

4TH

SHADOW REPORT

ON CEDAW

**PROGRESS MADE IN
THE IMPLEMENTATION
OF THE CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
DISCRIMINATION
AGAINST WOMEN**

COMMITTEE FOR THE FOLLOW-UP ON WOMEN'S ISSUES

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Article 1 of CEDAW Convention

The term "discrimination against women shall mean 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".

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Executive Summary

Executive Summary

The Fourth Shadow Report is based on the Third Report Prepared by the Committee in collaboration with a group of women non-governmental organizations in 2008.

This report:

- Looks closely at the development made since 2008, especially the progress made on the legislative and executive levels carried out by the successive governments and the struggles of the women and civil movements to achieve equality.
- Underlines the issues that still need procedural interventions by the government and that nongovernmental organizations hope would be discussed by the CEDAW Committee.

This report was completed with the participation of most women and civil organizations involved in the elimination of all forms of discrimination against women. A series of meetings were held with these organizations to determine the priorities according to the items of the convention and distribute the tasks according to specialization.

Towards Equality

1- Limits and Limited scope of Achievements

Even though the successive governments in Lebanon since 2005 have included in their ministerial statements a paragraph on women's issues and have pledged to carry out all Lebanon's commitments pursuant to the recommendations issued by the Beijing World Conference in 1996, nothing has been achieved so far.

If we had to mention some of what has been achieved, especially in reference to the meager quota for women in the draft electoral law prepared by the current

government, and which does not exceed 10% in candidacy, some of the laws completed, such as the abolishing of Article 562 of the Penal Code or those relevant to the Fiscal Law and the equality between the female and male employee (Article 44 of the draft budget of 2010) were basically in contradiction with the Constitution, and the achievement that took place is not a grant from anybody. It is the fruit of a long struggle led by the women's movement. However, it remained incomplete and discriminatory against women in some of its articles as we will see later.

The most important achievement in 2013 is the registration of the first civil marriage that was held in Lebanon which is considered a victory to the civil, feminist and human rights movements, also the significant role played by the political will that confirms the importance of the role of this will in the required community changes.

2- Upholding Reservations

In 1996, the Lebanese State concluded CEDAW as per Law No. 592 which entered into effect on 1/8/1996. However, this conclusion included some reservations regarding basic matters as to the process of achieving equality.

The articles towards which Lebanon voiced reservations:

- Second clause of Article 9 on citizenship/ where discrimination against women is reflected overtly.
- Clauses (c), (f), (d) and (g) of the 3rd paragraph of Article 16 on Personal Status;
- Article 29 relevant to conflict resolution

Even though these reservations expressed by Lebanon towards the clauses of the convention voided it of its essence, i.e. equality, it should be mentioned that its ratification contributes and still contributes to boosting the social struggle, especially the Women Movement Struggle for equality between women and men in all fields.

Defining priorities takes into account what has been achieved and emphasizes women's struggle towards equality. Priority here does not mean preference

among fields; however, we are being more specific, which is necessary to help draw a roadmap for the Lebanese women movement.

If abolishing laws that are discriminative against women is considered an absolute priority in this regard, the cultural and political practices are not less important in light of a masculine culture dominating all economic, political and social aspects of life.

Priority Fields

1- Priority for Laws

- Law of Citizenship
- Penal Code
- Personal Status Laws
- Labor and social security laws
- Draft law for the protection of women from domestic violence

Law of Citizenship

The Lebanese citizenship law issued in 1925 and amended on 11/1/1960 is still discriminative against the Lebanese women, as it explicitly states that women are not capable of passing their citizenship to the mother and her children: “A person is considered Lebanese if born to a Lebanese father.”

The legal discrimination against women in the Citizenship Law is manifested in the blatant rejection of the Lebanese government to acknowledge the equivalent right between women to the men at this level. As such the Lebanese official reservation towards clause (2) of Article 9 of the Convention continues.

Despite the efforts deployed by the civil society and the different national campaigns led by its organizations, it should be noted that:

1- The only government initiative in this direction was the formation of the ministerial committee to discuss this law. But after three closed-door and confidential

meetings, decision n^o 46 was taken. In this decision, the Committee rejected the draft law allowing women to grant Lebanese nationality to her children and husband.

2- The government has no strategies to remove the reservation of paragraph 2 of Article 9. As for those initiatives which enabled the children and the husband to obtain long residencies (3 years) and the labor decree issued on September 28, 2011 which allows the work of the children and husband of a Lebanese woman, we believe they are insufficient, even if they have facilitated, to a certain extent, the life of many families.

Yet, it is noteworthy that the amendment of the Citizenship Law constituted one of the objectives of the National Strategy for Lebanese Women which was issued in 2011.

It is also worth mentioning that Lebanon has never ratified the optional protocol of CEDAW which would consolidate Lebanon's commitment towards the elimination of all forms of discrimination against women.

Penal Code

Despite the abolishment of Article 562 of the Penal Code pursuant to Law No. 162, dated 17/8/2011, this is not enough.

On the legal level, the perpetrator of a murder can still benefit from another article in the Penal Code- Article 252- that stipulates the following: "The perpetrator of the crime benefits from the mitigating excuse for the crime he committed while he was in extreme anger resulting from an unlawful and a dangerous act by the victim." From the socio-cultural aspect, the Lebanese government has not adopted any procedure to amend the erroneous concepts that are socially prevalent regarding the concept of "honor." Moreover, the Lebanese law discriminates against women in the fulfillment of the conditions of adultery, and in the sanction and also in the articles from 503 to 522 relevant to rape, adultery, assault and harassment.

For example, in case of rape, Article 522 is still in force, whereby this article exempts the abductor and the rapist from punishment in case he concluded a "true"

marriage contract with the victim.

Moreover, the Penal Code still incriminates homosexuality, and punishes it as per Article 534, being an “unnatural” sexual activity. Furthermore, there is no acknowledgement of unmarried mother status in Lebanon.

Personal Status Law

Nothing has changed in this regard. The reservations expressed by Lebanon towards Article 16 of CEDAW are still in effect. Marriage, divorce, custody, inheritance, in Lebanon are still subject to the laws of different confessions and sects (19), constituting flagrant discrimination between both genders. The government has no intention or does not give any sign of amending this article or discussing it.

Nevertheless, a slight change took place in the efforts of women movements in Lebanon. For the first time, the Parliament receives a draft law on personal status. Yet, this law has not been discussed so far. However, the women’s movement started working in this direction despite all the religious obstacles erected by the confessional society in Lebanon.

With respect to guardianship, it is given to the father and the grandfather after him. As for defining the custody period, every child in Lebanon is subject to a custody age that differs according to sects, without taking into account the child’s interest. A woman’s right to custody is voided if she got married during the custody period of her children, and her right will be limited to visitation for certain hours weekly. The women’s movement achieved the amendment of the custody age in three sects, the Sunni: until 12 years for males and females; the Orthodox: 14 years for males and 15 years for females; the Evangelical: 12 years for males and females. However, this age did not change in other confessions. This is considered as an achievement, even if not sufficient, due to the fact that these laws have never been amended for more than 50 years.

There remains the marriage of children which is recognized in Lebanon, and texts do not provide for an age that is in conformity with Lebanon's commitments in the Child Rights Convention which sets it at 18 years of age.

With respect to cohabitants with no legal marriage, they have no legal protection and the unmarried mother status is not acknowledged in Lebanon.

The achievement that have been made in registering the first civil marriage in Lebanon, is a victory to the efforts of the civil movements, but still need a lot of work in order to issue a civil law for personal status.

Labor and Social Security Laws and Fiscal System

The prevalent culture and the acute division of stereotyped roles according to gender in the Lebanese society hamper any remarkable progress in women's participation in the economic field (women constitute 24.7% of the total labor force). Under the pressure of the Lebanese women movement and a partial implementation of international instruments, we note a remarkable development in the amendments of legislations regulating work. However, there is still discrimination in the procedural laws and in their implementation, including but not limited to:

- This law excluded some categories such as domestic workers and wagers in agricultural institutions.
- Benefit of the husband of the insured women from social security benefits when he is not employed or insured by any other party.
- Benefit of the insured women on behalf of her husband regarding family benefits if he is unemployed, just like her male colleague.

It is noteworthy that the implementation of laws is still dependent on the prevalent culture. Every text that is likely to be interpreted is explained according to the discretion of the Social Security Fund alone and in contradiction with the law against the interest of the working woman and her family.

Violence against women

The Lebanese State made some progress by acknowledging the problem of violence against women. For the first time in its history, it acknowledged the existence of this phenomenon and the necessity to fight it. Examining discriminatory texts in the Penal Code are considered as small steps towards the governmental-official acknowledgement of the problem of violence against women and the necessity to take measures and procedures with regards to that problem.

Yet, the civil society managed to present the problem of violence against women as one of the most prominent social issues that constitute flagrant violation of human rights and one of the most significant facets based on sex. The civil society submitted a draft law on the protection of women from domestic violence.

However, the government generalized the law to include all members of the family instead of being a law for women only. Its also changed the concept of marital rape and turned the article from incriminating rape to incriminating the use of threats, abuse and harm to obtain “marital rights” as they have been described, instead of incriminating the act by itself, and this is what made the law lose its efficiency in this regard. Sexual harassment is still not incriminated, as there is no special law that governs this widespread phenomenon, whether in work places or in public ones.

Despite some positive indicators on the level of public policies, official interest in addressing violence against women is still incomplete, as it did not advance yet to the level of drafting integrated public policies adopted by different ministries.

2- Progress Made in the fields of boosting equality

Education: a tool to reach full equality

The annual statistics published by the Educational Center for Research and Development clearly reveal that the school enrollment rates still suffer from inequality especially in private schools, where discrimination in the numbers of those enrolled in private education appears: 51.6 % for males and 48.4% for females.

Though the statistics bulletin for 2011 does not indicate any percentage of school drop-out, we believe that this percentage is increasing given the hard economic situation that Lebanon is passing through, especially with the lack of any serious implementation for the Law on the Rights of the Child and Ban of Child Labor.

The UNESCO report of 2003 points out that Lebanon is among the countries threatened by not attaining the objective of elementary education by 2015. Moreover, Lebanon is at risk of not achieving equality in education between both genders and of not decreasing the percentage of illiteracy among the mature by half. The average rate of illiteracy increased to 9.3 according to the 2007 report, while illiteracy rate among women remained double that of men, scoring 12.4 compared to 6.0 among men.

Though the gender gap is in favor of females in intermediate and secondary education, as well as in high education, the problem of girls' choices of their majors still reflects the society's conceptions and expectations of the roles of each of them. The government is still far from realizing the meaning of this issue, and it has no orientations to put an end to it.

Women in decision-making and political participation

Women's participation in decision-making and in politics is still a problem that hampers their empowerment and advancement, as well as their consideration as a full partner in the administration of the State and society.

In the parliament, in 2005, there were 6 women out of 128 parliamentarians, i.e. 4.6%. This rate decreased to 3.13% in 2009. Women were totally excluded in the current Executive Power.

The recent municipal elections in Lebanon that were held in 2010 witnessed a remarkable increase in female candidates and winners compared to the previous session in 2004. The total number of female candidates reached 1346 candidates in 2010 compared to 552 in 2004. The number of female winners increased to 526 women in 2010 against 215 winners in 2004, i.e. an increase of 4.7% out of the total seats, compared to 2.02% in 2004. This percentage is very low compared to what it should be and compared to the goal of the women's movement, i.e. 30% of the seats.

Women are still excluded from first rank positions and senior cadres in official institutions and in international representation. The government does not have any policies to enhance women's presence in this regard.

