the participation of those with special needs in parliamentary and municipal elections. Pursuant thereto, the Ministry of Interior and Municipalities issued Decision no. 2091 (3 December 2010), on the formation of a committee to formulate a master plan to facilitate the participation of those with special needs in the electoral process.
- In application of Law no. 220/2000, on the rights of the disabled, Decree no. 7194 (16 December 2011) was issued, defining the minimum criteria for buildings and requiring alterations to be made to provide ease of access for disabled persons to all (recently constructed) Government facilities.
- In 2012, the Government referred a bill to the Chamber of Deputies designed to reintroduce Law no. 606 (28 February 1997), on appointing disabled persons to the staff of Government departments, organizations and municipalities. Furthermore, the Ministry of Social Affairs issued Decision no. 1257/1 (21 August 2012), requiring a disability to be detailed in a disability classification table in order to identify cases of autism.
- On 15 May 2013, the Government referred a bill on additional exemptions for the disabled to the Chamber of Deputies. Furthermore, the Ministry of Labour issued Decision no. 56/2 (9 April 2013) on reducing the cost of certificates of deposit to recruit male or female domestic workers to help the disabled and those with special needs.

230. The Lebanese State accords special attention to the disabled and the ministerial statements of successive Lebanese governments since 2008 have stressed the need to respect fully the rights of all disabled persons, take serious action to issue decrees in implementation of Law no. 220/2000 and ensure Lebanon's ratification of the Convention on the Rights of Persons with Disabilities. In this context, the Ministry of Social Affairs has sought to include policies for the disabled at the very heart of its social plans and policies, both in the social charter (2010) and national strategy for social development (2011). The National Strategy for Women in Lebanon 2011-2021 affirms the need to "act to integrate girls with special needs at all stages of education".

231. The work of national mechanisms for the disabled is continuing. These include the Department of Disability Affairs of the Ministry of Social Affairs and the National Association for the Rights of the Disabled, set up under Law no. 220/2000, which has given rise to a number of subcommittees, including the health, rehabilitation and support services committee, whose achievements include: adoption of the personal disability card, issued by the ministry as sufficient proof of disability, introduction of decentralization in granting approval for health coverage and a programme to ensure the rights of the disabled in the Ministry of Social Affairs and the rights of the disabled at work.

III. Benefits and services

232. *Care in special institutions at ministry expense:* There are 85 care institutions under contract with the Ministry of Social Affairs. These give priority to those under the age of 18, without discrimination between male and female. Care in these institutions at ministry expense is received by a total of 5,901 disabled women (19.51% of all beneficiaries) and 9,016 disabled men (18.10%). Note that, on 16 May 2012, the Council of Ministers approved an increase in the tariff paid by the ministry for the care of the disabled in these institutions.

233. *Outreach services and aids, the cost of which is covered by the Ministry of Social Affairs:* Some 9,936 disabled women (32.84% of the total) and 12,855 disabled men (25.81%) benefit from outreach services and aids paid for by the Ministry of Social Affairs.

234. *Dispensations granting tax exemptions under Law 220/2000:* Some 11,994 disabled women (39.65% of the total) and 23,860 disabled men (47.90%) benefit from these exemptions, broken down by type as follows:

Table 4

Breakdown of numbers of disabled persons by type of exemption

| Type of exemption | Males | | Females | |
|--|--------|-------------------------|---------|---------------------------|
| | Number | Proportion of males (%) | Number | Proportion of females (%) |
| Exemption from municipal tax | 17 506 | 73.37 | 9 300 | 77.54 |
| Exemption from property tax | 2 474 | 10.37 | 1 342 | 11.19 |
| Exemption from vehicle registration tax | 12 779 | 53.56 | 5 683 | 47.38 |
| Exemption from customs duty on specially adapted vehicle | 2 785 | 11.67 | 701 | 5.84 |

IV. Efforts of civil society organizations

235. Civil society solidarity with the disabled has achieved much and continues to do so. Civil society activity has helped the integration process accomplish its aims and objectives, especially when applied at all stages and in all aspects of life.

235.1 At the time of preparing this report, 135 specialist service organizations were registered with the Ministry of Social Affairs through the programme to ensure the rights of the disabled. These organizations work through 279 centres and institutions spread across the entire country, providing a range of services to both sexes, including care and accommodation, medical treatment, rehabilitation, education and special academic or vocational instruction, various professional workshops, awareness-raising, support and training programmes, technical aids, assistance and qualification to facilitate daily life, as well as leisure, sport and social activities.

235.2 Furthermore, it is worth noting that, under an initiative of the Lebanese Physical Handicapped Union, the integration network, associations of the disabled, Ministry of Social Affairs and other concerned bodies, "Disability Monitor" was launched in August 2013. The initiative was founded in 2012 to monitor violations

of Law no. 220/2000 and, between March and September 2012, documented 39 complaints (34% from males and 66% from females).

