

# *The Third Lebanese Shadow Report*

on the UN Convention on the Elimination of All Forms  
on the UN Convention on the Elimination of All Forms

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**Center of Research and Training for Development/ action**  
**League of Lebanese women's Rights**  
**Coalition on the Elimination of Discrimination against Women**  
**KAFA (Enough Violence and Exploitation)**  
**Lebanese Council to Resist Violence against Women**  
**The Lebanese Women democratic Gathering**  
**Lebanese women Network (13 NGO's)**  
**Family Planning association in Lebanon**  
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## **Article 1 of the CEDAW Convention**

**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, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”**

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## Executive Summary

The third shadow report is founded on the first and the second report which were drafted by the Committee for the Follow-up on Women's issued, along with a group of non-governmental women organizations, in the years 1999-2004 respectively

### **This report:**

- Stresses the progress that has taken place since 2004 up to 2007, in terms of the legal amendments adopted by the government or women and civil organizations.
- Sums up the most significant issues that still need procedural interventions by the government, and which NGO's would like to discuss with the CEDAW committee.
- Relied on the principle of participation among all parties (women civil organizations, human rights committees...) concerned with the Elimination of all forms of Discrimination Against Women.

A series of meetings was held with these organizations to determine the area of concerns and the priorities in the shadow report, the critical issues and the recommendations.

In the past three years (2004-2007) - i.e. since the second shadow report was issued- Lebanon experienced dramatic events that changed the alignment of forces and prospects of the country for the near future. The tragic assassination in 2005 led to the assassination of Prime Minister Rafic Hariri, along with a group of Lebanese citizens. With the disastrous results of the string of assassinations, this period has been rich, in terms of independence, sovereignty and elimination of tutelage in Lebanon. This period revived the hopes of a definite change in the methods of governance, relations between rulers and the governed, promotion of the law and the enhancement of democracy. For the first time in Lebanon the government has undertaken, in a ministerial statement (July 2005), to focus on issues of woman as an essential and active partner in public life It also committed itself to promoting good governance and rule of law with an independent judiciary to combat corruption, and to encourage the participation of women and youth in the development process.

## **Enhancement of the Principle of Equality**

### **Limits and limitability of achievements**

Lebanon was late to ratify the CEDAW Convention until 1996, as per Law No. 572. The law entered into force on 1/8/1996, in response to the continuous pressures by civil organizations. Yet, Lebanon revealed reservations on the following articles:

- **Second Paragraph of Article 9 relevant to the nationality,**
- **Article 16 (1) (c) (d) (f) and (g) (regarding the civil status)**
- **Article 562 of the Penal Code...**

These reservations are contrary to the object and purpose of the Convention, i.e. Equality. Its ratification contributed and still contributes to increasing the pace of social struggle, especially that of women's movement in order to achieve equality between men and women in all fields.

The implementation of the convention can be measured in **the laws promulgated in 1998 and 2004** as follows:

- **Penal Code**
- **Nationality Law**
- **Civil Status Law**
- **Labor Law and Social Security Law**

### **Penal Code**

The Lebanese Penal Code, promulgated in 1943, still discriminates in some of its provisions against women. For example, **Article 562**, under what is called "**honor crimes**", the civil society considers that this article blatantly discriminates against women since it entitles males in a family to kill females. And the legislator has to withdraw this article entirely. In conclusion, the article, which underwent slight amendment, replacing the mitigating excuse instead of the entitling one, still needs to be amended.

The Lebanese law also includes discrimination against women in fulfilling the conditions of what is known as "adultery", as well as in the punishment and articles **503 to 522** relevant to **rape, adultery, abuse and impudence**.

For instance, when it comes to rape, the law is lenient with the rapist. It is sufficient for the rapist to confess and make up for his crime by marriage. Moreover, the law is still lenient with issues of marital rape.

- **Nationality Law**

The issue of nationality perfectly constitutes a matter of discrimination. The Lebanese law still prohibits the Lebanese woman, married to a foreigner, from granting her Lebanese nationality to her husband and children. This “prohibition” prevents women from being entitled to such a right just like men on this level, due to continuous Lebanese official reservation on Article (2) of paragraph 9 of the CEDAW Convention. The Lebanese Law, (Decision No.15 on 19/11/1925) and amended by law issued on 11/1/1960, restricts the bond by blood to the father and not the mother who cannot grant her nationality to her children. She also cannot grant her foreign husband this nationality. Meanwhile, a foreign woman married to a Lebanese man becomes Lebanese one year after the marriage is registered.

The government justifies these reservations, saying they are part of a political plan to prevent the settlement of Palestinians in Lebanon, in accordance with the provisions of the Lebanese Constitution and other conventions against settlement.

The third official report of 2006 pointed out only the efforts deployed by civil organizations and organizations to eradicate such injustice against women. However, it did not provide for any intention of the Lebanese government to acknowledge such right.

It is worth mentioning that **Lebanon has never ratified the optional protocol to the CEDAW Convention**. This protocol would contribute to consolidating Lebanon’s commitment to eliminating all forms of discrimination against women.

- **Civil Status Law**

The image has not yet changed in this field. The reservations revealed by Lebanon on Article 16 of the CEDAW Convention are still in effect. Marriage, divorce, custody and inheritance in Lebanon are still subject to the laws of different confessions and sects (19), which constitutes blatant discrimination between both sexes. There is a common factor among these laws. They all place women in a position of dependency and submission to men’s will. They all regard men as the absolute custodians over their children. After them, custody is transferred to their male relatives (father then brother...). Some sects also believe that a woman’s role ends with the end of breastfeeding with respect to her male children. She will be then deprived of their custody when they are two years old in case there is dissolution of marriage. In any case, in the remaining sects, the

right of a mother's custody over male and female children alike ends at early years, except for the Greek Orthodox sect, which raised this age recently to 14 and 15 years. In cases of the dissolution of marriage, a mother suffers from different forms of unfairness, in terms of obtaining the sufficient financial indemnities even in the event when she keeps the custody of the children. Among the forms of such unfairness is her prohibition from keeping the house and difficulty of getting her alimony, etc...