Take for example women working in banks. Women who attended college constitute more than 50.8% out of the total people working. However, this rate diminishes in economic decision-making.

Regarding political parties, the Lebanese woman represents less than 20% in political parties out of the total number of members. This percentage does not exceed 5% in the political bureau of most parties. Women's participation in political parties is still very weak, and men still dominate the leadership of parties despite the remarkable interest of women in politics, especially amidst the political crises in Lebanon since 2005.

The objection of parties against adopting a women's quota according to the seats and their adoption of a quota that does not pave the way for any success of women showed the non-commitment of these parties to its achievement. The role of women in political parties is not highlighted, except in times of crisis to alleviate

the negative results, where their role is limited to the humanitarian aspect.

Women in media

Though women outnumber men in media, the media content in Lebanon, despite its development and women's involvement in it, is still stereotyped, and women remain the weakest link. Women work in the world of the man, the leader, the moderator, as if she completes his profession. Men still dominate posts of editorial management, presentation of main programs, while women remain remote from decision-making posts when it comes to the editorial policy that is mostly dominated by men. Regarding the ownership of media, information indicates that men mainly own these outlets. If we find names of female shareholders, they are there for being wives or sisters or from the family of male shareholders and owners. Moreover, with the emergence of new websites in Lebanon, women are not present in the launching of such projects or being part of their property. Regarding promotion at work, the status of women is still the same, similar to other sectors. In general, they are less promoted than men, whether in terms of promotion in ranking or financial promotion.

Trafficking in human beings, women in sex industry and domestic workers

Trafficking in human beings and women in the sex industry remain among the taboos and part of the society deals with it carefully, trying to neglect it at one time and deny it at other times.

Though Lebanon took a positive step by promulgating a law that punishes human trafficking, annexed to the Lebanese Penal Code as a result of the pressure, efforts and perseverance of many civil society organizations and some interested politicians in this regard, the "Lebanese State does not want to acknowledge the existence of trafficking in Lebanon." Moreover, "the Law on the Protecting Public Health from Prostitution has not been in force since the Lebanese war, and prostitution is addressed as an offense in the Lebanese Penal Code."

As for domestic workers, “not including them in the Lebanese Labor Code, in addition to the guarantee system, and the method of getting workers, encourage and facilitate trafficking”.

Health Care and Reproductive Health

Health care is an important pillar in the advancement of women due to the inheritance of health with different capabilities that a woman needs in order to fulfill all of her roles.

First, we have to point out that paragraphs 1 and 2 of Article 12 are not implemented, even if accepted, as studies reveal that 51.3% do not benefit from any health service, compared to 48.7 who do. This is a very low percentage compared to the enormous government spending on health, as well as the wide array of services provided by the private sector. This means that women cannot access the services as they are not available. This requires more of advocacy so that the State meets its health commitments towards its citizens.

We can say that “family planning services” and reproductive health are available in an acceptable manner, and they meet the needs of women in all lebanese regions. However, reproductive health services still mainly rely on the civil sector.

Rural women

Rural women suffer from several problems and they are an integral part of the problems that women in Lebanon suffer from, in terms of discrimination and stereotyped inclinations, as well as problems on the economic and social levels, coupled with the lack of any governmental development policies.

Women and conflict

Statistics reveal that the women who participated in internal wars were not many, but the women who were subject to war and affected by its results are the overwhelming majority. They were displaced and had to leave, and they were abused. Women did not participate in war decisions, or even in decisions of peace. Women were not members even in negotiating delegations.

Lebanon is still a victim of traditional wars taking place across the borders in light of Israeli occupation of Lebanese territories. Moreover, conflicts between groups have not ceased until now. Therefore, there is an urgent need to legally and culturally institutionalize Resolution 1325.

There should also be legislations that protect women in particular. The main issue is women's mainstreaming in all levels of decision-making (decisions of war, peace, conflict resolution and post-conflict issues) and viewing them on the basis of gender.

Refugee women

The refugee woman in Lebanon suffers, regardless of her background, from accumulating discrimination on the basis of her refugee status and the resulting social and economic uncovered status, in addition to gender-based discrimination. As for Syrian female refugees, a large percentage of them suffer from limited budgets allocated to provide them with health, educational and relief services, in addition to the prevalence of domestic violence.

Status of Women in Lebanon: what has changed?

Introduction

The “Arab Spring” imposes itself on every analysis. It is similar to the earthquake that strikes with no prior alarm, leaving behind different impacts that are still rearranging Arab communities on all levels. Lebanon has not been distant from all what’s going on around. This small country that falls on the borders of the Arab-Israeli conflict in the heart of the Middle East is bordered by Syria in the North and the East, and by the Occupied Palestine in the South, and by the Mediterranean Sea in the West. Yet, it seems to be resistant to change.

Today, at the end of 2012, we can estimate the extent of the negative reflection of what is going on in Syria and Palestine on this small nation. In light of a diverse demographic structure that was exploited politically, confessional groups have turned into what looks like political vetoes. The youth demonstrations which were held in 2011 to abolish the sectarian regime could not destabilize the elements of fanaticism dominating the communal and political awareness.

According to the national study of personal status, Lebanon’s population is estimated to be 3,759,136 people (except for the residents in Palestinian camps), out of whom 96.2% are Lebanese, compared to 3.8% non-Lebanese ¹.

Like other developing countries, Lebanon is witnessing several demographic changes in terms of marriage age, births, deaths and immigration, which is reflected on the demographic structure therein. Females constitute half of the Lebanese society.

1. National Study for Livelihood Statuses of Households, Report on the Status of Livelihoods of Households, Ministry of Social Affairs, UNDP, Central Statistics Administration, International Labor Organization, 2008.

This aforementioned study points out that the average marriage age increased from 31.7 years old in 2004 to 32.7 years old in 2007 with respect to males, and from 27.7 years old to 28.9 years old. The fertility rate reached 1.76 in 2011. The national study on the status of livelihoods of households observed an increase in the number of males, compared to the number of females in age categories less than 25 years. However, the average of males decreases in most of the age groups above 24 years. This might be due to the emigration of males, particularly in these age groups. Lebanon is a democratic parliamentary republic, the cultural and religious diversity of which allowed it to be open to many political movements. Such openness was emphasized in the Lebanese Constitution which provided for the participation of all of its confessions (19), on the basis of equilibrium in public service jobs and their fair distribution. Moreover, the Lebanese Constitution guaranteed confessional representation in the Legislative and Executive Powers. The Constitution tops the Legislative pyramid in Lebanon. The Constitution amended on 21/9/1990 underlined the principle of equality among the Lebanese, as well as the commitment to international instruments. Lebanon consolidated this commitment in 1990 in an introduction that explicitly states, “Lebanon is an Arab nation in terms of identity and belonging, and it is a founding member in the Arab League and commits to its instruments. It is also a founding and working member in the United Nations and commits to its instruments and the Universal Declaration for Human Rights. The State embodies these principles in all rights and fields with no exception.”

It is noteworthy that Lebanon has not responded yet to all international initiatives, especially the Beijing Declaration. It has ratified and concluded many international human right conventions. However, it expressed several reservations on major items in the Convention on the Elimination of all forms of Discrimination against Women, which weakened its influential capacity.

In light of the aforementioned, has the status of women progressed in Lebanon? What are the problems that are still resistant to change?

This report will unveil all of this.

This Report

This is the fourth report submitted by the Committee for the Follow-Up on Women's Issues, in cooperation with civil associations (Lebanese Women Council, League of Working Women, Kafa Organization ("Enough" violence and Exploitation), Lebanese Commission Against Violence Against Women "Al-Asada", Lebanese Democratic Women's Gathering, Ab'aad (Dimensions) Foundation, CREADEL, Family Planning Association, Maharat (Skills) Association, Dar al-Amal).

As usual, this report has been completed in cooperation with a group of women associations and civil associations. The Committee for the Follow-Up on Women's Issues (CFUWI) submitted its first report in cooperation with a group of women association in 1999, which included the major elements preventing equality between both genders in Lebanon. The first report was elaborated with the support of UNICEF-UNIFEM in Lebanon. The second report was accomplished in cooperation with UNFPA and UNIFEM, and the third was completed in cooperation with UNICEF and showed the scarce progress in equality between 2004 and 2007.

Our fourth report which we are completing with civil society organizations and associations, and with UNDP support, shall include positive initiatives towards equality. It will also address the main obstacles hampering equality and standing in the way of lifting reservations off CEDAW.

Our report:

- Is based on the third report which was translated and delivered to the CEDAW Committee in 2008.
- Accurately examines the development made since 2008, especially in the wake of the progress on the legislative and executive levels carried out by the successive governments and the struggles of the women and civil movements to achieve equality.

- Underlines the issues that still need procedural interventions by the government and which nongovernmental organizations hope would be discussed by the CEDAW Committee.

This report was completed with the participation of most women and civil organizations involved in the elimination of all forms of discrimination against women. A series of meetings were held with these organizations to determine the priorities according to the items of the convention and distribute the tasks according to specialization.

Associations working for the purification of laws of discrimination against women

Committee for the Follow-Up on Women's Issues (CFUWI)

Lebanese Council of Women

Lebanese Women Network: includes 13 associations involved in the progress of women

Lebanese Democratic Women Gathering

League for Lebanese Women's Rights

ABAAD

Dar al-Amal

Working Women League in Lebanon

Lebanese Council to Resist Violence Against Women

Kafa Organization ("Enough" violence and Exploitation)

Collective for Research & Training on Development-Action (CRTDA)

National Gathering for Elimination of Discrimination against Women

PART ONE

TOWARDS EQUALITY



1- Limits and Limited scope of Achievements

Promise of equality between both genders in Lebanon remains a promise. Since the second report in 2004, three governments took office in Lebanon, all of which included in their ministerial statements a promise to achieve equality and integrate the concept of gender in all financial, economic and social policies. These governments and the succeeding governments pledged to “implement all of Lebanon’s commitments as per the recommendations issued by the Beijing World Conference in 1995.”

The ministerial statement of this present government stated “Our government is committed to enhance the role of women in public life in cooperation with the concerned women organizations, based on the contents of international agreements, namely CEDAW via adequate legislations. Our government will work on enhancing women’s participation in political life and on boosting their presence in official administrations and institutions, especially in leadership positions.”

However, nothing has been achieved so far. However, a decline in women’s political participation has been noted, whether in the Parliament, where this percentage decreased from 4.8 to 3.13 or in the Executive Power, as the last Cabinet formation was entirely masculine, and women were totally excluded from this government.

If we had to note some of what was achieved in reference to the meager women quota in the draft electoral law prepared by the current government, and which does not exceed 10% in candidacy, some of the laws completed, such as the abolishing of Article 562 of the Penal Code or those relevant to the Fiscal Law and the equality between the female and male employee (Article 44 of the draft budget of 2010) were basically in contradiction with the Constitution, and the achievement that took place is not a grant from anybody. It is the fruit of lengthy struggle led by the women’s movement, and yet, it remained incomplete and discriminatory

against women in some articles as we will see later.

The most important achievement in 2013 is the registration of the first civil marriage that was held in Lebanon which is considered a victory to the civil, feminist and human rights movements, also the significant role played by the political will that confirms the importance of the role of this will in the required community changes.