V. Obstacles and challenges

236. The most significant of these are:

- The paucity of studies on disabled women;
- Lack of awareness in Lebanese society in general and among employers in particular of the capacity of the handicapped to work but the limited opportunities available to them to access education and vocational training, in addition to a lack of special infrastructure and material support to help them gain access to the workplace;
- Lack of awareness and understanding of the situation of handicapped women, particularly in certain areas and among certain sections of society, where they are treated harshly and selfishly;
- Limited opportunities for the integration of handicapped women;
- The weakness of the Lebanese women's movement as regards the rights of handicapped women and the lack of an association devoted exclusively to the issues of handicapped women;
- Poor official funding allocated in support of the rights of handicapped women.

3. Women victims of landmines

I. General overview and statistics

237. The problem of landmines first appeared in Lebanon in 1990. However, the scale of the problem became greater and more serious after the liberation of the South in 2000, when the Israeli enemy left behind hundreds of thousands of unexploded mines, cluster bombs and missiles, as well as suspicious objects deliberately planted at random over vast areas within populated and agricultural regions, while ignoring numerous requests from Lebanon and UNIFIL to hand over maps showing the distribution of mines. The problem became more complicated following Israel's war on Lebanon in July 2006. Despite repeated warnings from the Lebanese army not to come near sites where mines are suspected, the fact that they are scattered across agricultural land and near to houses resulted in 3 684 incidents up to May 2013, as follows:

Table 5

Breakdown of victims of landmines by sex and type of loss sustained

| <i>Sex</i> | <i>Injured</i> | <i>Killed</i> | <i>Total</i> |
|--------------|----------------|---------------|--------------|
| Female | 290 | 125 | 415 |
| Male | 2 491 | 778 | 3 269 |
| Total | 2 781 | 903 | 3 684 |

II. Legislation and policy

238. The legislative position is represented basically by Law no. 220/2000, on the handicapped, including victims of landmines, as well as by Lebanon's ratification, on 5 November 2010, of the Convention on Cluster Munitions, which entered into force in Lebanon on 1 May 2011. The Convention on the Rights of Persons with Disabilities, which adopts a broad definition of persons with disabilities, was signed by Lebanon in 2007 but has not yet been ratified.

239. There are no particular policies to help women victims of landmines. There is, however, a national policy on mine action and the Lebanon Mine Action Centre (LMAC) runs a humanitarian programme to remove all landmines from Lebanese territory. This includes providing victim support through workshops on how the disabled of both sexes can participate and integrate in society and strengthen their self-determination and self-confidence.

III. Efforts and services

240. The most significant of these are:

240.1 Formation of the National Landmine Victim Assistance Committee, working under the auspices of LMAC, and responsible for providing services to those injured by mines; the committee includes Government departments and international and local NGOs concerned with helping the victims of landmines. The departments and organizations thus brought together within the framework of the national committee undertake the following: support for small enterprises, provision of prosthetic limbs and mobility aids, assistance for those who have lost their hearing and sight, physiotherapy to restore the vital functions of injured limbs, psychological rehabilitation of victims, training of victims to enable them to practise a trade, and conducting a needs assessment survey.

240.2 Establishment of the national project to support victims of landmines, set up by the Ministry of Social Affairs pursuant to Decision no. 1826/1 (18 December 2010) and tasked with treating the social consequences suffered by victims of landmines and cluster bombs, providing care for their families, organizing vocational and professional training courses for them, helping them to ensure a source of income through small-scale production projects and promoting the marketing of their production locally and abroad in coordination with Government agencies and civil society bodies.

The project's first action plan was formulated in 2012 and four priority themes were identified: physical rehabilitation, vocational training, domestic and foreign activities, and media outreach.

4. Women prisoners

I. General overview of the situation of women prisoners in Lebanon

241. There are 21 prisons in Lebanon, four for women and one for female minors. The women's prisons are in Beirut, Baabda, Zahleh and Tripoli.

242. A report issued by the Ministry of Justice in October 2012 indicates that 86.50% of inmates in Lebanese prisons are men, 7.91% women, 5.31% juveniles and 0.28% female minors. However, the report also notes that the proportion of

female inmates rose from 4.8% in 2010 to 8.3% in 2011 and 7.3% in 2012. The highest proportion of female inmates are in the 18-25 age group (29.02%), followed by the 31-40 age group (26.02%) and 26-30 age group (23.3%). The lowest proportion are inmates aged 64 and above (0.60%).

243. As regards the distribution of female inmates by nationality, statistics indicate that, in 2010, 1.6% of inmates were Arab and 62% were of non-Arab nationalities.

244. As regards breakdown by crime, a Ministry of Justice report published in October 2012 indicates that the most crimes committed by inmates are theft (23.82%) and breach of the law on the entry of foreigners to Lebanon (21.13%), followed by crimes in violation of ethics and morality (17.29%) and narcotics offenses (11.65%). Felonies representing a universal danger and bankruptcy both stand at 0.13%. The report further indicates that 45.09% of females in prison are on remand and 54.91% have been convicted.