It is noteworthy in this regard that the presence of multiple civil status laws, and attributing to them, the quality of sanctity, and with the presence of a civil code for personal status, the civil society finds it extremely difficult to achieve equality for a woman's positions inside the family, or at least alleviate the forms of unfairness inflicted upon her.

As with respect to those living together without legal marriage (cohabitation), there is no legal protection for them. And a single mother is not recognized in Lebanon.

The father in all sects is the mandatory custodian over the children. He is, therefore, the only one entitled to authorize their travel or open banking accounts.

- **Labor Law and Social Security Law**

The prevalent culture and the acute distribution of stereotypical roles based on sex in the Lebanese society hinder any remarkable progress in the woman's participation in the economic field (Women constitute 24% of the overall labor force)<sup>1</sup>. Under the influence of the Lebanese women's movement and a partial implementation of international instruments, we notice significant advancement in the amendments of legislations regulating labor, particularly the social services in the public and private sectors, towards equality between both sexes. Yet, there is **existing discrimination in the procedural laws and in the process of their implementation**. For example, comprehensively and not exclusively:

- This law excluded some categories, such as maids at homes, employee in agricultural institutions. However, the majority of these categories of women do not take advantage of the social security benefits.
- The income tax law regards a married woman as single. She does not benefit from fiscal reductions, which a man, who is a householder, benefits from.

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<sup>1</sup> Ministry of Social Affairs, Central Administration for Statistics and UNDP. National Study of Household Living Conditions, 2004-2005.

- A woman is not entitled to open a bank account for her minor children in banks.
- The Social Security Law and the Civil Servants Cooperative Law treats both sexes on foot of equality with respect to some social benefits. However, these laws do not recognize that the female employee as a householder, as they ban her from family allowances, unless she proved the impotence of her husband or his absence or if she is a widow.

## **Fields of priority**

### **1- Education as a tool of equality**

Statistics point out that net enrollment in the elementary level reaches 90.6% (UNESCO Statistics Institute). It is less than that according to the Center of Education, Research and development. This figure is backed by the need to implement the compulsory education law which was enacted by the Parliament in March 1998 and set the necessary measures to enforce it. There still exists a gap between the compulsory and free education. Having free education is the real guarantee for categories suffering from neediness and poverty, especially females, would have access to education.

Even though the rates of school drop outs, as revealed by data in this report, are higher among males than females. Researchers in educational matters have seen that school drop-out is becoming a problem in Lebanon.

Even though the gender gap is in the favor of females in intermediate and secondary education, and even though higher education is in the favor of females. The problem of the girls' selection of their specialties still reflect conceptions of the society and its expectations of the roles of each of them. It turns out that the number of female students specializing in sciences is still less for instance than that of males. However, it is much higher in literary majors. This disparity in the girls' selection of specialties also shows in vocational and technical education. In other words, the expectations of a society are still reflected in girls' choices of majors which do not ensure job opportunities on the market.

### **2- Women and decision-making**

The new development in women's issues and decision-making is summed up on two levels:

**First level:** It is the increase in women's participation in the parliament. It rose from 2.3% to 4.6%. It is still an unacceptable rate if we take into account the guarantee of women's right to take part in politics as per the Constitution and the enforced laws on one hand, and the women's capacity and their early involvement in the public domain on the other.

**Second level:** The National Commission for Parliamentary Elections adopted decree No.58 on 8/8/2005. The decree provided for a women's quota of 30% in candidature on the national level. However, the final calculation of this quota does not give women more than 10% due to the many obstacles that hinder women's way in the electoral law.

**a- Participation in the Executive Authority**

For the second time (in 2005) in Lebanon's history, women enter the Executive Authority and assume a significant ministry, which is the Ministry of Social Affairs. The first time was in 2004. Nevertheless, the government did not last long. We believe that women acceded to the Executive authority and that the obstacles that used to hamper their participation have been overcome until now. However, this is only a first step that should be supported by rational rates in the Cabinet.

**b- Participation in the decision-making**

Nothing has changed in women's status due to the lack of political decrees in the government's work in light of the current political situation in Lebanon since February 14, 2005, the date when political assassinations started and when Prime Minister Rafik Hariri was martyred.

**c- Participation in political parties and movements**

Rallies and demonstrations that took place in the wake of assassinations revealed remarkable interest of girls and women in politics. However, this changed into a permanent behavior that is surrounded by ambiguity due to the current situation of political parties and movements.

With respect to women's membership in parties, numbers are still few. Laws do not force parties to adopt the required transparency by its members. Men still dominate the leadership of parties.

The information presented by the National file on Lebanese women in 2004 has not changed much. According to this information, women's participation in parties is still weak. For instance, in the Communist Party, which is supposed to be a pioneer party, there are two women only out of 75 members in the central board and one lady only in the executive bureau. In the bloc, there are three women in the central board and one lady in the executive bureau. In the Phalanges Party, 5% of the leadership are women<sup>2</sup>, while in religious parties, such as Hizbullah for instance, women's absence is complete in spite of all the allegations of giving women roles in these parties.

The rational conclusion of the afore mentioned is that women's absence from the political decision is strongly linked to their non-participation in political activities in parties and associations. Yet, we go beyond that to see that the sequence of reasons has to intertwine with the group of conceptions and

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<sup>2</sup> National File, 2004.

expectations prevailing in the Lebanese society and reproduce defined roles for women.

### **3- Women in media**

Women in all audio-visual media outlets and the press dominate, especially from the young age category. However, this numeric presence of women might register equality with men, and even in many times, women outnumber men. Yet, this gender supremacy or equality is still hampered by several hindrances in terms of participation in decision-making at their working places. Women's presence in decision-making posts is not practically noted. Moreover, on the level of the media's ownership, available data prove that among the owners and shareholders in the media, we might find names of female shareholders. But in general, they are merely wives or sisters or members in the families of the male shareholders and owners.