2- Upholding Reservations

Back in 1996, the Lebanese State concluded CEDAW as per Law No. 592 which entered into effect on 1/8/1996. However, this conclusion included some reservations regarding basic matters to achieve equality. As we know, such reservations deprive women from equality before the law and deprive them of their full citizenship. Reservations on paragraph 2 of Article 9 relevant to citizenship are still ongoing. The efforts of women and civil associations in transferring it to the Parliament have been futile. Moreover, the reservation regarding Clauses (c), (d), (f), and (g) of the following paragraph of Article 16 relevant to Personal Status is still upheld. Its supporters have become more diehard, and hence, it was not laid out for discussion in the Parliament. In addition, the reservation regarding Article 29 on conflict resolution still upholds.

The Articles towards which Lebanon expressed reservation

<p>Article 9</p>	<p>States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.</p> <p>States Parties shall grant women equal rights with men with respect to the nationality of their children.</p>
<p>Article 16</p>	<p>States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:</p> <p>(c) The same rights and responsibilities during marriage and at its dissolution</p> <p>(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;</p> <p>(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;</p> <p>(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount,</p>
<p>Article 29</p>	<ol style="list-style-type: none"> 1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court. 2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation. 3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Though the advancement plan of women has become a fundamental part of the National Plan for the Advancement of Human Rights in Lebanon, this plan has not seen the light yet and runs into the same hardships hampering the consolidation of the principle of equality between men and women.

We have to point out here the other track looming in the horizon. The Women and Children Parliamentary Committee contributes now, even if not enough, to assisting the women's movement in its struggle for equality, especially in terms of political participation and the amendment of some articles relevant to the Penal Code. The National Committee for Women's Affairs completion of the national strategy for Lebanese women, in collaboration with the civil society, will give great impetus to women's issues. The women's movement today looks forward to supporting this committee in its struggles for more influential power on decisions made regarding people's lives and their position in society.

PART TWO

Priority Fields



1- Priority for Laws

The term “priority” here does not mean preference among fields; however, we are being more specific, which is necessary to help draw a roadmap for the Lebanese women movement.

If the abolition of laws discriminating women is considered an absolute priority in this regard, the cultural and political practices are not less important in light of a masculine culture dominating all economic, political and social aspects of life.

Where are we in terms of equality before the law?

International declarations and agreements have major significance in triggering the women’s struggle in Lebanon. We have to admit that concluding CEDAW with all the reservations expressed by Lebanon towards some of its articles contributed and still does in mobilizing efforts and boosting the struggle of the women movement for the sake of equality between men and women in all fields.

Lebanon has ratified other agreements that have contributed and still contribute in the issue of equality between men and women,

- Convention on the exploitation of women in underground labor in 1937 (signed in 1946)
- Convention No. 100 relevant to equality in wages and salaries, Convention No.111 relevant to discrimination in employment and profession
- Convention concerning the employment of women during the night in 1948 (signed in 1977)
- Universal Declaration of Human Rights 1948
- International Convention on Women's Political Rights in 1953 (signed in 1955)
- The Convention for the Suppression of the Trafficking in Human beings and of the Exploitation of the Prostitution of Others in 1949 and the complementing protocol in 1956
- UNESCO agreement on non-discrimination in education in 1964
- Labor Policy Agreement in 1964 (signed in 1977).
- International covenant on civil and political rights in 1972.
- International Covenant on Economic, Social and Cultural Rights in 1972.
- Convention on the Elimination of all forms of Discrimination against Women in 1996
- Universal Declaration on Elimination of Violence against women

Knowing that Lebanon has not concluded till date many international conventions due to Lebanon's persistent reservations towards issues related to the Law of Citizenship (Article 9 of the Convention),

And Personal Status Laws (Article 16 of the Convention)

It is worth noting that the Lebanese Constitution issued in 1926 and amended in 1990 does not include any discriminatory text against women. On the contrary, it emphasizes equality among all the Lebanese before the law without any discrimination.

- Article 7 regarding equality in civil and political rights
- Article 12 regarding equality in assuming public service jobs
- Article 21 regarding electoral qualification
- Article 2, 9, 10 and 12 which consecutively underline personal freedom, the freedom of belief, freedom of education, freedom of opinion, and freedom of association.

Moreover, the principles in the introduction of the Constitution are an integral part of it.

Even though Lebanon established a commission to update the laws after it entered into the phase of peace, such updating has been restricted so far to a small part of the series of demands forwarded by the women movements. Moreover, promulgating new laws that would contribute to the implementation of the convention have not materialized yet.

The progress made in the implementation of the convention in the laws issued since 2004 can be measured according to the following order:

- **Law of Citizenship**
- **Penal Code**
- **Personal Status Laws**
- **Labor and social security laws**
- **Draft law for the protection of women from domestic violence**

1-1 Citizenship Law

The Lebanese citizenship law issued in 1925 and amended on 11/1/1960 still discriminates the Lebanese women, as it explicitly states that women are not capable of granting their citizenship to their children: “A person is considered Lebanese if born to a Lebanese father.”

The legal discrimination against women in the Citizenship Law appears clearly in the blatant rejection of the Lebanese government to acknowledge an equivalent right to women and men at this level. As such the Lebanese official reservation towards clause (2) of Article 9 of the Convention is still persistent.

Article 9 of CEDAW

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

This law was given priority for considerations that the position rejecting its amendment or the lift-off of reservation is not related to a religious matter and does not provoke religion that still dominates the political life in Lebanon.

The study entitled, “Status of Lebanese women married to Non-Lebanese men”² revealed that the rejections echoed by the politicians regarding the logic of amending the current Citizenship Law are based at best on “lack of knowledge” of the status of those women and their problems in their households.

2. Dr. Fahmia Charafeddine, “Status of Lebanese women married to non-Lebanese men”, analytic field study, 2009.

Discrimination against women in the Lebanese citizenship law falls in three points:

- The mother's inability to pass her nationality to her children.
- The mother's inability to pass her nationality to her husband.
- Discrimination between the original Lebanese mother and the foreign mother who acquired her citizenship from her husband. The latter is entitled in case of her divorce or in the event of her husband's death to grant her children from another marriage her nationality, but the Lebanese mother cannot.

Lebanon expressed reservations towards clause 2 of Article 9, and the government justifies these reservations as being part of a political plan that would ban the settlement of the Palestinians on its territories, in accordance with the provisions of its Constitution and other agreements against settlement.

However, this is not accurate, as the study revealed almost complete balance in the marriages of the Lebanese ³. The campaign "My citizenship is mine and theirs", carried out by the Committee for the Follow-Up on Women's Issues for 2 years, with the support of UNDP, and pursued for another year with the support of IFES, in addition to other campaigns led by women and civil associations and bodies, has pushed this issue to media and political discussions. The National Commission's has adoption of this issue and its inclusion in the national strategy have a positive impact. As the issue was discussed for the first time in the Cabinet, where a ministerial committee was formed to further study the matter.

3. Dr. Fahmia Charafeddine, "Status of Lebanese women married to non-Lebanese men", analytic field study, 2009.

Commissions working on the amendment of the Citizenship Law indirectly

Committee for the Follow-up on Women's Issues

Lebanese Democratic Women Gathering

Lebanese Council to Resist Violence against Women

CRTDA

National Gathering for the Elimination of Discrimination against Women

League for Lebanese Women's Rights

Working Women League in Lebanon

Nongovernmental organizations that campaigned for the amendment of the Citizenship Law

- Campaign: "My citizenship is mine and theirs" (and it includes 8 civil associations and research groups), and this campaign was coordinated and carried out by the Committee for the Follow-up on Women's Issues
- Campaign: "Because they are my children, my nationality is their right" (National Gathering for the Elimination of Discrimination against Women)
- Regional Campaign: My nationality is a right for me and my family (CRTDA)

Despite the efforts deployed by the civil society and the different national campaigns led by its organizations, we see:

1- The only government initiative in this direction was the formation of the ministerial committee to discuss this law. This committee has only convened three times and almost "secretly", and the civil society did not participate in these meetings.

The Committee issued afterwards decision n° 46 -a very discriminating law against women- in which it rejected the draft law concerning the granting of

nationality by a woman to her children and her husband. Instead, the Committee elaborated some procedures that are likely to ameliorate the condition of children of the woman married to a foreigner. But women civil societies and committees did not accept, and are still following up the amendment of the Citizenship law.

2- The government has no strategies to lift the reservation off paragraph 2 of Article 9. As for those initiatives which enabled the children and the husband to obtain long residencies (3 years) and the labor decree issued on September 28, 2011 which allows the work of the children and husband of a Lebanese woman, we believe they are insufficient, even if they have facilitated to a certain extent the life of many families.

Yet, it is noteworthy that the amendment of the Citizenship Law constituted one of the objectives of the National Strategy for Lebanese Women which was issued in 2011.

The fundamental demand of nongovernmental organizations is the amendment of the Citizenship Law under the roof of equality between men and women, pursuant to the provisions of Article 9 of the convention and lifting the reservations off this article.

1-2 Penal Code

Efforts of the Women's Movement since the 70's of the last century have resulted in the abolishment of Article 562 of the Penal Code as per Law No. 162, dated 17/8/2011. However, the abolishment of this article from the Penal Code is not enough on the legal level. The perpetrator of a murder can still benefit from another article in the Penal Code- Article 252- that stipulates the following: The perpetrator of the crime benefits from the mitigating excuse for the crime he committed while he was in extreme anger resulting from an unlawful and a dangerous act by the victim." From the social cultural aspect, the Lebanese government has not adopted any procedure to amend the erroneous concepts that are socially prevalent regarding the concept of "honor." Moreover, the Administration and Justice Committee has been studying for dozens of years the abolishment of discriminatory texts in the Lebanese Penal Code- which reach 38 articles related to equality between both genders. Lingering in progress on this level is attributed to several factors, among which are: not taking the issues of gender equality seriously; taking into account religious standards, as some MPs are keen on not voting any text that does not respect these standards, even if these standards are flagrant violation of women's rights.

Moreover, the Lebanese law discriminates against women in the fulfillment of the conditions of "adultery, and in the sanction, and also in the articles from 503 to 522 relevant to rape, adultery, assault and harassment.

Article 522 is still in force, whereby this article exempts the abductor and the rapist from punishment in case he concluded a "true" marriage contract with the victim, despite the campaigns undertaken by the civil society to abolish this article from the Penal Code. Girls often resort to the acceptance of the marriage contract to avoid a "scandal", especially that proving the incorrectness of marriage requires years of judicial procedures, and the majority of victims cannot tolerate that.

While the civil society demands the abolishment of the legal texts relevant to adultery crimes from the Penal Code (Articles 487, 488 and 489), the Administration and Justice Committee still insists on maintaining these sanctions to “preserve the family”.

Moreover, the Penal Code still incriminates homosexuality, and punishes it as per Article 534, being an “unnatural” sexual activity. Even if this article is rarely used against women in court, the mere existence of this article violates the principle of equality, and is in contradiction with the State’s commitment to respect, protect human rights, not discriminate, secure equality and ban torture. Moreover, there is no acknowledgement of “unmarried mother” status in Lebanon.

The government should pursue working on the amendment of the Penal Code to be in accordance with Lebanon’s commitment and as per paragraph (f) of Article 2 of CEDAW.

Paragraph (f) of Article 2

To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women

NGOs working for the abolishment of discrimination against women in the Penal Code

Committee for the Follow-up on Women's Issues
Lebanese Council to Resist Violence Against Women
Lebanese Democratic Women Gathering
League for Lebanese Women's Rights
Lebanese Council of Women
Progressive Women Union
Lebanese Family Planning Association
Association of University Lebanese Women
Lebanese Association for Human Rights
Working Women League in Lebanon
Institute of Women Studies in the Arab World/ Lebanese American University (LAU)
Association of Al-Mouasat and Social Services
National Gathering for the Elimination of Discrimination against Women

1-3 Personal Status Laws

Lebanon is still subject to the plurality of legislations and courts in personal status matters, and there are two types of provisions relevant to personal status: one type that all the Lebanese are subject to, and that is not related to confessions; and another that is left to the authority of confessions. The different types of Personal Status laws are marked by discrimination against women. Even if these laws are very diverse in their directions and details related to qualification, conditions of marriage, adoption, divorce, custody, alimony and inheritance, they all do not treat women on the foot of equality with men.