245. On the subject of health, female prison inmates are provided with certain medicines, particularly those for chronic diseases, while families and NGOs are relied upon to provide medicines unavailable in prison. Medicines are prescribed by a physician charged by the health section of the General Directorate of Internal Security Forces. Health monitoring is dependent upon available resources. Barbar el-Khazen prison (Beirut) has a physician responsible for examining female prisoners; he is on regular duty and attends as required and in emergencies. Tripoli prison has a medical centre in the barracks. At Zahleh and Baabda prisons, female prisoners do not receive regular medical examination but there is a duty nurse in both. If necessary, female prisoners are transferred to a Government hospital on the order of the prison physician and a competent physician. Prisoners are tested for HIV/AIDS. If found to be carrying the virus, a prisoner is isolated in a separate room during the period of treatment.

II. Legislation and policy

246. Legislative and regulatory level

246.1 Prisons in Lebanon are still subject to Decree no. 14310 (11 February 1949), on regulation of prisons, and prison administration still comes under the authority of the Ministry of Interior and Municipalities, despite promulgation of Decree no. 17315 (28 August 1964), which provides for the creation of a prisons administration board attached to the Ministry of Justice. However, work is currently underway to transfer responsibility for prisons to a special department in the Ministry of Justice. Furthermore, the Council of Ministers approved, pursuant to Decision no. 34 (7 March 2012), the necessary mechanism to effect transfer of prison oversight to the Ministry of Justice and authorize the Minister of Justice to call upon a judge on a temporary basis to organize the Directorate of Prisons and formulate the necessary provisions to regulate it in the transitional phase.

246.2 In a related context, the issuance of the following provisions in recent years is noted:

- In 2008: Decree no. 755 (3 January 2008), providing for the creation, regulation and definition of the duties of a human rights section in the General Inspectorate of the ISF;

- In 2012: Law no. 216 (30 March 2012), defining a prison year as nine months; decision no. 42/2012 (19 March 2012) of the Presidency of the Council of Ministers, on the formation of a medical committee in prisons; and Decision no. 1050 (2012) of the Minister of Education and Higher Education on the formation of a committee to determine the criteria for the secondment of teaching staff to teach prison inmates.

247. In respect of policy, it will be recalled that the ministerial statement of the Government formed in 2011 stressed “monitoring implementation of the five-year plan formulated for the transfer of responsibility for prisons to the Ministry of Justice.” The issuance of Decision no. 34 (7 March 2012) by the Council of Ministers, requiring approval of the necessary mechanism to effect transfer of prison oversight to the Ministry of Justice, formulated by a committee of all concerned ministries, falls within this framework. Furthermore, a decision was issued by the Council of Ministers on 27 March 2013, providing for the construction of four prisons in Lebanon and work is underway on preparing the necessary technical studies for this purpose.

Despite the foregoing, policy lags behind international conventions on prisoners’ rights, especially as prisons are treated as places for punishment rather than reform. Furthermore, there is no policy on women prisoners. Women have special circumstances which are not recognized or taken into account by the law regulating prisons; this includes, for example, the situation of pregnant prisoners and nursing mothers.

III. Programmes and services provided

248. There are concerted efforts on the part of international and governmental bodies and NGOs to improve and enhance the position of female inmates by providing them with a series of direct and indirect programmes and services, including;

248.1 Programmes and projects:

- *Cinema Arena – an inside look – voices from behind bars, a programme that has achieved the following:* rehabilitation of the infrastructure of several damaged prisons, the strengthening of coordination mechanisms between parties concerned with prisons, sensitizing and increasing the awareness of Lebanese society to the importance of combining efforts and coordinating action to improve prison conditions and the situation of male and female inmates, and preparing a directory of associations and organizations working inside prisons.
- A national programme promoting local social and economic development by strengthening development services centres and fostering a mechanism for social development in Lebanon that seeks to found a unit to monitor pregnant women in all Lebanese women’s prisons and set up a range of workshops in prisons, in addition to providing social services (individual and collective intervention) and health services for female prisoners and their new born children.
- A capacity-building project to enable employees to implement human rights law in Lebanon, running training workshops for those concerned with

implementing the law and preparing a guide to working inside women's prisons in Lebanon.

- A basic life skills programme for female prisoners, designed to raise the awareness of illiterate or semi-literate women and girls and help them to improve their lives, the lives of their families and their environment by empowering and enabling them to participate in the community.

248.2 *Services*: The relevant ministries and NGOs are responsible for providing a large number of services for female prisoners including, social, psychological and health care; ensuring that fines are paid; legal advice; access to their families and children; ensuring the basic needs of infants in women's prisons; social, recreational, cultural and health activities; setting up libraries inside women's prisons; putting on plays; psychological and vocational rehabilitation of female prisoners to enable their integration in society upon release from prison; and literacy courses.