### **4- Violence against women**

The civil society managed to present the problem of violence against women as one of the most prominent social issues which constitute a blatant violation of human rights and one of the main aspects of sex-based discrimination.

This problem is still a main challenge before the Lebanese State in fulfilling its commitments to international instruments it signed. The violation of women's right to life, their right to enjoy equal protection from the law and other rights is clear evidence of Lebanon's non-commitment to the simplest rules of human rights with respect to women and to recommendation 19 of the commission concerned with the elimination of discrimination against women. It is enough to point out the lack of any legislative text on combating violence against women in the context of the family and on protecting them, and this is in spite of detecting many cases in which violence reached murder. In addition, the Lebanese State still "understands" the crimes committed against women, under the pretext of "honor". The government has not sought to withdraw Article 562 of the Penal Code even though recent studies conducted by the civil society indicate that this article has not been used by Lebanese judges in their verdicts concerning such crimes.

Despite the emergence of some positive indicators in the past few years on the level of official dealing with the issue of violence against women, thanks to some activities undertaken by the Ministry of Social Affairs and the National Commission for Lebanese Women's Affairs, combating violence against women requires measures that go beyond the borders of the different activities held here and there on the official and civil levels.

## 5- Refugee Women

The refugee woman in Lebanon suffers from accumulated discrimination due to this status and the uncovered social and economic situation. The main category of male/female refugees are the Palestinians, second come the Iraqis. The Palestinian woman suffers from the repercussions of the imbalance in implementing the Casablanca Protocol, gaps in implementing civil status laws and the discrimination culture against women when integrated in the labor market available for her- with respect to the wage and other types of infringement and the violence within the context of the family.

As for the female Iraqi refugees, who are more recent, many of them suffer from the repercussions of their illegal status and of the culture of discrimination against women in the labor market available for them and the limited budget allocated to ensure the health, educational and relief services.

It is worth noting that **the first and second official reports did not mention the term “refugee”**. As for the third report on discrimination against women, it pointed out in its sidelines the Palestinian refugees (males/females) within a chart that depicts the activities of the civil society with respect to violence against children<sup>3</sup>. It also failed to mention the efforts in the field of violence against women, which seriously started since 1999.

## 6- Human Trafficking

The size of the human trafficking problem and its real scope is still unknown by the majority of the Lebanese society. As the special rapporteur mentions in her report, the Lebanese authorities have not made any attempts to gather information about networks of trafficking and their methods of work. She adds that the civil society and the concerned authorities do not have a clear idea about the concept of human trafficking. On another hand, there is a sort of blinding over the crisis that victims of human trafficking in Lebanon pass through. Most of the Lebanese society categories are unaware of the existence of such a problem. This is due to various reasons, among which are social and cultural taboos which prevent the discussion of issues relevant to sexual abuse before the public opinion.

## 7- Migrant domestic workers

It is estimated that 120,000 to 200,000 domestic migrant workers are present in Lebanon; most of them come from Asia and Africa (particularly Sri Lanka,

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<sup>3</sup> For more details, see the third report of 2006- p.38 and the report relevant to the female Palestinian refugees. Najdeh Domestic Violence KAP Study- Baseline& Follow-up Surveys Report 2004.

Philippines, and Ethiopia). The Domestic Migrant Workers involved in domestic labor are excluded from the protection of the labor law (Labor Law of 1946) and do not benefit from its regulations and they are subject to a separate legal regime; more specifically to a set of administrative directives issued by the General Security Department of the Ministry of Interior. In Lebanon, there is no comprehensive and efficient monitoring system to follow-up the working conditions of those female workers.

## **8. Women in the sex industry**

The position of law with regard to prostitution is ambivalent. Prostitution is legal under certain conditions. The same law prohibits secret prostitution and practicing or enabling secret prostitution is punishable by imprisonment for one month to one year. While all women engaged in prostitution are criminalized, the law does not punish or criminalize the customers..

## **9. Women's Health Care**

Health care is a very significant aspect of women's progress, as health is associated with different potentials that a woman needs in order to fulfill all her roles.

First of all, it is worth noting that paragraphs (1) and (2) of Article 12 are not implemented sufficiently, even if in an acceptable manner. The studies, issued by the project of "Capacity Building for Reduction of Poverty"<sup>4</sup> in its bulletin issued in March 2007, stress that 55.1% of the Lebanese do not have access to health insurance. This percentage includes women with an average of 51.7% and men 57.4%.

This increases the demand to the State so that it fulfills its health commitments towards its citizens.

It can be said that "Family Planning services" and reproductive health are available to an acceptable extent. They meet women's needs in different areas, except for some areas in the North which need more services, especially in terms of raising awareness.

## **10. Rural Women**

Rural women face multiple problems, and they form an integral part of the problems that women in Lebanon suffer from, in terms of discrimination, stereotypical trends, and family suffering in general, namely in rural areas. Among the main problems is the lack of a methodological manner in the

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<sup>4</sup> Ministry of Social Affairs and UNDP, Project of Capacity Building for Reduction of Poverty.

framework of a clear governmental plan to solve these problems (mentioned in the report). Civil society associations tend to solve these problems, without planning as well (such as illiteracy, micro-credits...).

## **Introduction**

Lebanon is situated in the Middle East region. It is bordered by Syria in the north and east, the Occupied Territories in the south and the Mediterranean Sea in the west. It has a surface area of 10,452 km<sup>2</sup>.

Given the absence of comprehensive population surveys, and with the last census held in 1932- for political reasons- sample studies provide the only option for estimating the number of residents in Lebanon, as well as to identify their demographic, educational, professional and health characteristics, etc...The National Survey of Household Living Conditions in 2004-2005, is considered the most recent in this domain. According to this study, Lebanon's population was estimated at 3,755,034 (with the exception of those residing in Palestinian camps). The Lebanese represent 93.4% of this figure and 6.6% of them are non-Lebanese.