The confessional and sectarian personal status laws in force in Lebanon since the establishment of the State in 1926, and all the negative repercussions and consequences resulting from their persistent implementation are affecting the woman as a human being, the family as a fundamental unit in building society, as well as the society as whole, in addition to the challenge facing the Lebanese State and that is embodied primarily in the “prosperity” of the religious confessions in our country and their manifestation as highly influential forces.

This is how we notice that change in personal status in Lebanon is still difficult to achieve, and the reservations expressed by Lebanon towards Article 16 of CEDAW are still in effect. The government has no intention or does not give any sign of amending this article or discussing it.

Nevertheless, a slight change took place in the efforts of women movements in Lebanon. For the first time, the Parliament accepted to receive a draft law on personal status. Yet, this law has not been discussed so far. However, the women’s movement started working in this direction despite all the religious obstacles erected by the confessional society in Lebanon.

We have to note there that the national strategy that was issued in 2011 did not set

the acknowledgement of a civil law for personal status as one of its objectives. However, it included it in a small paragraph on the legislative and regulatory level, as it called for the “necessity to draft a unified law for personal status which all the Lebanese are subject to”⁴.

All personal status regulations ban extramarital relations in Lebanon, and marriage is a religious contract and a social contract subject to binding provisions. All relations between men and women outside this framework are not recognized. Moreover, the prevalent pattern here is for Lebanese families to get married before religious contract, but the Lebanese State acknowledges the civil marriage contracted outside Lebanon. Conflicts are subjected to the law of the place where the marriage contract was held. The official registration of marriage and divorce are legally binding, and procedures are carried out before the Civil Status Department.

There remain some marriages that are not registered, such as temporary marriage contracts which bear different names. We cannot forget the negative influence of non-registration on women, especially when a woman is pregnant.

Regarding consent, it is a condition for the conclusion of marriages in all confessions. However, it runs into some restrictions that limit a woman’s freedom to choose the spouse with the Sunni sect. She is treated like a minor as there is a condition that her guardian should approve the marriage in the Hanafi doctrine. A mature adult girl can wed herself in the Jaafarite sect. However, in reality, the Jaafarite religious courts are strict in requesting the presence of the father and his permission to conclude marriage. The Islamic law entitles the guardian to annul the marriage of the adult if she is married to an incompetent man (Article 47 of the Family Rights Law). **Despite the accelerating increase in the age of marriage in Lebanon with respect to males and females, confessions do not have a common marriage age. Every sect sets a minimum age for marriage.**

4. National Commission for the Lebanese Women, National Strategy for women in Lebanon, 2011-20121, p. 23

Since marriage is concluded before religious courts, it is dependent on the different laws to verify that the consent condition is met. **The Lebanese State does not play any role in guaranteeing that all marriages are concluded with the full consent of both parties, and it cannot verify that as long as the entire matter is left to religious courts.**

In terms of rights and obligations, the husband's rights include the right to obedience and living with under one roof and going with him wherever he wants and removal of any contestation. If the wife violates that, he may file an obedience lawsuit due to disobedience, and the right of alimony is voided if disobedience is proved. The wife's rights comprise the maturity of the dowry and the due alimony, such as house, clothes, food and good treatment. Therefore, spending is conditional on obedience, and obedience supposes a husband's right to have a wife subordinate to his wishes or else she will be labeled as disobedient.

Regarding the plurality of wives, some personal status laws in the Hanafi and Jaafarite sects allow it without any conditions or restrictions. A woman does not have the right to object or request divorce based on this reason. The Druze and Christian sects have banned the plurality of wives.

With respect to divorce, men and women are not entitled to divorce for the same reasons. Provisions of the Shari'a stipulate a man's absolute freedom in divorcing his wife, and he has this right without waiting for the wife's consent. Moreover, some laws prevent women from requesting divorce.

As for defining the custody period, the main demand of women movements was, and still is, a civil law for personal status that preserves women, men and children rights stipulated in international conventions. Every child in Lebanon is subject to a custody age that differs according to sects, without taking into account the child's interest. A woman's right to custody is voided if she got married during the custody period of her children, and her right will be limited to visitation for certain hours weekly.

The women's rights network led a coalition for the women's movement to amend the custody age in all confessions. So far, it achieved the amendment of the custody age in three sects, the Sunni: until 12 years for males and females; the Orthodox: 14 years for males and 15 years for females; the Evangelical: 12 years for males and females. However, this age did not change in other confessions. This is regarded as an achievement, even if not sufficient, due to the fact that these laws have not never been amended for more than 50 years.

With respect to guardianship, it is given to the father and the grandfather after him.

There remains the marriage of children which is recognized in Lebanon, and texts do not provide for an age that is in conformity with Lebanon's commitments in the Child Rights Convention which sets it at 18 years of age.

The achievement made on 1-10-2012 where the first civil marriage took place in Lebanon, was dedicated by registering this marriage on 25 April 2013. Although this marriage is a victory to the civil movement, but still need a lot of work in order to issue a civil law for personal status.

1-4 Labor and Social Security Laws, and Fiscal System

Article 12 of the Lebanese Constitution guaranteed everybody's right to have access to jobs in the administration. "Every Lebanese has the right to assume public service jobs, with no preference of someone over the other, except in terms of merit and competency." The Constitution underlined equality among all the Lebanese in Articles 7 and 9 and in the Preamble of the Constitution.

1-4-1 Labor Code

The Lebanese Labor Code was issued in 1946, but it did not look deeply into the status of working women because a woman's presence was rare at work places. Moreover, the presence of educated woman was also rare at that time.

The Labor Code was amended regarding women just once, as a result of the signature of CEDAW and the lobbying of women's associations. That was back in 2000 as follows (article 26-28-29 and 52), including:

- Prohibiting the employer to discriminate on the basis of sex between a male and female worker regarding the type of work, employment, promotion. However, it did not set a sanction when this article is violated.
- Modifying maternity leave from 40 days to 7 fully paid weeks, and she may not be laid off during maternity leave and during pregnancy (banning used to be from 5th month), knowing that the labor code set protection measures for women and children in one chapter.

However, practices on the ground are in violation of the principle of equality, especially in the private sector in terms of: wages, promotion, advancements, advanced and repeated vocational training.

The Labor Code also excluded in its provisions domestic workers and those working in rural areas who are not affiliated with agricultural institutions, knowing that the real situation in Lebanon reveals that the majority of those workers are women.

1-4-2 Social Security Law

The Social Security Law was promulgated in 1963, shyly acknowledging that a working woman is a right holder and that she supports a family or takes part in supporting a family. The law united between the insured woman and the insured man in terms of all the guarantees, except for her joining the service when she is pregnant. The law punishes her for being pregnant, as she does not benefit from the fund unless she has subscribed for 10 months at least. (Everybody benefits 3 months after they join).

It did not clarify in Article 14 that the term “insured” means the “insured male and female” regarding her support of her family and benefit on behalf of her children. Thanks to the efforts of the civil society, Article 14 of this law was amended to emphasize that the text “the insured” means the “insured male and female”, and hence working women benefited from health insurance and family benefits on behalf of their children.

1-4-3 On the Fiscal level

The Ministry of Finance listed two articles in the draft budget of 2010 that allow women to benefit from deduction and transfer fee. Article 44 stipulated that in case each of the spouses are taxpayers, each of them benefit from the deduction given to the single, and if the spouses have kids, the husband and wife choose who among them benefits from the additional deduction for children.

Regarding the transfer fee, a clause of exemption was added when the inheritor has a wife.

• Laws in inertia

- So far, there is no old age insurance for men and women alike, and until this date, no amendment was made for the legal texts for the sake of women in labor and security since the last CEDAW report in 2008.
- There is no law that bans and punishes sexual harassment at workplace.
- Despite the many memoranda submitted to decision makers, it has not been

officially decided to separate and modernize the provisions on the protection of women from conflict in the Labor Code.

- No Paternity leave has been decided even for one day.

- It was not officially decided to modernize the provisions on the protection of women from incidents in the Labor Code.

There are some draft laws and demands forwarded by the Civil Society which were adopted by the National Commission for the Lebanese Women Affairs, and they are still considered as unrealized demands, and they include:

- Maternity Leave: A draft law was referred to the Parliament for endorsement. It provided for extending the maternity leave in the public and private sectors from 7 weeks and 60 days to 10 weeks for everyone, and adding the category of female and male farmers to benefit from the provisions of the Labor Code (Article 7 of the Labor Code).

- A draft law that enables the husband of the insured woman to benefit from social security health benefits when he is not employed or insured by any authority.

- A draft law for the insured woman to benefit on behalf of her husband regarding family benefit if he does not work, just like her insured colleague man.

It is noteworthy that the implementation of laws is still dependent on the prevalent culture. Every text that may be interpreted is interpreted according to the discretion of the Social Security Fund alone and in contradiction with the law against the interest of the working woman and her family (knowing that the Labor Code and the Social Security Law should only be interpreted by the legislator or the Judiciary).

Though the Lebanese State ratified the International Labor Convention, some conventions have not been ratified yet.

International Conventions related to the working woman which have not been ratified by the Lebanese State

- Convention No. 103 related to the Protection of Maternity
- Convention No. 156 related to equal opportunities and equality in treatment of workers from both genders with family responsibilities
- Convention No.177 concerning Home Work

1-4-4 Economic Participation

The prevalent culture and the acute division of stereotyped roles according to gender in the Lebanese society hamper any remarkable progress in women's participation in the economic field. According to the national study of household livelihoods, females constitute 24.7% of the total labor force, compared to 75.3%, which clearly indicates the disparity between the participation of females and males in the economic life despite the increase in working women by around 1.4% compared to 2004. The largest share of women's jobs is concentrated in the services sector (mainly in the health, educational, banking and tourism sectors), which is an extension of a woman's traditional role. Moreover, the working hours in this sector is more adequate with a woman's capacity to coordinate between her work and family duties which are completely laid on her shoulders.

The percentage of women occupying high posts at work and their participation in jobs that are traditionally considered as men's jobs is very low, compared to the educational qualifications they have, according to the table below it reached 4.1% for women and 14.4% for men, noting that the labor force in Lebanon has decreased significantly compared to year 2004 due to the political crisis which reflected negatively on the economic side, raising the unemployment rate and prompted young people to emigrate.

Distribution of workers according to professions and gender

Categories of professions	Females	Males	Females & Males Together
Senior cadres and directors	4.1	14.4	11.9
Specialists	20.0	7.1	10.3
Middle professions	19.1	6.6	9.7
Administrative employees	14.4	5.3	7.5
Workers in Services Sector and salespeople	14.1	11.0	11.8
Fishing and Agriculture	5.2	20.6	16.8
Skilled workers	5.2	20.6	16.8
Drivers of buses and vehicles	0.9	10.8	8.4
Non-skilled workers	19.3	8.7	11.3
Military and security forces and partisan forces, including those working in private security companies	0.1	10.0	7.5
Lebanon	100	100	100

Source: Ministry of Social Affairs, Administration of Central Statistics and UNDO, ILO, National Study for Household Livelihoods in Lebanon, 2008

1-5 Suppression of violence against women

On the political level, the Lebanese State made some progress by acknowledging the problem of violence against women. For the first time in its history, it acknowledged the existence of this phenomenon and the necessity to combat it. The ministerial statement of the government that was formed end of 2009 included an explicit text that stated the existence of this phenomenon and the necessity to combat it. The text included a pledge that the government “will work on adopting a plan to combat violence against women, including, including the finalization of the draft law on the protection of women from domestic violence which was forwarded by the Civil Society. It will also elaborate policies and legislations to fight women and children trafficking for sexual exploitation and coercive work” (paragraph 22 of the ministerial statement). The Speaker, and during his first address before the elected Parliament in 2009, urged the endorsement of legislations to fight this phenomenon.