IV. Obstacles and challenges

249. The most significant of these are:

- A failure to update Decree no. 14310 (11 February 1949), on the regulation of prisons, and the lack of a national plan for the reform of women's prisons covering all health, social, psychological and educational aspects; additionally, there is at present no institutional referral system based on coordination and close liaison between ministries and NGOs concerned with the issues of female inmates.
- Inmates are locked up for long periods of time because it is not possible to appoint a lawyer to defend them and follow up their case. In many cases, the remand period and trial period exceed the maximum term of punishment for the crime itself. Additionally, inmates are not separated by type of crime.
- The poor condition of prison buildings and the irregular provision of the basic needs of female inmates including, especially, daily essentials, health, psychological and social care and judicial follow-up. Furthermore, it is worth drawing attention to the greatly increased marginalization from which several categories of female inmate suffer, especially the disabled, foreign women, pregnant women and nursing mothers.
- The absence of social reintegration policies, a shortage of workshops and the difficulty of marketing prisoners' products – in other words, the inability to give female inmates the possibility of permanent, productive work.
- A shortage of qualified prison staff.

5. Female migrant workers in domestic service

I. General overview

250. Foreign labour in Lebanon represents a significant part of the workforce and includes female migrant workers in domestic service. According to a statement released by the GDGS on 4 December 2012, there were 141,738 such workers in 2012.

251. Lebanese and non-Lebanese domestic service workers are not covered by the Labour Law and do not benefit from the provisions of the Social Security Law. However, if they suffer an accident at work, they benefit from the same legal provisions as day labourers in Lebanon, whether Lebanese or not. To regulate the employment relationship between employer and male or female domestic service worker, Decision no. 38/1 (16 March 2009) of the Ministry of Labour obliges employer and employee to adopt a special employment contract, with effect from 23 March 2009.

252. Under the special employment contract, the employer undertakes:

- Not to employ a worker (male or female) in any job or location other than his (i.e. the employer's) place of residence.
- To pay the worker (male or female) his/ her wage in full at the end of each month of work without delay;
- To ensure proper terms and conditions of work, provide for the needs of the worker (male or female) in terms of food, clothing and accommodation and respect his/ her dignity and right to privacy.
- To guarantee medical treatment for the worker (male or female) under an insurance policy recognised in Lebanon, in accordance with the terms and conditions set by the Ministry of Labour.
- To set hours of work at a reasonable ten hours per day and provide a daily rest period of not less than eight consecutive hours at night, in addition to a weekly break of not less than 24 consecutive hours and annual leave of six days, the time and terms of which are to be agreed by the two parties.
- If the worker (male or female) falls sick with an illness not caused by work or has a non-work related accident, he/ she shall have the right to sick leave, subject to a doctor's report, at half a month on full pay and half a month on half pay.

253. Female migrant workers in domestic service in Lebanon are subject to a sponsorship system that ties them directly to their employer in such a way that they can only change employer pursuant to a waiver from the employer, notarized by a notary public and with the approval of the GDGS.

II. Progress achieved at the level of legislation and policy measures

254. Since the convening of a national workshop, organized in 2005 to strengthen the position of female migrant domestic workers, the following achievements have been registered:

254.1 The issuance of legal and regulatory provisions, in the following chronological order:

- Adoption of a standard employment contract for foreign female domestic service workers, pursuant to Decision no. 38/1 (16 March 2009) of the Ministry of Labour, to come into force with effect from 23 March 2009;
- Issuance of Decision no. 52/1 (14 April 2009) of the Ministry of Labour, amending Decision no. 117/1 (6 July 2004), on the insurance policy for foreign day labourers and domestic service workers;

- Issuance of Decision no. 1/1 (3 January 2011) of the Ministry of Labour, regulating the activity of foreign labour recruitment offices;
- Promulgation of Law no. 164 (14 August 2011), on punishment of the crime of trafficking in persons in Lebanon.

254.2 As regards policy measures, the following may be mentioned:

- Formation of a national steering committee to address the situation of female migrant domestic workers in Lebanon pursuant to Decision no. 40/2007 (10 April 2007) of the Prime Minister, tasked with preparing and implementing schemes designed to strengthen the position of and to protect female migrant domestic service workers, in coordination with concerned official agencies, the ILO and other international and Arab organizations, national and non-governmental bodies and committees and the relevant embassies.
- Reinforcing the social charter drawn up by the Ministry of Social Affairs in 2010 to address discrimination against foreign workers, especially female domestic servants, and stressing the need to regulate foreign labour in Lebanon.
- Incorporating within the national strategy for social development drawn up by the Ministry of Social Affairs in 2010 a paragraph on female domestic workers, both local and foreign, and their living conditions, which continue to represent a violation of the basic human rights guaranteed by the Universal Declaration of Human Rights. These latter include: the right to freedom of movement, the right to protection from cruel, inhuman or degrading treatment, the right to rest and leisure, the right to defined working hours and the right to paid holidays.
- Formulation by the Syndicate of Owners of Recruitment Agencies of a code of conduct consistent with international rules of employment related to human rights standards.
- Establishment of a complaints office at the Ministry of Labour and an employment issues hotline, including issues of female domestic service workers and complaints lodged by embassies on their behalf. In 2012, 110 complaints were received, including two by female domestic workers against employers and others by embassies against employers.
- Formation of a national cell bringing together representatives of ministries concerned with the issue of foreign labour in Lebanon, tasked with studying the features and current position of this type of labour.
- Opening of an expanded terminal at Beirut–Rafic Hariri International Airport, in collaboration with GDGS, and Caritas Lebanon migrants’ centre to receive foreign workers while they wait to be escorted by their sponsor.
- Conclusion by the Ministry of Social Affairs of agreements with women’s shelters to admit women in dire social situations and victims of violence and exploitation, including female migrant domestic service workers, and for them to receive medical consultation and medicines at nominal cost from development services centres.
- Signing of a memorandum of understanding between the Ministry of Labour and Caritas Lebanon migrants’ centre on 25 January 2013, on cooperation in a