Lebanon witnesses different demographic changes on the levels of age at marriage, birth, death and emigration. This highly reflects on the demographic structure in the country. Females constitute half of the Lebanese society, with a percentage of 50.2%. The two age categories (0-4) and (5-9) have become fewer than the following categories (10-14, 15-19, 20-24) due to a decrease in the fertility in the past 10 years. The overall fertility rate reached 1.9% in the previous five years according to the Lebanese census of family health, conducted by the Ministry of Social Affairs, in cooperation with the Central Administration for Statistics and the Arab League on 2004. In the National Survey of Household Living conditions study as well, a great disparity emerged between the percentage of males in the age group (20-24) and that in the group (25-29) and the following ones. This is probably due to the huge emigration of the latter age categories. The said study reveals a decrease in the average of males in the age categories 25-64 to many reasons, among which might be the emigration of males in certain age categories.

Lebanon is a parliamentary democratic republic. It is a country that is open to all political and religious movements. It is marked by diversity, cultural and religious pluralism. Its Constitution provides for all the guarantees that underline the participation of all sects (19) on the basis of sectarian equilibrium in public sector jobs and fair distribution. Sectarian equilibrium is also mandatory in the sectarian representation in the Legislative and Executive Powers as a basis for political life. This fact was promoted by the Taif Accord. The Constitution is the peak of the pyramid in legislation.

The Lebanese Constitution, amended on 21/9/1990, stressed the principle of equality between the Lebanese and commitment to international instruments. With respect to international provisions, Lebanon enhanced this commitment in

1990 to the level of constitutional commitment, by including an explicit text in the introduction of the Constitution.

**Lebanon is an Arab in its identity. It is a founding and active member of the League of Arab States and abides by its pacts and covenants. Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception.**

Based on the afore-mentioned, it is important to point out that Lebanon has not responded until now to all international initiatives. It ratified international conventions relevant to human rights and women after introducing reservations on them (CEDAW), which made these initiatives lose an essential part of their effects.

## General Overview

The Committee for the Follow-Up on Women's Issues, in cooperation with a group of women's association, presented the first shadow report on the progress made in implementing CEDAW in 1999, supported by UNICEF and UNIFEM. In 2004, it issued its second report in cooperation with the Center of Research and Training for Development, and with the support of UNFPA. This report shed the light on the progress made between 2004 and 2007. Progress has not been significant. Lebanon ratified CEDAW in 1996, but it did so with many reservations that practically eliminated the idea of equality between men and women. Thus, the document lost its essence. In the third report of 2007, focus is made on two important matters.

**First:** CEDAW, which was Lebanon ratified in 1996 and had reserves on main articles relevant to women's life and status in society.

**Second:** Current facts about women's status in light of the laws and procedures that govern the society in Lebanon.

This report is marked by:

11. Focusing on the first and second report drafted by the Committee for the Follow-up on women's Issues along with a group of non-governmental women organizations in 1999 and 2004.
12. Underlining the development from 2004 to 2007 in terms of legal amendments or measures adopted by the government or women and civil associations.
13. Summarizing the main issues that still need procedural interventions by the government, and which NGOs would like to discuss with the CEDAW committee.

This report was completed with the collaboration of all civil associations involved in the elimination of discrimination against women. A series of meetings was held with these associations to determine the axes of priority in the shadow report, which came according to the convention's articles as follows:

**Article 6-** Trafficking and prostitution

**Article 7-** Political and public life.

**Article 8-** Participation at the International Level.

**Article 9-** Nationality

**Article 10-** Equality in Education

**Article 11-** Women and Employment

**Article 12-** health care and Family Planning

**Article 13-** Economic and Social benefits

**Article 14-**Rrural women

**Article 15-** Equality before the law

**Article 16-** Marriage and Family Law

Women and media

## **Part 1**

### **Enhancing the Principle of Equality**

## **First: Limits and Limitability of Achievements**

The road to reach equality is still a long one in Lebanon. The many hopes after Lebanon entered the phase of civil peace did not become true. The Lebanese society has paid a lot of sacrifices during the Civil War and in its long conflict with the Israeli enemy. The promise of change and the overcoming of the sectarian system were basic requests of all civil society organizations. However, hope just lashed away, and Lebanon remained as is. It remained governed by different types of contradictions. The whole society lives in light of positive “civil” laws that ensure a wide margin for democratic practices, circulation of power and transparency of media. Nevertheless, these laws excluded the life of women and left them behind in the hands of religious authorities. They have undermined the women’s citizenship when they prevented them from the capacity to grant the nationality to her family.

During the past three years (2004-2007), Lebanon has witnessed dramatic events that changed political equations and alliances. The tragic assassination in 2005 led to the martyrdom of Prime Minister Rafic Hariri, along with a group of Lebanese citizens. With the disastrous results of the string of assassinations, this period has been rich, in terms of independence, sovereignty and elimination of tutelage in Lebanon. This period revived the hopes of a definite change in the methods of governance, relations between rulers and the governed, promotion of the law and the enhancement of democracy.

It is noteworthy that the present government, which was formed in summer 2005 in the wake of parliamentary elections- was the first government to focus on women’s issues in its ministerial statement. The Parliament granted the government confidence on the basis of this statement. The mentioned ministerial statement said:

**Government will focus on the issues of women as main and active partners in the public life through creating the favorable legal environment to promote their role in different sectors. The government will seek to integrate the concept of gender in all financial, economic and social policies, in a way that is adequate to the new world concepts on this level. The government will also enforce all the pledges that Lebanon committed to as per the recommendations issued by the World Conference in Beijing in 1995 on women’s issues.**

The impact of such a statement is known. For the first time, women’s issues are highlighted and recognized as problematic issues.

We also have to mention the Paris-3 Conference, which was held to support Lebanon in order to achieve the reform and reconstruction program after the debris and destruction caused by the July 2006 War. In the international

conference for the support of Lebanon, the Lebanese government presented Lebanon's economic program. For the first time, this program was accompanied by an action program to enhance social protection networks and the possibility of having access to the fundamental social services, such as **the preparation of an assistance program for the households sustained by women.**

It is also noteworthy that women's entrance to the Executive Authority started in 2004. The previous government included two female ministers; whereas, the current government appointed a female MP, representing a political movement, in the Ministry of Social Affairs.