On the legislative level, examining repeal of discriminatory texts in the Penal Code is regarded as a small step towards the governmental-official acknowledgement of the problem of violence against women and the necessity to take measures and procedures with regards to that problem. Yet, completing the efforts of the civil society is still indispensable in this regard to put pressure for full recognition and provision of legal protection of women from domestic violence and gender-based violence. Moreover, it is urgent to note the patriarchal culture and the confessional political regime that still governs families, and which hamper the development of women’s status on this level.

The major manifestations of this confessional political regime are embodied in the contradictions in the Lebanese Constitution between Article 7 (that endorsed equality of the Lebanese before the law) and Article 9 (that gave the different confessions the right to regulate themselves), which made way for vast violations of women’s rights and gave the clergy the right to object against any modernization of the law which they believe is an intervention in their affairs.

It is noteworthy that the right given to the heads of confessions to review the constitutionality of the laws before the Constitutional Council regarding the personal status (Article 19 of the Constitution) represents a substantial constitutional obstacle impeding the endorsement of Civil Law for Personal Status.

The Lebanese Parliament started studying the draft law on Domestic Violence submitted by the civil associations, and the first thing that the government did was generalizing the law to include all members of the family instead of being a law for women only.

And the law that was approved by the parliament on 1 April 2014 changes the concept of marital rape and turned the article from incriminating rape to incriminating the use of threats, abuse and harm to get “marital rights” as they have been described, instead of incriminating the act by itself, and this is what made the law lose its efficiency in this regard. Sexual harassment is still not in-criminated, as there is no special law that governs this widespread phenomenon, whether in work places or in public ones.

Official interest in addressing violence against women is still incomplete, as it did not yet reach the level of drafting integrated public policies to be adopted by all ministries.

Nevertheless, some progress has been detected in terms of the public policies of the government and services by the civil society in combating violence against women:

On the level of policies:

- The National Women Strategy has been issued by the National Commission for Lebanese Women Affairs which included- for the first time- the issue of combating violence against women as one of the 12 strategic and major objectives, though it is necessary to crystallize it via methodological plans of action and allocate a government budget to implement it.

- For the first time in Lebanon, the National Technical Taskforce for the Elimination of Violence Against Women was established, and it is chaired by His Excellency the Minister of Social Affairs, and in partnership with Aba'ad Foundation in March 2012 in order to unify the working tools to meet the needs of women who survived violence in Lebanon and develop codes of conduct across the sectors.
- A circular was issued by the Lebanese Health Ministry in which all doctors are asked to commit to reporting cases which they doubt are cases of domestic violence.

On the level of services provided by the civil society:

- Developing a service for the rehabilitation of men with violent behavior
- Inauguration of a "Protection" center for female/male minors who fall victims of sexual violence in Lebanon
- Establishment of Dar al-Hanan Center to accommodate women who are victims of violence.
- Expand the capacity of the Mariam and Martha Association Center to accommodate more than 40 surviving women from violence at the same time.
- Naswayia Association's initiative to draft a law to incriminate acts of sexual harassment at work places.

It is noteworthy that the entire society is still waiting for the promulgation of a law to protect women from domestic violence.

Associations involved in combating violence against women

- “Kafa” (Enough) against violence and exploitation
- National Coalition for the legislation of women’s protection from domestic violence (includes 50 associations)
- Committee for Follow-Up on Women’s Issues
- ABAAD
- Lebanese Democratic Women Gathering
- Dar al-Amal
- Lebanese Council to Resist Violence against Women
- Nasawiya Association
- Mariam and Martha Association
- Al-Najda (Coalition Group)
- Family Planning Association in Lebanon for the Development and Empowerment of families

2- Progress Made in the fields of boosting equality

2-1 Education a tool to reach full equality

Article 5

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- (a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;
- (b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;
- (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programs and the adaptation of teaching methods;
- (d) The same opportunities to benefit from scholarships and other study grants;
- (e) The same opportunities for access to programs of continuing education, including adult and functional literacy programs, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;
- (f) The reduction of female student drop-out rates and the organization of programs for girls and women who have left school prematurely;
- (g) The same Opportunities to participate actively in sports and physical education;
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Education is regarded as one of the main fields that have accumulated remarkable success in Lebanon. The gap has narrowed down in all phases of education, provided that there slight disparities started emerging in the types of education due to the wars that Lebanon has been witnesses since it entered in the phase of civil peace (repetitive Israeli aggressions, particularly the 2006 war).

2-1-1 Enrollment rates

The annual statistics published by the Educational Center for Research and Development clearly reveal that the school enrollment rates still suffer from inequality especially in private schools, where discrimination in the numbers of those enrolled in private education appears: 51.6% for males and 48.4% for females.

Net enrollment rate according to the educational stage and gender

Net Enrollment Rate	Primary Education: First cycle & second cycle (or Elementary Phase)	Phase: Primary 3rd Cycle or the Intermediate Phase	Secondary Phase
Net enrollment rate for males	92.8	69.2	50.7
Net enrollment rate for females	93.4	75.1	56.5
Net enrollment rate for males and females in 2007	93.1	72.0	53.5
Net enrollment rate for males and females in 2004	92.7	69.4	49.4

The third report revealed that the percentage of school drop-out is 2.15% among females and 5.1% among males. The statistics bulletin for 2011 does not indicate any percentage of school drop-out. Yet, we believe that this percentage is increasing given the hard economic situation that Lebanon is passing through, especially with the lack of any serious implementation for the Law on the Rights of the Child and Ban of Child Labor.

2-1-2 Vocational and Technical Education

The percentage of enrollment in vocation and technical training is increasing especially on the level of Technical Bacculaureate, given the demand on technical labor force which increased with the development of technology. However, the distribution of females and males according to types of education shows once again the reflection of the prevalent male culture that pushes females towards specific majors and not other ones. Statistics show the females' great interest in majors such as: Nursing Care, Laboratory Sciences, Media and Specialized Education. However, their percentage decreases in the industry of optical devices, accounting, Information technology, electronics and communications.

2-1-3 What do girls learn?

In Lebanon, there are 39 universities that comprise 192138 male and female students in 2011. The percentage of females enrolled in these institutions reached 52.4%, where they predominate males whose percentage reached 47.6%. Even if the females' superiority is mostly concentrated in theoretical sciences; however, many breakthroughs make us expect some sort of quantum leap in the choice of girls. Some progress has also been observed in the choice of female students for scientific streams.

Comparison among some majors in the Lebanese University reveals that females excelled in architecture, interior design, computer science, general medicine, dentistry, pharmacy, nursing, laboratory sciences, zoology, botany, physiotherapy, chemistry, physics, biological and natural sciences, mathematics, statistics, economics, banks and financing, business administration, Managerial IT, documentation, Telecommunications Engineering, social sciences, geography, geography, French literature, English literature, Arabic and oriental literature, psychology, French language, General Law, arts, drama, music, tourism, translation, advertising, fashion design, anthropology, teaching of English, nutrition, physical education, conservation of food, pedagogy and education, economics, management, legal midwife, social and health guidance and rehabilitation,

journalism, radio and television, environmental management, nursery education, management and accounting, demography, marketing, specialized dentistry, orthophony, audio-visual media, photography, arts, health, teaching of Arabic language, mathematics, chemistry, sciences, labor code, special law, penal code, media, water engineering, management, financial management, microbiology, IT, teaching of social sciences, languages and communication, landscaping, management of environment systems, finance and economics, agricultural management, administration and libraries, Italian language, mathematics and statistics, public relations and advertising, information sciences, media and communication.

Based on these statistics, it appeared that females have entered into new majors where their number was superior to men. However, they did not register at all in the following majors: technical expert engineering. The number of males and female were very close in other majors.

2-1-4 Literacy and education of adults

The UNESCO report of 2003 points out that Lebanon is among the countries that may not attain the objective of elementary education by 2015. Moreover, Lebanon is at risk of not achieving equality in education between male and female, and of not decreasing the percentage of illiteracy among mature by the half.

the table below shows that illiteracy rate has increased to 9.3 in 2007, and that illiteracy rate women remains double illiteracy rate among men, as it attained 12.4 for women compared to 6 for men.

Illiteracy rate in Lebanon according to age group and gender

Age group	Illiteracy rate in males	Illiteracy rate in females	Illiteracy rate in males & females in 2007	Illiteracy rate in males and females in 2004
10-14	1.0	1.6	1.3	0.5
15-19	1.3	1.1	1.2	1.0
20-24	1.9	0.7	1.3	1.5
25-29	1.8	1.9	1.8	2.3
30-34	2.8	3.6	3.2	2.5
35-39	2.5	5.2	4.0	4.2
40-44	3.8	7.0	5.6	5.8
45-49	3.7	10.8	7.6	9.2
50-54	5.4	15.0	10.5	15.3
55-59	8.6	24.0	16.8	19.4
60-64	13.2	34.9	24.7	29.3
65 years & above	27.0	56.0	41.4	41.4
All at the age of 10 or above	6.0	12.4	9.3	8.8

Source: Ministry of Social Affairs, Administration of Central Statistics and UNDO, ILO, National Study for Household Livelihoods in Lebanon, 2008

2-1-5 Literacy Interventions

The educational system in Lebanon is known to be formal education. Therefore, the literacy interventions in Lebanon are still scattered and have not advanced to the level of strategy that sets a schedule for achievement of objectives.

According to the official statistics by the National Committee on Literacy and Adult Education at the Ministry of Social Affairs, there are no new statistics other than those published in the previous report that states that the total number of male and female beneficiaries from sessions of literacy and adult education reached during years 1997 to 2006 (i.e. since the launching of the literacy program) 21,613 male and female beneficiaries, i.e. an average of 2,000 beneficiaries yearly. 85% of the beneficiaries are females, while the remaining are males. Though Lebanon has contributed to the formulation of recommendations issued by world conferences and endorsed them, especially in terms of abolishment of disparities between both genders in education and the elaboration of educational

programs to meet the needs of gender equality, none of these objectives has been achieved. Enrollment chances still show disparities between males and females, especially regarding the choice of types of schools. It is true that the successive governments after 2005 pointed out in their ministerial statements the implementation of declarations and conventions that Lebanon has concluded or ratified, but these references have not found their way to enforcement.

2-1-6 Gender mainstreaming in educational policies

Gender mainstreaming and the elaboration of frameworks and planning operations, implicitly means the existence of an institutional planning system that works towards gender equality.

The national strategy underlined the importance of integrating the gender perspective in the State's public policies; however, this, too, is pending enforcement. The entire study of the general education curriculum conducted by the Civil Committee for the Follow-Up on Women's Issues, in cooperation with the educational center, revealed that completing the process of modernization and educational assessment of the curricula requires new standards to compose books, especially those of the Arabic language, National Education and Civics.