number of areas, chiefly: exchanging expertise and conducting special training for Ministry of Labour officials on the subject of foreign domestic labour; a submission by Caritas migrants' centre to the Ministry of Labour of cases of violation of the rights of foreign domestic service workers (both male and female), for resolution; and drawing up a list of employers who abuse or commit offences against foreign female domestic service workers for action to be taken against them, principally by prohibiting them from recruiting such labour.

III. Progress achieved in protection through the courts

255. In applying the law, whether criminal or civil, the Lebanese courts make no distinction between a Lebanese and non-Lebanese claimant or victim. The foreign nationality of the victim represents no cause whatsoever for mitigating the sentence of the offender (Mount Lebanon Criminal Court (23 June 2000)).

256. In respect of financial rights arising from employment in domestic service and given that domestic servants, both Lebanese and non-Lebanese, are not covered by the provisions of the Labour Law, the applicable provisions are those of common law, i.e. the Code of Obligations and Contracts. The judicial body competent to rule in cases of dispute shall be the employment tribunals, which hear all individual labour disputes without exception, regardless of the applicable law. Pursuant thereto, and in a case brought by a female domestic service worker of Indian nationality against her Lebanese employer who dismissed her without notice and without paying her wages, the employment tribunal, whose ruling was upheld on cassation (Lebanese Court of Cassation, 8th chamber, decision no. 50/2010 (1 June 2010)), ruled that the employer is obliged to pay in full the worker the wages owing to her, in addition to pay in lieu of notice and compensation for dismissal, pursuant to articles 654 and 656 of the Code of Obligations and Contracts, as well as holiday pay and damages for arbitrary use of the right to cancel the employment contract. On this basis, the total amount awarded to the worker came to just over USD 40,000 (Beirut Employment Tribunal, 1st chamber, decision no. 258/2009 of 22 April 2009).

257. Consistent with the judicial trend toward putting a stop to the violence practised by some employers against female migrant domestic workers, a ruling was issued on 31 October 2013 by the single judge sitting on the bench of Keserwan Criminal Court, sentencing under article 555 of the Penal Code a Lebanese employer with a history of severely beating her domestic servant to three months imprisonment and a fine of LBP 100,000, as well as obliging her to pay compensation to the civil party of LBP 10,000,000.

IV. Efforts of non-governmental organizations and international organizations

258. NGOs engage in persistent efforts to protect female migrant domestic service workers and promote their psychological, health and legal situation by implementing certain programmes, projects and activities, including: launching awareness campaigns on the criteria of the special contract, setting up an observatory to monitor cases brought before the courts by female domestic workers, building the capacities of bodies concerned with issues of female migrant workers and providing services, in addition to preparing studies and conducting research and publicity campaigns.

259. As regards international organizations, it is worth drawing attention to the Action Programme for Protecting the Rights of Women Migrant Domestic Workers in Lebanon (PROWD), 2011-2014, implemented by the ILO and seeking to improve the position of women migrant domestic workers (WMDWs) in Lebanon and ensure favourable working conditions and a regulated environment to protect their rights. The programme targets relevant ministries, the Syndicate of Owners of Recruitment Agencies, trades unions, civil society organizations, United Nations agencies and embassies and consulates of countries of origin.

PROWD involves carrying out the following: (a) review of the laws applying to domestic workers to make them more consistent with international employment standards; (b) capacity-building of concerned parties to make them better placed to monitor the terms and conditions of employment for female migrant domestic workers; and (c) increase the awareness of female domestic workers and of Lebanese society about the rights and duties of domestic workers.

A number of activities have been launched with relevant bodies to improve the terms and conditions of employment for female migrant domestic workers in Lebanon, including: holding workshops for the media and specialists; distributing a series of awareness-raising short stories for children on the rights of female migrant domestic workers; conducting in-depth surveys of the services provided by NGOs for female migrant domestic workers; developing a package for teachers to spread awareness in schools about the rights of female domestic workers; publication of a trilingual (French, Arabic and English) information guide for female migrant domestic workers in Lebanon; and holding workshops for the labour attachés of countries of origin.