As for the third significant achievement is that the draft electoral law, presented by the National Commission for the Parliamentary Electoral Law, included an exceptional and provisional paragraph, referring to women's quota.

Regardless of the "non-democratic" character of this law since it is discrimination in itself, this discrimination is one of the requests of the women's movement. It meets Article 4 of the Convention. We can also add here that the Center of Education, Research and Development which is the highest administrative authority in education- responded to the efforts made by the Committee for the Follow-Up on Women's Issues in order to reconsider the new curricula, which still include a lot of discrimination against women. Perhaps, the stance of his Excellency, the Ministry of Education, towards this issue underlines the general trend related to women, which the government is sponsoring and which it stressed in its ministerial statement.

## **Second: Maintaining reservations**

Lebanon was late to ratify the CEDAW Convention until 1996, as per Law No. 572. The law entered into force on 1/8/1996, in response to the continuous pressures by civil organizations. The Fourth Women's Conference in Beijing, which was held in 1995, the circumstantial/international motive which expedited the conclusion of the convention. Yet, Lebanon revealed reservations on the following articles:

### **Articles which Lebanon had reservations on**

**Paragraph 2 of Article 9 relevant to the nationality.**

**paragraphs (c), (f), (d) and (g) of Article 16 relevant to the civil status law.**

**Paragraph (1) of Article 29 relevant to conflict resolution**

In this context, we would like to note that the importance that women's organizations give to the issue of eliminating these reservations is clear in the selection of activities and programs of these organizations. The National campaigns for the elimination of discrimination against women in laws have become an integral part of the daily struggle of these organizations:

It is also worth noting that the Human Rights Parliamentary Committee has made the plan of women's advancement a main part of the National Plan for promoting Human Rights in Lebanon. This step was the fruit of consultations with many NGOs.

But the Parliament did not give a lot to the Women's Committee. The Women's Committee is still symbolic. Its functions have not been well-determined. Its relations with the National Commission for Lebanese Women and its role in the process of women's advancement are still ambiguous and unclear.

The limited achievements that we indicated might fail if not institutionalized in the general track of the government and society. This requires real reconsideration in the National Commission for Lebanese Women, the official institution that was entrusted with embracing the cause of women's promotion. The process of reconsideration does not stop at issue of formation, but another vision of the tasks and functions should take into account the "independence" of the commission from the political authority in theory in order to be able to represent women's issues, aspirations and ambitions<sup>5</sup>.

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<sup>5</sup> Fahima Charafeddine. "National Commission for Lebanese Women: 10 years-Formation and track." The British Cultural Council in Egypt. 2007.

**Organizations working on eliminating discrimination against women in the laws**

**Lebanese women Network:**

Committee for the Follow-Up on Women's Issues

Lebanese Women Council

Center of Research and Training for Development/ Action

League of Lebanese women's Rights

The Lebanese Women democratic Gathering

Academic Women's Association

Lebanese Association for Human Rights

Coordinating Commission for Women's Committee's within the International Union for Public Services

Working Women League

Women studies Institute in the Arab World / Lebanese American University

Social relief and welfare Society in Saida

The Association of Civic Responsibility

Bahisat

Family Planning association in Lebanon

Progressist Women's Union

**Coalition on the Elimination of Discrimination against Women ( 100 NGO)**

## **Part 2**

### **Fields of Priority**

**First: Legal Stability**

**Negativities that should be tackled**

**Second: Progress made in promoting  
Equality, Empowerment, Participation- how  
to remove confusion?**

## **First: Legal Stability- Negativities that should be tackled**

Women's organizations give great importance to the ratification of the Convention. The convention, thanks to its rich preamble and articles that touched on all aspects of women's private and public life, has become a real compass for the governmental and non- governmental efforts aimed at achieving equality.

Even though these reservations pointed out by Lebanon on the convention's articles made it lose its essence, i.e. Equality, its ratification contributed and still contributes to increasing the pace of social struggle, especially that of women's movement in order to achieve equality between men and women in all fields.

Lebanon also acceded to other conventions directly relevant to the topic, the most important of which are:

- concerning the Employment of Women in Underground Work in 1937 (concluded in 1946).
- Night Work of Women Convention in 1948 (concluded in 1977)
- Universal Declaration of Human Rights in 1948
- Convention on the Political Rights of Women in 1953 (concluded in 1955)
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of others in 1949 and the complementary convention in 1956.
- Convention Against discrimination in Education UNESCO, 1960.
- Employment Policy Agreement in 1964 (concluded 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 of Human rights

Lebanon has not ratified until today many international conventions. The Lawyer Mr. Ziad Baroud attributes that to Lebanon's continuous reservations towards matters relevant to the Nationality Law (Article 9 of the Convention) and Civil Status Law (Article 16 of the Convention).

However, the Lebanese Constitution of 1926- which was amended later on-did not include any discriminatory text against women. It underlines the equality of all the Lebanese before the law without discrimination:

Equality in civil and political rights

Article 12 on equality in assuming public sector employments

Article 21 on electoral eligibility

Articles 12, 10, 9 and 2 which respectively stress personal freedom, freedom of belief, freedom of education, freedom of opinion and association

Since the principles in the Constitution's introduction are considered as an integral part of it, they enjoy a constitutional value, just like the provisions of the Constitution.

However, other positive laws still enjoy "legislative stability" in the negative sense of the word. Legislations issued since 2004 until now have been restricted to a small aspect of the overall demands forwarded by women's movements.

The implementation of the convention can be measured in **the laws promulgated in 1998 and 2004** as follows:

- **Penal Code**
- **Nationality Law**
- **Civil Status Law**
- **Labor law and Social Security Law**

## 1.1 Penal Code

The Lebanese Penal Code, promulgated in 1943, still discriminates in some of its provisions against women. Though the Penal Code is considered among the mobile laws, the provisions of which are periodically amended, contrary to constitutional laws, such as constitutions, the amendment of which require national consensus that is close to unanimity. The Lebanese Penal Code remained in a state of inertia for half a century and more.