Some of the NGOs active in literacy and adult education

Humanitarian Rehabilitation and Literacy Association

Islamic Charitable Makassed Association

Islamic Charitable Mabarrat Association

Islamic Charitable al-Ma'ref Association

Al-Najda al-Shaabiya

Karakoz Foundation

Lebanese Democratic Women Gathering

Northern Forum for the Disabled

League for Lebanese Women Rights

Rene Mouwad Foundation

Al-azm and As-Sa'ada (Determination & Happiness) Association

Institute of Women studies in the Arab World/ Lebanese American University

2-2 Women in decision-making and political participation

Article 12 of the Lebanese Constitution states that every Lebanese citizen has the right to access public service jobs, and there is no preference of one over the other, except in terms of merit. Lebanon is a democratic republic that adopts the liberal economic system. Its parliamentary regime stipulated by the Constitution and protected by the laws enables wide participation of the people in the political life. Neither the Constitution nor the civil law distinguished between men and women in political rights. The laws treat men and women equally in Lebanon in terms of political rights and citizenship. On the practical level, the a woman's political participation remains inferior and marginal, which constitutes a problem that hampers her empowerment and advancement, as well as her consideration as a full partner in the administration of the State and society.

2-2-1 In Parliament

In 2005, there were 6 women out of 128 parliamentarians, i.e. 4.6%. This rate decreased to 3.13% in 2009. While the government brags about holding “the most democratic elections”, there were only 12 women who ran as candidates in the elections of June 2009, compared to 587 male candidates. Four of them only won. These figures clearly point out the diminishing participation rate of women from one election to another.

As for the female voters in Lebanon in the 2009 parliamentary elections, they reached 52.45% (study conducted in the Lebanese Women Council). The study shows that 59.7% of the sampled women do not wish to run as candidates and 69.2% do not support women's participation in the political life in the first place.

2-2-2 In the Executive Authority

Women's presence in the successive governments remained symbolic via one portfolio out 30 ministers in 2005. It increased by appointing two women ministers in 2009. The current government (government of Prime Minister Najib Mikati) totally excluded women.

On another hand, no woman has been appointed as a governor, and only two women currently serve as Qaimaqams (sub-governors).

We believe that women actually accessed the Executive Power; however, their representation in authorities is still difficult and very limited.

2-2-3 In municipal elections

The recent municipal elections in Lebanon that were held in May 2010 witnessed a remarkable increase in female candidates and winners compared to the previous session in 2004. The total number of female candidates reached 1346 candidates in 2010 compared to 552 in 2004. The number of female winners increased to 526 women in 2010 against 215 winners in 2004, i.e. an increase of 4.7% out of the total seats, compared to 2.02% in 2004.

The comparison chart below reveals the results of women participation in municipal elections for 2004 and 2010 according to governorates

Comparison Chart for female winners and candidates in municipal elections for 2010 and 2004								
Governorate	2010				2004			
	Total seats	No. of candi- dates	No. of win- ners	Percentage out of total seats	Total Seats	No. of candi- dates	No. of win- ners	Percentage out of total seats
Mount Lebanon	3528	466	188	5.33	3413	170	75	2.20
Bekaa	1938	129	48	2.48	1728	55	26	1.50
Beirut	24	21	3	12.5	24	9	1	4.17
Nabatieh	1548	103	25	1.61	1503	67	17	1.13
South	1662	149	66	3.97	1548	52	21	1.36
North	2724	478	206	7.56	2430	199	75	3.09
Total	11474	1346	526	4.70	10646	552	215	2.02

This indicates an increase in the representation of women in municipal and mukhtar councils from 2.2% in 2004 to 4.7% in 2010. However, this percentage is still not up to the required and expected level for women's participation, especially in a country like Lebanon, which is considered as one of the most open countries in the Arab World.⁵

5. Dr. Aman Kabbara Chaarani - Enhancement of role of Lebanese women in municipal and mukhtar election - Lebanese

2-2-4 Participation in State institutions and professional unions

Figures that were collected in the framework of the Central Statistics Administration for 2011 reveal that the percentage of females in the public sector reached 31% compared to 69%. Yet, their percentage is very little when it comes to participation in decision-making, i.e. in first, second and third administrative grades. Women are still excluded from first grade jobs and senior cadres in official institutions and in international representation.

As for women's participation in syndicates, it is slight in general even if it is high in some unions. However their presence in leadership commissions is almost lacking despite the election of the first woman as president of the Bar in 2009. We also notice that women are absent from leadership commissions in the Chamber of Commerce and Industry, as well as the executive office for the General Labor Confederation despite the presence of one woman in its executive board.

Moreover, with respect to those working in banks, distribution according to gender and in different age categories shows that the share of the males exceeds that of females in all age groups, except for the group under 25 years, where females constitute 54.7%. This means that the females dominate new entrants to the sector. This is what was also revealed by a study for the Lebanese Banks Association. The study showed the distribution of workers according to gender and the educational qualifications, revealing that women are a bit more than males in the category of university degree holders, as the percentage of those holding university degrees reached 50.8% out of the total number of employees.

The Lebanese woman represents less than 20% in political parties out of the total number of members. This percentage does not exceed 5% in the political bureau of most parties. Women's participation in political parties is still very weak, and men still dominate the leadership of parties despite the remarkable interest of women in politics, especially amidst the political crises in Lebanon since 2005.

The political practice of parties does not reveal women’s role, whether in candidacy for elections, and their candidacy could be listed via their kinship to males, or in political programs they propose and which are void of integrating women’s issues in the partisan policies.

The objection of parties against adopting a women’s quota according to the seats and their adoption of a quota that does not pave the way for any success of women showed the non-commitment of these parties to its achievement. The role of women in political parties is not highlighted except in times of crisis to alleviate the negative results, where their role is limited to the humanitarian aspect.

• Women in the judiciary: Positive example?

The percentage of women’s participation in the judiciary increased to 41% in 2011 as the following chart shows:

Gender	Figures	Percentages
Males	322	59%
Females	221	41%
Total	543	100%

Contrary to this “rosary” image depicted by the increase in female judges, while Lebanese women progress and improve, some non-promising data emerge, whether on the level of the “masculine” perspective towards this matter, or the distribution of female judges among sensitive posts and positions. A recent study conducted in 2011 detected the absence of female judges from important posts that have only been occupied by men so far, among which is the post of the State Prosecutor, Financial General Attorney, First Investigating Magistrate (6 men), and Head of Judicial Inspection Commission.

The study points out that “the number of women in the chambers of courts of appeals examining the civil cases is almost double that of men (19 against 10). They are mostly appointed in penal and mixed chambers (24 against 47).

Associations working on political participation

Lebanese Council of Women

Committee for Follow-up on Women’s Issues

Lebanese Council to Resist Violence against Women

Lebanese Democratic Women Gathering

Civil Campaign for Electoral Reform

Quota Supporting Commission

Lebanese Association for the Democracy of Elections

National Campaign “Together for the Quota”

Working Women League in Lebanon

Family Planning Association for Development and Family Empowerment

2-3 Women in Media

Recently, the number of women in media increased. The number of women exceeded that of men by far. However, the media content in Lebanon, despite its development and women's involvement in it, is still stereotyped, where women remain the weakest link. For example, in news bulletins, the presence of women is secondary. After the news broadcast news about men of politics and their activities, it presents women as a recipient element in society and not as an active member. A woman is either the victim or the emotional or the spectator, but decision-making is not in her hand. Men are hosted in major talk-shows as experts in all fields to analyze politics, economy and meeting, and rarely are expert women hosted in talk-shows that are aired at prime time, even though many women have occupied research and scientific positions and senior posts which enable them to be hosted as major guests in political TV programs.

The position of women in radio and TV talk-shows is not fixed. Either they are under the spotlight or at other times, they are excluded. On the other hand, a man's role in this field is constant. A woman works in a leading man's world as if she complements his profession.

A man controls woman's appearance in entertainment programs. She should appear at her best to attract spectators. A woman in this field has to complete some standards as if she is good at sometimes to attract the viewer who is the consumer. In comedy programs, a woman is pictured as having a superficial option and irrational, and here stereotyped images surface, i.e. a woman is not educated and does not have the capacity to analyze deeply as men do.

Drama is not any different. They are also full of stereotyped images. They picture women as unstable and trying to discover themselves. As for men, they are always in control, they give orders, cheat, get mad. The woman, on the other hand, is always deceived and thinks via her emotions and not via her mind.

Focus is made on women in advertisements because of their appearance, and on men because of their profession. Even in ads, images are stereotyped, where the man appears in ads about work or political activities, while the woman's

presence is based on her appearance and on her consumption activity, where women in such ads perform housework.

In the press, the man dominates most opinion, analysis, politics and economy pages, and even major administrative posts, such as editorial director or editor-in-chief, even though the number of women working in the editorial room is more than men. Women, despite the increase in their number in this profession, are designated with social coverage. Magazines include topics about women-related problems, as if men are not involved in these matters.

In the visual media, men also dominate positions of editorial directors and anchoring of political programs in TV channels, even though female reporters proved themselves as competitors to men in coverage of conflicts and in going to dangerous places to convey the news and information to the audience. However, women remained distant from decision-making posts regarding the editorial policy of the channel which is mostly dominated by men.

Things did not change as well on the level of the property of media. Men mainly own these outlets. If we find names of female shareholders, they are there for being wives or sisters or from the family of male shareholders and owners. Moreover, with the emergence of new websites in Lebanon, women are not present in the launching of such projects or being part of their property. Regarding promotion at work, the status of women is still the same, similar to other sectors. In general, they are less promoted than men, whether in terms of promotion in ranking or financial promotion.

An analytical study prepared by “Maharat Association”, which is an association involved in observing the media content, about media coverage of parliamentary elections in Lebanon in June 2009, revealed the weak position of women and the freelancers in media coverage. The study reached the following recommendations:

- 1- The role of Lebanese women in the political life is still humble and requires more effort to enhance their participation in a way that envisages their important and increasing role in the Lebanese society. The women’s quota in the first stage

might be an introduction to this. The role of media seems to be fundamental to enhance women's participation.

2- The political and media situation seems to be closed before new potentials trying to access the political arena. This category failed to prove itself amidst the attention drawn by the loyalty and the opposition and draw the attention of the media, which requires a reconsideration of the Electoral Law to enable the renewal of the political elites better. Moreover, means should be examined to guarantee the equality of candidates in media to allow new potentials to express themselves.

2-4 Trafficking in human beings, women in sex industry and domestic workers

Many of the urgent issues mentioned in the third shadow report and relevant to the status of women are still stagnant. Meanwhile, it seems that plans to curb injustice and unfairness that women suffer from socially, culturally, economically and legally are not among the priorities and the interests of the Parliament and Cabinet.

2-4-1 Trafficking in *human beings* and Women in Sex Industry

Trafficking in persons and women in the sex industry remain among the taboos and part of the society deals with it carefully, trying to neglect it at one time and deny it at other times.

Nevertheless, NGOs succeeded in highlighting the problem of human trafficking, while sex industry in Lebanon is still covert behind the double standard policy, secret and hidden debate on the legislation and regulation on one hand or incrimination and condemnation on the other hand.

As a result of the pressure, efforts and perseverance of many civil society organizations and some interested politicians in this regard, added to the Lebanese Penal Code was the third chapter on human trafficking under No.164 on 24/8/2011.

All official and civil parties considered the issuance of this law as an achievement despite the many remarks about it and the gaps in it.