V. Obstacles and challenges

260. The most significant of these are:

- There is no specific law pertaining to female migrant domestic workers and they are not covered by the Labour Law and Social Security Law.
- In many cases, there is a mismatch between the employment contract signed in the country of origin and the contract signed in Lebanon. Additionally, the contract signed in Lebanon is entirely in Arabic.
- There is no mechanism to enforce and monitor application of the contract between employer and female migrant domestic worker.
- The sponsorship system entrenches discrimination against female migrant domestic workers, especially in the absence of unified view on whether to abolish the system or to retain it but amend it to make it fairer.
- There is poor coordination between the Ministry of Labour and the embassies of the countries which export migrant labour.
- Many female workers lack the ability to speak out about the exploitation or harassment they suffer.
- Unless a complaint is submitted, it is difficult to monitor the problems female domestic workers have in homes because of the absence of mechanisms of inspection.

6. Refugee women

I. General information

261. Available reports and studies indicate the following:

261.1 Women and girls make up approximately 53% of all Palestinian refugees in Lebanon. In the refugee camps and communities, the figure varies from 46% to 58%.

261.2 The number of members of a single family varies between four and five. According to UNRWA, fertility rates among Palestinian refugees have witnessed a marked decline during the last ten years from 4.7% to 3.2%.

261.3 The man is the head of most Palestinian families. Female-headed households are the poorest, living on remittances from family members overseas.

261.4 A report issued by the Central Bureau of Statistics of the General Union of Palestinian Women (GUPW) indicates that 36% of Palestinian women are illiterate, with the figure higher among older women. The report also indicates that denial of the right to work, low professional qualifications and poor employment opportunities make the rate of participation of Palestinian women in economic activity – 9.4% – extremely low. The proportion of women in secretarial jobs, education and health services is over 50% but does not exceed 15% in other professions. In agriculture, the proportion of men and women is the same (approximately 8%).

261.5 As regards health, statistics released by Norwegian People's Aid in Lebanon in January 2013 indicate that 31% of Palestinian men and women suffer from chronic diseases, rising to 83% among women over the age of 55. For its part, UNRWA notes that 95% of all Palestinian refugees in Lebanon lack health insurance.

II. The legislative position and progress made since 2006

262. There is no specific legislation pertaining to Palestinian refugee women in Lebanon. There is, however, general legislation that covers Palestinian refugee men and women subject to Lebanese law. UNRWA provides them with social, education, health, relief services and employment services.

263. The most significant features of recent years on the legislative front have been the following:

263.1 Amendment of article 59, paragraph 3 of the Labour Law, allowing Palestinian refugee labourers properly registered with the Ministry of Interior and Municipalities to benefit from compensation for dismissal from service without the condition of reciprocity. Furthermore, Law no. 129 (24 August 2010) exempts Palestinian refugee labourers from the fee for the Ministry of Labour work permit.

263.2 Amendment of article 9, paragraph 3 of the Social Security Law, pursuant to Law no. 128 (24 August 2010), exempting Palestinian refugee day labourers from the condition of reciprocity stipulated in the Social Security Law; they now benefit from end of service compensation under the same terms as Lebanese day labourers.

263.3 Promulgation of Decision no. 94/1 (24 May 2008) of the Minister of Labour, designating jobs to be confined to Lebanese only. While observing the principle of Lebanese priority, exception from this restriction has been made for “Palestinians born on Lebanese territory and officially registered with the Ministry of Interior and Municipalities”.

III. Progress achieved in policy measures adopted

264. In this context, the following may be mentioned:

264.1 The ministerial statement of the Government (the 72nd) formed on 13 June 2011 contained a paragraph on Palestinian refugees to the effect that, “until complete return is achieved, the Government shall seek to guarantee the human and social rights of Palestinians resident on Lebanese territory.”

264.2 In 2008, the Ministry of Interior and Municipalities issued temporary residence papers, which are method of identifying the bearer and allowing him/ her to move around freely without fear of detention and imprisonment. However, they do not allow the bearer to work, enrol at school or university, receive health care or register a marriage contract with Government departments.

264.3 Women refugees with children at school are allowed to obtain residence permits but this does not carry the right to work.

264.4 Child refugees enjoy greater protection and have been incorporated within programmes of the Ministry of Social Affairs and Higher Council for Childhood, with backing from the United Nations High Commissioner for Refugees (UNHCR).

264.5 Since 1999, the Ministry of Education and Higher Education has admitted refugees to public schools without obliging them to present the required documentation (identity card, passport, school certificates and grades), regardless of their status in Lebanon.

264.6 Palestinian organizations participate as members of the National Technical Task Force to End Violence against Women, chaired by the Minister of Social Affairs.

IV. Services provided

265. There are concerted efforts on the part of international and governmental bodies and Palestinian NGOs to strengthen the position of refugee women and protect them by providing a range of services, including:

- Monitoring cases of female Palestinian prisoners who are pregnant or mothers with new born children;
- Palestinian women are admitted to the health care centres of the Ministry of Public Health and the development services centres of the Ministry of Social Affairs.
- Regular financial and material assistance, as well as social support, is available for vulnerable Palestinian refugee women (e.g. single women, women-headed households).