This article is the most crucial (i.e. Article 562). Addressing this article runs into many difficulties. This article has been famous under the title of “**honor crimes**”. We can distinguish two levels of difficulty.

**First:** the reservations made by Lebanon when it concluded the convention. These reservations were related to nationality and personal status, in term of equality between men and women.

**Second:** structural. It has to do with the overlapping of sects (19 sects) in Lebanon with the legal and legislative structures, and their intersection with the traditional clannish structures.

In conclusion, the article that subject to slight amendment that replaced the entitling excuse with the mitigating one, **still needs amendment**. Associations consider that Article 562 blatantly discriminate against women since it authorizes males in a certain family to kill females. Women’s associations see that this article is a “**lethal**” article, which the legislator has to annul completely. In fact, the presence of Article 562 in the Lebanese legislation is scandalous to the Lebanese civilization, the Lebanese society and women’s status there.

The Lebanese law also includes discrimination against women in fulfilling the conditions of what is known as “adultery”, as well as in the punishment and articles **503 to 522** relevant to **rape, adultery, abuse and impudence**.

When it comes to rape, the law is lenient with the rapist. It is sufficient for the rapist to confess and make up for his crime by marriage. Moreover, the law is still lenient with issues of marital rape. In addition, the Lebanese law still exempts the kidnapper and rapist from punishment in case of “valid” marriage between both sides. Those girls often resort to accepting marriage in order to avoid the “scandal,” especially that proving the invalidity of marriage requires years of judicial procedures. This is what the majority of victims cannot face.

Furthermore, there is no recognition of gays and lesbians. The Penal Code still incriminates homosexuality, where it is punish as per Article 534 which regards it as “abnormal” sexual practice; whereas, this article is rarely used in court against women. The presence of this article violates the assumption of equality. It also contradicts with the State’s commitment to respect and protect human

rights, not to discriminate, ensure equality and ban torture. There is no recognition of a single woman in Lebanon.

The new Parliament should continue the work that the previous parliament started, in terms of amending the Penal Code, in accordance with Lebanon's commitment and paragraph (f) of Article 2 of the CEDAW convention.

### **Articles directly relevant to forms of violence against women**

As previously mentioned, the Lebanese legislator still shows understanding of the murder of women perpetrated in the name of honor. The revision of judicial files during the past years do not reveal that Lebanese judges have used this article to alleviate the penalty imposed on the criminal, due to the difficult availability of the conditions to benefit from this article.

**NGOs that launched the National Campaign for the Elimination of  
Discrimination against Women in the Penal Code**

**Lebanese women network, which includes associations involved in  
eliminating discrimination against women:**

Committee for the Follow-Up on Women's Issues

Lebanese Women Council

Center of Research and Training for Development/ action

Lebanese League for women's Rights

The Lebanese Women democratic Gathering

Academic Women's Association

Lebanese Association for Human Rights

Coordinating Commission for Women's Committee's within the International  
Union for Public Services

Working Women League

Women studies Institute in the Arab World/ Lebanese American university

Social relief and welfare Society in Saida

The Association of Civic Responsibility

Bahisat

Family Planning association in Lebanon

Progressist Women's Union

**Colition on the Elimination of Discrimination against Women ( 100 NGO)**

## 1.2 Nationality

The issue of nationality perfectly constitutes a matter of discrimination. The Lebanese law still prohibits the Lebanese woman, married to a foreigner, from granting her Lebanese nationality to her husband and children. This “prohibition” prevents women from being entitled to such a right just like men on this level, due to continuous Lebanese official reservations on Article (2) of paragraph 9 of the CEDAW Convention. The Lebanese Law, (Decision No.15 on 19/11/1925) and amended by law issued on 11/1/1960, restricts the bond by blood to the father and not the mother who cannot grant her nationality to her children. She also cannot grant her foreign husband this nationality. Meanwhile, a foreign woman married to a Lebanese man becomes Lebanese one year after the marriage is registered.

### Article 9 of the Convention

**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.**

**States Parties shall grant women equal rights with men with respect to the nationality of their children.**

- This article of the CEDAW Convention provides for the women’s right of nationality (whether in terms of acquiring it, retaining it or giving it). This is explicitly stipulated in paragraph 2 of the article.
- It is worth noting that the government of Lebanon ratified this convention, but it had reservations on paragraph 2 of this article which acknowledges women’s right to grant their nationality to their children.

The government justifies these reservations, saying they are part of a political plan to prevent the settlement of Palestinians in Lebanon, in accordance with the provisions of the Lebanese Constitution and other conventions against settlement.

Moreover, Lebanon has not ratified the optional protocol annexed to the convention. This protocol would have consolidated Lebanon’s commitment to annul all forms of discrimination against women.

- In order to guarantee the acknowledgement of this right, the Lebanese government should amend Article 1 of the Lebanese law, issued as per decision No.15 of January 19, 1925. This law was recently amended by law issued on

January 11, 1960, whereby it stipulates: **“Every child born to a Lebanese father or a Lebanese mother is Lebanese.”**

The mechanisms of implementing the law ought to be reconsidered.

- Hence, women in Lebanon (married to non-Lebanese) are prohibited from granting their nationality to their husbands and children due to the lack of a law that allows that. It should be noted that a foreign woman married to a Lebanese is entitled to acquire the Lebanese nationality and to grant her nationality to her children if she remains alive after her husband’s death. However, the woman of a Lebanese origin is denied this right.

**a- The third official report on nationality**

The third official report of 2006 on the CDEAW Convention, and which was submitted to the committee concerned with elimination of discrimination against women, stipulated that discrimination against women in the current Lebanese Nationality Law can be observed in three points:

- A Lebanese mother may not grant her nationality to her children
- A Lebanese wife may not grant her nationality to her foreign husband
- Discrimination between a mother of a Lebanese origin and a foreign mother who acquired the Lebanese nationality.

Yet, the report pointed out only the efforts deployed by civil organizations to eliminate this form of injustice, but it did not address the government’s intention to amend the law.