The report issued by the Office of Control and Combating Human Trafficking of the US Department of State considers that **Lebanon is a country of origin, destination and transit of children and women are victims of coercive labor and sex trafficking. Even though the Lebanese government is not fully compliant with the minimum standards for the elimination of human trafficking, it is deploying many efforts in this regard.**”

In 2008, the Ministry of Justice, with the assistance of UNODC, and in cooperation with UNICIF, issued the first official report addressing this crime. As other local and international reports, it pointed out Lebanon’s role as a country that receives victims of human trafficking, and limits the mobilization fields to four: **domestic workers, artists, children and trafficking of organs.**” This report stated that in **Lebanon, there are around 60 recognized cases of trafficking every year.**”

So far, there are no accurate figures and statistics of the cases trafficked that depict the real situation of the crime of trafficking in Lebanon. It seems that the disparity in points of view is clear between UNODC and the official and government institutions on one hand and CSOs on another.

UNODC, the General Security, Internal Security and the Ministry of Labor pointed out that the size of trafficking crime in Lebanon is still limited. The General Security Office mentions that the “size of human trafficking in Lebanon is small and there has been no complete crime that meets all the legal conditions to form human trafficking crime.”

However, the civil society organizations believe that the size of human trafficking is larger in fact than what has been discussed. Studies show that “human trafficking crimes in Lebanon are still increasing” and that the “Lebanese State does not want to recognize the existence of trafficking crime in Lebanon”. “The law of preserving public health from prostitution has not been enforced since the Lebanese law. Prostitution is addressed as an offense as per the Lebanese Penal Code; however, this did not prevent this sector from growing and expanding under the eyes of the State. We can say that what’s going on in Lebanon now is a covert organization of prostitution.”

Despite the many reservations towards Law No. 164, it gives a clear legal framework for the condemned crime of trafficking. Therefore, the Lebanese State, with all its official institutions, cannot pretend it is not there anymore.

CSOs stress that the law was punitive and did not take protection and prevention into account, which is legislative. The importance of the law lies in protecting the victims of this crime- in addition to the punishment of those involved in the crime of trafficking.

2-4-2 Domestic workers

As for domestic workers, **“not involving them in the Lebanese Labor Code, in addition to the system of guarantee and the method of attracting female workers, encourage and facilitate trafficking.”**

Migrant workers such as the Lebanese female domestic workers are excluded from the Labor Code and the Social Security Law. In addition, migrant workers are subject to the non-humanitarian guarantee system, which is a group of administrative regulations and practices that link the residence of the migrant domestic worker and her work permit with one employer during the period of the contract. Such system is considered as unjust for the female worker and the employer as well because it seems as if he is paving the way for a relationship of slavery.

Yet, we have to point out that some progress has been made in this regard, mainly:

- Adding the third chapter relative to trafficking in persons in Law No. 164.
- Building partnerships with the State which founded the “Safety Home” (Beit al-Aman) in partnership with Caritas which is involved in receiving and assisting victims of human trafficking. Caritas says “the shelter allocated for receiving victims of trafficking has a capacity of 20 to 24 inhabitant, but the expected number is now larger.”

One of the government’s major efforts is Lebanon joining the “Blue Heart” campaign. It is a national campaign aimed at raising public awareness against these crimes. In the framework of enhancing protection for the people who might fall victims of human trafficking, the Lebanese General Security, in cooperation with Caritas, set a guide in different languages to raise the awareness of foreign workers in Lebanon towards their rights and obligations.

Though Lebanon moved a positive step forward by issuing the law that punishes human trafficking crime, annexed to the Lebanese Penal Code, there are two phenomena that raise concern: the system that is similar to the guarantee system regarding domestic male and female workers, as well as the regulations and laws that govern the dealing with the “artists” category to work in the entertainment sector.

As long as the conditions of recruitment in both sectors have not improved, and as long as the workers are forced to give up their identification papers to the guarantor or the employer, and as long as their freedom of mobility and movement and change of work is conditional upon the approval of the employer, and as long as the labor contracts (for domestic work) are not translated into the mother tongue of the female domestic workers...as long as these “violations” and others still dominate the largest two potential sectors for the growth of trafficking crimes, any development in combating this crime remains short of attaining the aspired goal.

Associations involved in this issue

Dar al-Amal

Kafa Organization (“Enough” violence and Exploitation)

Caritas

World Vision

Heartland Lions

Walf

2-5 Medical Care and Reproductive Health

Article 12 of CEDAW stipulates the following:

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.
2. Notwithstanding the provisions of paragraph I of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

This interest in what was issued about reproductive health and health care developed in the program of action of the Population and Development Conference developed, to the extent it listed that two complete chapters are reserved to the matter. That was crowned with the principles endorsed by the Conference.

“Every individual has the right to enjoy the highest possible levels of physical and mental health”, and “all adequate measures should be taken to guarantee -on the basis of equality between men and women- that everybody has access to health care services, including services related to reproductive health care which includes family planning and sexual health.”

Passing though Beijing Conference and its recommendations that are harmonious with the recommendations of the Conference of Population and Development – Eighth Clause- (given the proximity of schedules of both conferences, and reaching the Millennium Development Goals which provided for the reduction of mothers’ mortality rate by 25% by 2015.

Though conformity is obvious between the commitments required from governments in terms of all decisions and recommendations issued by international conferences, along with a time period for implementation, an accurate revision of the provisions of paragraphs 1 and 2 of Article 12 places us in front of a group of facts that need immediate and responsible attention.

First: The National Study on the Status of Livelihoods of Households in 2007 provided some facts relevant to the issue of health, and which are explained by the charts below:

Chart No. 1: Distribution of residents benefiting from a type of health insurance according to the type of health insurance and gender

Type of Health Insurance	Males & Females Together	%	Males	%	Females	%
National Social Security Fund	867589	47.8	416709	46.8	450880	48.7
Optional Insurance	58541	3.2	30162	3.4	28379	3.1
Cooperative of Civil Servants	175960	9.9	78836	8.9	97124	10.5
Army and Security Forces	383490	21.1	210554	23.6	172936	13.7
Private Insurance at the expense of employer	51866	2.9	12798	1.4	39068	4.2
Private insurance at his own expense or via an institution or syndicate or commission	243938	13.4	124570	14	119368	12.9
Others	34035	1.9	16740	1.9	17295	1.4
Total	1815419	100	890369	49	925050	51

The chart above revealed disparities that reach 2% in favor of women in terms of benefiting from health insurance. This difference in favor of women is due to the benefit of the non-working woman from the man while the man does not benefit from the woman. However, the previous chart showed that the Lebanese, men and women, with a vast majority of about 51.3% do not benefit from any health service, while 48.7% do. This is a very low percentage compared to the enormous government spending on health, as well as the wide array of services provided by the private sector. This means that women cannot access the services as they are not available.

In reality, however, there are many positive and negative indicators, the most important of which are:

Chart No. 2: **Distribution of reproductive health outlets according to affiliation and governorates**

Governorate	Ministry of Public Health	Ministry of Public Health/in cooperation with the civil sector/municipality	Ministry of Social Affairs	Civil Sector	Municipalities	Total
Beirut	1	1	2	11	0	15
Mount Lebanon	3	7	9	19	4	42
Bekaa	3	5	7	19	0	34
North	5	4	6	24	0	39
Nabatieh	4	3	10	16	3	36
South	4	2	10	19	6	41
Total	20	22	44	108	13	207

Many issues still affect the status of women and their reproductive health.

1. Reproductive Health services largely depend on the civil sector, and its capacities are regressing due to the lack of interest of funders in financing programs and activities related to reproductive health.
2. Not taxing into consideration the priorities of the regions, where they all seemed to be close in terms of outlets, while there are large disparities in needs.
3. Studies conducted so far have not revealed the percentage of the needs met regarding reproductive health services. This necessitates a special study to determine the most needy areas and give them priority in terms of services.

At the time when the figures provided by the Ministry of Public Health in 2009 revealed important aspects, mainly:

a. Improvement in indicators of safe maternity (Chart No. 3)

Chart No.3: Comparison of safe maternity indicators between 2009 and 2008

	2008	2009
Total	64408	59208
No. of abortions	8236	7550
No. of live births	65084	59755
No. of dead newborns	736	798
No. children mortalities while the mother is at hospital	12	1
C-section	26711	25615
Weight less than 2500 g	5423	5482
Weight less than 4200 g	1478	1183
Weight between 2500 and 4200 g	58183	53090
Non-complete births	4087	4039
Deliveries with Epidural	10508	9283
Complete deliveries	60457	54953
Natural deliveries without assistance	34009	29178
Natural deliveries with assistance	4279	4744
No. of reports	1436	1262

b. Increase in the number of beneficiaries- comparison between 2008 and 2009 in all age groups- set at 6.8% and the increasing benefit among women was estimated at 6.5% and men at 12.7%

(Chart No. 4)

Chart No.4: Distribution of male/female beneficiaries according to gender during 2009 and 2008

Year	Females	Males	Total
2008	106038	5024	111062
2009	113431	5760	119191

c. Remarkable transformation in terms of the services compared to family planning means, where therapeutic services witnessed a regression of 2.6% in favor of services relevant to protection and prevention (Chart No.5)

Chart No.5: Reproductive Health services between 2008 and 2009

Year	Therapeutic Services	Preventive Services	Total
2008	75741	121144	196885
2009	77620	124429	202049

Here we should point out that the need to use means of family planning is regressing on the national level, compared to the increasing demand on reproductive health and sexual health services due to the aggravating sexual problems.

In this regard, it is noteworthy that indicators of safe maternity witnessed improvement between 2008 and 2009, but it has not reached yet the big goal, which is attaining the goal of reducing mothers' mortality in Lebanon because of

pregnancy and reproduction to less than 25 for every one hundred thousand births, knowing that the numerical data are not accurate due to the lack of scientific statistics relevant to this issue.

Chart No.6: The percentage-based distributions of married women in the age group 15-49 who use birth control or their husbands do, Lebanon 2009.

	Any means	Any traditional means	Any modern means
Uneducated	47.9	11.9	36.1
Elementary education	53.4	9.1	44.3
Intermediate education	56.3	4.7	48.9
Secondary education	52.3	9.6	42.7
University+ education	52.8	9.9	42.9
Total	53.7	8.9	44.8

Source: Cluster census of multiple indicators- follow-up on the status of women and children, 2009

The fields requiring more efforts

There are several fields that need efforts:

1. Revealing the impact of not implementing woman’s equality on her reproductive health, as a woman cannot live forever in marginalization and in a state of inferiority, which contradicts with the definition of reproductive health as being a state of complete physical and intellectual welfare and not the lack of disease only.
2. Some major fields in safe maternity, such as reproductive age, care of the pregnant woman and nutrition of pregnant women, and delivery at a medical reference, and breastfeeding need more efforts.
3. Combating cancers that women suffer from is very limited. Without as initiatives of the civil sector in this field, we would have said that there is no serious interest in this issue.

4. The aforementioned underlines that the issue of abortion in Lebanon is still unresolved. Usually women resort to abortion to get rid of unwanted pregnancy. It is declining now despite the findings of recent studies that there are some women who exaggerate in getting rid of unwanted pregnancies.

5. AIDS and sexually transmitted disease, receive the required attention from the National Program against AIDS, and from civil associations that are active in this regard.

2-6 Rural women

It is hard to give accurate information about the role of rural women in the national economy, due to the lack of statistical data classified according gender and geographical distribution and related to rural economic activities.