- The costs of reproductive, maternal and child health care, in addition to mental health support for male and female refugees, including special care for victims of torture and others, are covered.
- Fast track resettlement for vulnerable women refugees, such as victims of torture, sexual violence and gender-based violence, in view of the difficulties they face in enjoying a sustainable life in Lebanon;
- Provision of advice and distribution of brochures on registering births and on test cases to register births with personal status departments; coordination with the Lebanese Government to remove obstacles to the registration of births;
- Through local partners, UNRWA provides refugees with health care services, in close collaboration with 11 public hospitals. According to 2011 statistics, 50.5% of refugee women benefit from these services.
- Since the 1990s, UNRWA has greatly increased the coverage of maternal and childhood health care services and, during pregnancy, all women receive on average 7.4 prenatal visits, including visits to receive vaccination against tetanus and checks for diabetes and pregnancy-related hypertension. Furthermore, UNRWA supplies dry food rations to pregnant women and nursing mothers from the third month of pregnancy until the six months after delivery. In addition, the agency provides cash assistance for hospital delivery for women at risk. Mother and child receive post-natal monitoring, either in UNRWA health facilities or through home visits. UNRWA provides pre-natal monitoring for more than 80% of pregnant women in the refugee community. Most women start having check-ups during the first third of their term, which enables the doctors to identify any complications and risk factors at an early stage.

V. Obstacles and challenges

266. Women Palestinian refugees face many challenges, including:

- Like their male counterparts, female Palestinian refugees do not enjoy the right to work in many jobs and professions, the right to own a house or real estate or the right to found associations etc. These challenges are compounded for female workers without work permits, who are vulnerable to extortion by employers, arbitrary dismissal and very low wages. This also applies to female workers in seasonal and marginal occupations.
- Only Palestinians classified as refugees receive care from UNRWA and the Lebanese State.
- Lebanon has not signed the Convention relating to the Status of Refugees (1951) and Lebanon is still considered as a transit country not a destination country. Palestinian refugees in general and female Palestinian refugees in particular are excluded from the provisions of the Casablanca Protocol, adopted by the League of Arab States and regulating the status of Palestinian refugees in host States.
- The prevailing customs, traditions and norms in the male-oriented society in which female Palestinian refugees live, the spread of gender-based violence and the phenomenon of sexual harassment.

7. Displaced women

I. General information

267. Statistics from UNHCR in Lebanon released on 14 January 2014 show that there are approximately 868,224 male and female displaced Syrians registered with UNHCR, distributed across the governorates as follows: 251,393 in the North, 225,238 in Beirut, 285,233 in the Beqaa and 106,360 in the South.

Breakdown of displaced persons by sex

| <i>Females (51.1%)</i> | <i>Age</i> | <i>Males 48.9%</i> |
|------------------------|------------|--------------------|
| 9.7% | 0-4 | 10.2% |
| 9.7% | 5-11 | 10.2% |
| 6.3% | 12-17 | 6.6% |
| 24.0% | 18-59 | 20.7% |
| 1.5% | 60+ | 1.2% |

The highest proportion (24%) of displaced Syrian females is in the 18-59 age group, while the lowest (1.5%) is in the 60+ age group.

Regarding the situation of displaced Syrian females in Lebanon, a study prepared by the International Rescue Committee (IRC), in collaboration with a local organization and entitled, “We fled from death to live in shame”, based on a sample of 100 women (20% of them under the age of 18) and 20 men aged between 19 and 35, indicated the following:

- Rape and sexual assault represent the main problem from which displaced Syrian women suffer.
- Displaced women suffer from forced marriage, early marriage, being trafficked and being coerced into prostitution.

II. Policies adopted

268. As the country continues to receive enormous numbers of displaced women from Syria, the Lebanese State has adopted several policies designed to mitigate the impact and adverse effect of migration. These include:

- On 3 January 2013, the Council of Ministers charged the Minister of Interior with setting up a crisis cell consisting of the army, ISF, GDGS and State Security to execute a plan to monitor the situation of displaced persons.
- The preparation of an action plan addressing five key sectors: health, education, shelter, social affairs and food;
- The inclusion within the National Strategy for Women in Lebanon 2011-2021 of “the protection of girls and women in emergency situations, armed conflict, wars and natural disasters” as a strategic goal, pursuant to international charters and conventions, particularly the Universal Declaration of Human Rights, the Millennium Development Goals and Security Council resolutions nos. 1325/2000 and 1820/2008 etc.

- The preparation of a strategy to respond to the needs of male and female displaced persons for a period of one year. As yet, however, this has not been approved.