- **Therefore, we do not see any governmental initiatives that seek to acknowledge Lebanese women’s right to the nationality.**
- **We do not observe in the third official report submitted to the committee any intention by the Lebanese government to acknowledge this natural right of women.**

But the Lebanese government, with its ratifying of CEDAW, **should seek the following:**

- Lift off the reservations of paragraph 2 of Article 9 of the mentioned convention.
- Amend the law to be in harmony with spirit of the convention, without any discrimination or injustice, by acknowledging the granting of the nationality to the husband and children with a retroactive effect.

**Active civil organizations in the framework of amending the Nationality Law**

**"My Nationality is a right for me and my family in Lebanon" Campaign**

**Lebanese women network**

Committee for the Follow-Up on Women's Issues

Lebanese Women Council

Center of Research and Training for Development/ action

League of Lebanese women's Rights

The Lebanese Women democratic Gathering

Working Women League

KAFA

Lebanese Council to Resist Violence against Women

**Coalition on the Elimination of Discrimination against Women (100 NGO)**

### 1.3 Civil Status

The image has not yet changed in this field. The reservations revealed by Lebanon on Article 16 of the CEDAW Convention are still in effect. Marriage, divorce, custody and inheritance in Lebanon are still subject to the laws of different confessions and sects, which constitutes blatant discrimination between both sexes. Some sects (Islamic) authorize polygamy, while others (Christians) prohibit divorce.

With respect to those living together (Cohabitation), they do not enjoy legal protection.

The father in all sects is the mandatory custodian over the children. He is, therefore, the only one entitled to authorize their travel or open banking accounts.

The official report does not point out the problems triggered by civil status laws, especially with respect to the issue of equality and violence resulting from man's domination over the family, and its impact on the build-up of a balanced family. However, women and women's movements are aware that civil status laws in Lebanon include blatant discrimination against women, which constitutes a hindrance before equality.

Therefore, the lobbying attempts for a civil law for personal status, even if optionally, have not stopped until today.

According to the Lebanese census of the household health in 2004, it turns out that the highest age of marriage among males is 33.6%, even if the average of marriage age is increasing rapidly.

Determining the age of marriage is not mentioned in Lebanese laws. It can be noticed that the inter-familial marriage is decreasing. The lowest rates are registered in Beirut with 18% and Mount-Lebanon with 10.7%. However, this phenomenon is diminishing due to the high level of women's education.

## **1.4 Labor Law and Social Security Laws**

The prevalent culture and the acute distribution of stereotypical roles based on sex in the Lebanese society hinder any remarkable progress in the woman's participation in the economic field. Statistical data issued by the Central Administration for Statistics for 2004-2005 indicate that 60.3% of women are housewives, compared to 0% among men.

Women constitute 24% of the overall labor force (This percentage was 25% in 2001). Women mainly work in the services sector (namely in health, education, banking and tourism), which is an extension of their traditional role. Moreover, the working hours in this sector are more suitable to a woman's capacity to manage between her job and family duties, which are still laid over her shoulders completely.

These statistics also reveal that 84% of the female labor force works in the private sector, where the principle of equal wage is not well-respected and monitored.

In spite of equal educational background and qualifications between both genders, the percentage of women assuming high posts at a job and their involvement in fields of work that are traditionally regarded as males' fields is still very low in comparison to their educational qualifications.

**Chart of the distribution of actual labor force (15-64 years) according to categories of professions and gender**

| Categories of Professions                    | Gender            |            |            |
|--|-------------------|------------|------------|
|  | Males and Females | Males      | Females    |
| High Posts and managers                      | 10.0              | 11.6       | 4.9        |
| Specialists                                  | 9.7               | 6.8        | 19.1       |
| Middle professions                           | 7.6               | 5.3        | 14.8       |
| Administrative employees                     | 9.1               | 7.1        | 15.6       |
| Workers in services sectors and Sales people | 10.8              | 9.4        | 15.3       |
| Farmers and fishermen                        | 3.7               | 4.5        | 1.2        |
| Skilled workers                              | 19.5              | 24.1       | 5.2        |
| Drivers of vehicles and cars                 | 9.1               | 11.7       | 0.9        |
| Unskilled workers                            | 15.8              | 13.6       | 22.6       |
| Military force                               | 4.6               | 5.9        | 0.4        |
| No answer                                    | 0.0               | 0.0        | 0.0        |
| <b>Total</b>                                 | <b>100</b>        | <b>100</b> | <b>100</b> |

**Source:** Ministry of Social Affairs, Central Administration for Statistics and UNDP, National Survey of Household living Conditions, 2004-2005.

Females enter the labor market at a later age compared to males. Their participation registers the highest average in the 25-29 age group due to the high percentage of females who are enrolled at a university and their delay of marriage age. The National Survey of Household living Conditions shows that the age of 75.9% of the female labor force ranges between 20 and 44 years, which is a sign of a decrease in the percentage of women who quit their jobs because of marriage.

This survey proves that there are disparities in the rate of women's contribution to the economic field according to areas. It reaches 46.8% of the total female labor force in Mount-Lebanon and 22.6% in Beirut. It decreases to 10.6% in the north, 6.7% in the Bekaa and 13.3% in South Lebanon and Nabatieh.

We wonder if these statistics have involved the contribution of women in the unannounced small economic activities, which are often undertaken by women, or the work a woman performs inside a family, i.e. all the family work which require spending if a woman does not perform it.

The political crisis threatens the Lebanese entity, and it negatively impacts the economic situation. It has narrowed down the fields of work, which increased unemployment rates, especially among women (men are often given the preference to work). In addition, this situation has forced many young men and women to emigrate, with a remarkable increase among women (we do not have statistics on this matter).

The chart below depicts that the disparities between the unemployed females and males have decreased, which indicates that women want to get a job. This change is not only related to the fact that a woman has to work to help the family under the difficult conditions. In fact, there is a change of mentality among women, particularly young women, in relation to their participation in the economic field in order to achieve their financial independence.