Rural women suffer from several problems and they are an integral part of the problems that women in Lebanon suffer from. These problems can be classified in two levels:

2-6-1 Economic Level

The rural woman is considered the poorest, especially that her main economic source of living, i.e. agriculture. The rural woman suffers from the difficulty of accessing natural resources due to the lack of individual agricultural property- lack of agricultural road network- desertification and the degradation of the environment in most rural areas- weak agricultural infrastructure- shortage in networks of drinking water and irrigation water- shortage in economic techniques- shortage in projects and lack of investment- lack of efficient official and civil associations. The participation of rural women is concentrated in marginal work and some rare economic activities.

Women's housework, in general, and the work of rural women, in particular, are not calculated in the GDP (domestic work- raising children- marginal and craft work- agricultural works and agricultural manufacturing).

2-6-2 Social level:

The rural woman suffers from shortage in social and health services and a very low livelihood level, in addition to the lack of means of comfort. Rural life is marked by strong social relations and by upholding to traditional social values, where the standpoint towards women is negative in general. Moreover, the rural woman suffers from shortage in administrative and technical skills, and usually she has a general wish to leave with the family.

Though the gap has narrowed down between females and males in all phases of education, the rural girl does not always have the chance to move to the capital to pursue high majors (university or vocation) due to the hard economic situation and the non-availability of institutes or applied colleges in the areas.

The rural woman suffers from shortage in health and social services, and she is uncovered by the National Social Security Fund. The rural woman lacks many needs on the level of reproductive health⁶, which is reflected in high fertility rates in rural areas, compared to the cities.

Currently, there are 151 women cooperatives, among which are 112 agricultural manufacturing cooperatives. Because of the many interlinked social, economic and cultural factors, especially the responsibilities of family care and the scarcity of capital, rural women do not have many opportunities to practice income-generating economic activities.

Agricultural manufacturing cooperatives constitute one of those opportunities since it serves as a framework for group and communal integration. These cooperatives are facing different challenges, the most important of which are opening new markets, obtaining financial resources, as well as expanding the economic base of the project.

It is unfortunate that improving the status of rural among is not among the objectives of the National Strategy for Lebanese Women. Therefore, continuing profound regional and specialized studies in different fields to deduce the necessary needs to advance rural women as part of the National Strategy for Lebanese Women is necessary to serve as a methodology of action for the Lebanese

6. Rural women in the Bekaa, reproductive health issues and unmet needs- publications by the Family Planning Association, 1994.

government, provided that these studies be conducted by many ministries and governmental organizations, and coordinate with the Ministry of Agriculture in the field of rural development.

2-7 Women and conflict

Resolution No. 1325 that was adopted by the Security Council on October 11, 2000 was the objective crystallisation of international interest that started growing in the past decades.

Resolution No. 1325 noted that civilians, “particularly women and children are the vast majority of those affected negatively by armed conflict, including their description as refugees and internally displaced. They increasingly represent a target for the parties in conflict and armed members.” The resolution clearly reiterated the need for full implementation of the International Humanitarian Law and the International Human Rights Law which protect the woman and the girl during and after conflicts.

This was translated in the first recommendation of the resolution, where the resolution urged “Member States to ensure increased representation of women at all decision-making levels in national, regional, and international institutions and mechanisms for the prevention, management and resolution of conflict.”

How did women participate? Did they take part in the war decision? And what was their position in the decision of peace?

During a 17-year war that included regional wars (first Israeli occupation of what was called the border line, then Lebanon’s invasion in 1982 and the July 2006 war), women’s life was not easy. Their life turned into a series of suffering as a result of displacement and coercive migration.

The women who participated in war were not many, but the women who were subject to war and affected by its results are the black majority. They were displaced and had to leave, they were abused and were responsible for families during the coercive absence of men. This is what was indicated by all statistics that talked about internal wars⁷.

Women in the South was subject to killing due to the repetitive aggressions on southern Lebanon. They also suffered coercive displacement and deportation, destruction of property. They were arrested and detained, and the most painful was that they had to suffer from psychological harm as they used to take their children away from them and throw them in prisons.

Women did not participate in decisions of war, or even in decisions of peace, even if some of them, due to their political position inside parties, have participated in the decisions of war on Israel (Lebanese National Resistance Front), which was maybe a unique case, but they were not members in the negotiating delegations. Many forms of national dialogues were held during the internal war between parties at conflict to cease combating. Other rounds of official negotiations were held to stop the war in Lausanne, Geneva and Taif. But women were completely absent from all of these negotiations.

It might draw one's attention that the last dialogue in 2006, before the Israeli aggression, did not include any woman as well. Women were not included though they were present in the Parliament and they entered the Executive Power. It was remarkable as well that the negotiations between both parties March 14 and March 8 did not see women's participation as well.

7. Dr. Fahmiya Sharafeddine, Status of Lebanese Women in the framework of conflicts, their resolution and peace-building.

What should be done? And how can resolution 1325 be part of the legal, political and social practices in Lebanon?

Lebanon is still a victim of traditional wars taking place across the borders in light of Israeli occupation of Lebanese territories. Moreover, conflicts between groups have not ceased until now (May 7, 2008). Therefore, there is an urgent need to legally and culturally institutionalize Resolution 1325.

On the legal level, there should be legislations that protect women in particular. We are talking about legislations inside the national borders as the International Humanitarian Law and the Human Rights Law cover the needs of women in cases of armed conflict. Hence, this law provides women with important protection, whether as individuals taking part in hostilities or as civilians.

The main issue is integrating women at all levels of decision-making (decisions of war, peace, conflict resolution issues and post-conflict resolutions) and look at them based on gender.

2-8 Refugee Women

The refugee woman in Lebanon suffers, regardless of her background, from accumulating discrimination on the basis of her refugee status and the resulting social and economic uncovered status, in addition to gender-based discrimination. What marks the status of the refugee woman in Lebanon is the violation of her civil rights as a result of non-approval and endorsement. Lebanon has restructured the Casablanca Protocol which provided for non-discrimination between refugees and citizens in civil rights. What marks the status of refugees is the plurality of references concerned with their status, in terms of security protection and services protection. The most important category of refugees in Lebanon are the Palestinians, who are the most senior, as they came to Lebanon in the wake of the Nakba of 1948; the Iraqis who started coming here since the mid-70's for political reasons. Their number increased remarkably after 2003; and the Syrians in the wake of the break-out of the Syrian Revolution. Amidst the lack of statistics, the UNHCR declared that the number of Syrian refugees in Lebanon exceeded 100,000 people.

The Palestinian woman suffers from the impact of chronic refuge and from the repercussions of the defects in implementing the Casablanca Protocol, regarding deprivation of civil rights. She relies on the international community, embodied in the UNRWA Agency and the employment of refugees in health, education and relief services. Despite UNRWA's efforts to reduce discrimination against women via the presence of women in decision-making positions and provision of detailed statistical data according to males and females, and establishment of development programs for women, the main obstacle that prevent reduction of elimination against women are the limited resources that UNRWA has to transform such initiatives into tangible achievements. The Palestinian refugee woman shares with the Lebanese woman the burden of discrimination resulting from the loopholes in implementing personal status laws and the discriminatory culture against women when joining the labor market available for them, namely in term of pay and other forms of abuse. Moreover, she shares with the Lebanese

citizen the suffering resulting from violence inside the family. There are studies (based on samples) that reveal the spreading of targeted physical violence with about 18%. As for the Syrian refugee women, a large percentage of them suffer from the limited budgets allocated for providing health, educational and relief services, in addition to the spread-out of domestic violence.

**Problems
not solved yet!!**

The follow-ups that we included in this report on the progress made in the implementation of CEDAW tangibly shows that the official rhetoric in ministerial statements of previous governments and the current one were not transformed into executive policies and plans.

If we had to point out the serious changes in the work of the National Commission for Lebanese Women's Affairs, these changes could not move the official public standpoint towards women's issues.

- The citizenship law is still stagnant, and the Lebanese women married to non-Lebanese men suffer from problems, as they cannot pass their nationality to their children and husbands. The ministerial committee that was formed did not produce any procedures or initiatives to amend this law and lift the blatant discrimination off women therein.

- As for the law incriminating domestic violence, it is still in the corridors of the Parliament, and the leaking ongoing discussions so far predict radical changes of some of its articles which will make it lose the objective that was set, i.e. protecting women from domestic violence.

- If the National Strategy for Lebanese Women that was approved by the Lebanese government is considered as an achievement, this strategy has not materialized into plans of action and time schedules that breed possible optimism in the short run.

- The standpoint towards the personal status laws is still totally banned. We believe that this position is clear evidence of the government's non-seriousness in implementing its commitments stipulated by the conventions and declarations that the government ratified and declared to commit to them in the ministerial statement, although the first Civil marriage was registered.

- The government or concerned commissions do not have any programs for gender mainstreaming in different fields, particularly political, administrative and economic ones.

The quota system that the government committed to did not turn into a public policy. Women's participation in the Parliament is very minimal, and she is outside the Executive Power. Their participation in economic and administrative decision-making is almost nil.

We can say that the follow-ups mentioned in the report point out the minimal progress made in the past years. The government has no initiatives to find laws to protect the refugee woman, migrant domestic workers, and women in general, from economic and sexual exploitation.

Perhaps what sums up the general standpoint in Lebanon towards women is not the minimal progress but the lack of intention and will together in lifting off the reservations towards CEDAW. There is no policy that helps move forward towards full equality between men and women.

Recommendations and Proposals

Successive governments expressed in their ministerial statements Lebanon's commitment to international conventions. They also expressed their will to be part of the policies. However, the data we included in this report reveal the fragility of announcements and procedures adopted by the government. The ministerial statement that included a paragraph on women is still ink on paper. Acknowledgement of equality issues between men and women are still remote from the concerns of the government and the Parliament.

What are the policies and procedures that should be adopted to advance the status of women?

1. Lifting all the reservations off the articles that Lebanon had:

- Paragraph (2) of Article 9 on Citizenship
- Paragraphs (c), (f),(g) and (d) of article 16 on Personal Status
- Article 29 on arbitration

2. Eliminating of discrimination against women in the Citizenship law and amending it under the roof of equality.

3. Issuing a universal law for personal status that is applicable to all women, regardless of their religions.

4. Implementing preferential treatment or quota to expedite the mainstreaming of women in different fields of work; and facilitating her access via this route to elected bodies.

5. Amending the Electoral Law to include the quota principle which was stipulated by Beijing Declaration, i.e. 33% of seats.

6. Amending the Penal Code to be in conformity with what Lebanon committed to and with paragraph (f) of Article 2 of CEDAW.

7. Amending all the unjust texts in Labor Codes and ratifying the international ILO conventions which have not been ratified yet.

8. Including rural women and domestic workers in Labor and Social Security Laws and abolishing the guarantee system for domestic workers and migrant workers.

9. Adopting strategic policies to improve health and social services.
10. Drafting literacy policies among women, not only to abolish the alphabet illiteracy but the technological illiteracy as well.
11. Adopting measures, including legislative ones, to raise awareness towards the necessary amendment of stereotyped laws and traditional standards regarding the roles and responsibilities of each of men and women in households and work, and the stereotyped roles in society.
12. Draft budgets based on gender to serve men and women.
13. Having mandatory and free elementary education and amending curricula to enhance the images of equality between both genders
14. Integrating Resolution 1325 in the legal and legislative policies of the State and promulgating laws and legislations to protect women during armed conflicts and post-conflict.
15. Implementing the principle of quota in all decisions related to society and state, especially decisions of war and peace.
16. Encouraging and training women on starting small and medium productive income-generating projects, how to manage them and benefit from them; and training them on how to get bank loans to fund these projects.
17. Working to issue laws to protect refugee women, female migrant workers, as well as laws for the protection from human trafficking and sexual exploitation.

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