III. Programmes and services provided

269. When emergencies occur, it is often women and girls who assume the burden of caring for others, while their own health needs – from hygiene to potentially life-threatening complications of pregnancy and childbirth – are neglected. Furthermore, women are particularly vulnerable to malnutrition, which can threaten the life of the pregnant woman and her child. Stress and anxiety caused by conflict leads to an increased level of sexual and domestic violence, while the collapse of social standards and protection increases the incidence of sexual exploitation. Accordingly, there are concerted efforts on the part of international and governmental bodies and NGOs to develop and implement a set of programmes and services for displaced Syrian women. These can be summarized as follows:

269.1 A programme to combat gender-based violence, including:

- Training in the gender-based violence information management system in Lebanon (GBVIMS);
- Implementation of a programme on conflict resolution and peace building, targeting specific communities while focusing on young men and women in order to build a national foundation for peace and develop local capacities to address gender-based violence, ensuring better means of prevention and methods of response;
- Implementation of a series of job training seminars in all regions for local workers (male and female) to provide them with information on concepts relating to gender-based violence, the tools of referral, awareness and awareness-raising and how to formulate project proposals;
- Training humanitarian workers in gender issues;
- Implementation of awareness-raising activities and vocational training courses and providing financial assistance for vulnerable women;
- Raising displaced women's awareness of the risks of violence by providing several gender-based violence first response units;
- Developing structures to determine paths of referral in all parts of the country for victims of sexual violence and gender-based violence, leading to the creation of safe houses.

269.2 Reproductive health programmes, involving the following:

- Capacity-building, by providing training in managing the treatment of rape victims and in providing minimum initial reproductive health services in emergency situations;
- Conducting awareness-raising campaigns aimed at service providers, victims, young people etc. on the key goals of sexual and reproductive health;
- Distributing reproductive health services, such as contraceptives, nutritional supplements, iron tablets, folic acid etc.;

- Distributing non-food items (confined to providing relief, such as heating equipment, blankets et.), in addition to distributing educational booklets aimed at women on how to avoid becoming infected with vaginitis and providing information on family planning, nutrition in emergency situations and depression, particularly post-natal depression.

269.3 Educational support programmes, which include covering the cost of school fees and textbooks, designing catch-up and accelerated learning programmes for displaced children liable to drop out of school or those outside the school system, as well as the monitoring of attendance and academic progress by UNHCR and a tolerant attitude on the part of the Ministry of Education and Higher Education toward children taking the ninth grade examinations who do not possess documentation of their academic record in Syria.

269.4 A women's economic and legal empowerment programme, which seeks to focus on the situation of displaced persons, especially displaced women, by organizing a series of awareness-raising meetings on their economic and legal rights.

269.5 A programme to cover settlement costs in order to ensure the legitimate residence of poor refugee families.

269.6 The establishment of centres to admit and offer help to violently abusive and abused displaced men in order to mitigate the impact and adverse effect of migration upon them.

269.7 The provision of psycho-social help to mitigate the impact of marginalization to which displaced women and girls are vulnerable in emergency situations.

269.8 The implementation of support and response programmes in post-armed conflict periods and mobilization of public opinion, by:

- Grass-roots coordination and mobilization at national level to form a base of national public opinion supportive of the cause and rights of the displaced;
- Capacity-building, especially among displaced women, in leadership and negotiation to enable women to participate subsequently in influencing policy-making and the rebuilding of Syria;
- Raising societal awareness by having displaced women themselves produce short films reflecting their situation, as well as using social media for this purpose.

IV. Obstacles and challenges

270. The most significant of these are:

- The continuing daily increase in the numbers of displaced persons, making the monitoring of needs and provision of necessities a challenge in itself;
- The lack of family and community support for most displaced women;
- Given the lack of opportunity for legitimate work, displaced women often work illegally, putting themselves at considerable risk of abuse and exploitation.

- Displaced Syrian women fail to report the abuses they have suffered, given the lack of services and assistance.
- Poor mechanisms of coordination between the humanitarian bodies intervening in humanitarian crises;
- Poor level of access to and coverage by specialist services, as well as limited freedom of movement of women and girls to obtain access to those services that are available because of security conditions and cultural circumstances;
- Displaced Syrian women have difficulty registering their children born in Lebanon, thus increasing the risk of children failing to obtain nationality.
- The worsening misery and suffering of displaced Syrian families and their Lebanese hosts: displaced families are hosted by deprived communities that suffer from grinding poverty.
- The poor resources and human and material capacities of the Government and NGOs intervening to support and assist displaced Syrian families.

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- Labour Law (23 September 1946, amended) and Social Security Law (26 September 1963, amended);
- Personal Status Records Registration Law (7 December 1951, amended);
- Law regulating entry to, residence in and exit from Lebanon (10 July 1962);
- Law no. 25 (8 October 2008, amended), on the election of members of the Chamber of Deputies, municipalities and mayors;
- Law no. 164 (24 August 2011), on punishing the crime of trafficking in persons;
- Current personal status laws in Lebanon;
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- Decree no. 4186 (31 May 2010), relating to the granting, on a discretionary basis, of residence to the families of Lebanese women married to non-Lebanese men;
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