**Chart of the distribution of the unemployed (15-64 years) according to age and gender**

| Age group | Gender            |       |         |
|-----------|-------------------|-------|---------|
|           | Males and Females | Males | Females |
| 15-19     | 18.0              | 20.5  | 12.2    |
| 20-24     | 31.6              | 30.6  | 33.9    |
| 25-29     | 17.3              | 15.0  | 22.9    |
| 30-34     | 10.2              | 9.8   | 10.9    |
| 35-39     | 6.6               | 6.6   | 6.6     |
| 40-44     | 6.3               | 5.5   | 8.1     |
| 45-49     | 3.6               | 3.5   | 3.9     |
| 50-54     | 2.9               | 3.9   | 0.7     |
| 55-59     | 1.5               | 2.0   | 0.5     |
| 60-64     | 2.0               | 2.7   | 0.3     |
| Total     | 100               | 100   | 100     |

**Source:** Ministry of Social Affairs, Central Administration for Statistics and UNDP, National Survey of Household living Conditions, 2004-2005.

### 1.4.1 Legislations

Under the impact of the Lebanese women's movement's lobbying and a partial implementation of international instruments, we notice significant advancement in the amendments of legislations regulating labor, particularly the social services in the public and private sectors, towards equality between both sexes. However, these amendments are not subject to comprehensive policies aimed at clearing laws of any texts that discriminates between both sexes. The legislator is still subject to concepts of father's custodianship and the traditional stereotypical roles in the Lebanese society. Therefore, **there is still discrimination between procedural laws and in the process of their implementation:**

- The Lebanese law acknowledged the principle of equal pay for equal work. It set the minimum wage at 300,000 Lebanese pounds (\$200) without discrimination between both genders. Any increase above this minimum wage is

subject to supply and demand in the private sector. Statistics reveal that wages earned by women in this sector are less than those earned by men for the same work (there are no news statistics that define the percentage of these disparities).

- This law excluded some categories such as domestic workers and employees in agricultural institutions. Meanwhile, the majority of these categories of women do not take advantage of social security benefits.

- The law lacks any clear mechanism to ensure monitoring in the private sector and determine deterrent penalties for any legal infringement, especially that which discriminates between both sexes.

- The income tax law regards a married woman as single. She does not benefit from fiscal reductions, which a man, who is a householder, benefits from.

- A woman is not entitled to open a bank account for her minor children in banks.

- The Social Security Law and the Civil Servants Cooperative Law treat both sexes equally with respect to some social benefits. However, these laws do not recognize that the female employee or wagger is a householder, as they ban her from family allowances, unless she proved the impotence of her husband or his absence or if she is a widow.

- There is discrimination between the insured and the wife of the insured in the period of benefiting from maternity allowances. The wife of the insured benefits from the maternity allowances three months after her husband joins the social security; whereas, the insured employee does not benefit from them except 10 months after she joins the social security.

- In 2000, the legislator increased the maternity leave for the employee from 40 to 49 paid days. The legislator banned the employers to lay them off during pregnancy or during the leave. However, these amendments are still not enough to protect a woman from discrimination due to maternity.

A woman is forced to stay at work until her pregnancy is over because the maternity leave is still not enough to be divided into two phases: before and after delivery.

Economic burdens resulting from maternity are inflicted upon women and employers in the private sector, which hinders the employment of married women or limits the possibility of their promotion.

**Second :**

**Progress made in Promoting Equality - empowerment and participation- how to remove confusion?**

## **2.1 Education as a tool of 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**

**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.**

Since Lebanon entered the phase of “cold” peace, the education system has been witnessing continuous changes. The education development plan was set in 1994. The plan of action was endorsed at Dakar Forum in 2000. It was aimed at ensuring equal opportunities of good education for all; ensuring the conditions of enrollment in primary education without foreign obstacles; enabling all children to have access to good and free education; continuing this education with particular focus made on girls and deprived girls and boys; improving the levels of reading for adults by 50% by 2015, especially for women, and achieving equality between both gender to reach complete and comprehensive chances for girls.

Education was one of the main fields which have witnessed an accumulation of success stories in Lebanon. The gap between man and woman narrowed down in all stages of education<sup>6</sup>. However, slight disparities started to emerge in the types of free and non-free private education. This is mainly due to the wars in Lebanon at that time, displacement from one place to another, difficult living conditions, as well as discrimination in opportunities as a result of the dominating patriarchal culture.

#### a- **Enrollment rates**

Statistics show that net enrollment in the elementary phase is 90.6% (UNESCO Institute’s statistics). It is less than that according to the Center of Education and Research for Development. This figure **stresses the need to implement the obligatory education law, which was enacted by the Parliament in March 1998, and set up the necessary measures for its implementation.** There still remains a gap between compulsory and free education. Free education is the real guarantee that categories suffering from neediness and poverty, especially females, would get enrolled in education.

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<sup>6</sup> See the statistical bulletins that are annually issued by the Center of Education and Research for Development

**Chart showing development of female students' enrollment according to stages during the past decade in the pre-college stage**

| Scholastic year | % of Females in Kindergarten | % of females in primary education | % of females In intermediate stage | % of females in secondary stage |
|-----------------|------------------------------|-----------------------------------|------------------------------------|---------------------------------|
| 1995-1996       | 48                           | 48.1                              | 52.6                               | 53.3                            |
| 1996-1997       | 48.1                         | 49                                | 52.4                               | 54.3                            |
| 1997-1998       | 48.1                         | 48                                | 53.4                               | 54.8                            |
| 1998-1999       | 48.5                         | 48.0                              | 52.3                               | 54.8                            |
| 1999-2000       | 48.3                         | 47.9                              | 51.8                               | 55.3                            |
| 2000-2001       | 48.3                         | 47.9                              | 51.8                               | 55.3                            |
| 2004-2005       | 48.3                         | 48.3                              | 52.8                               | 55.8                            |

**Source:** Center of Education and Research for Development, primary survey 2005

**b- School drop-out**

Statistics conducted by the Center of Education and Research for Development point out that the rates of elevation and repetition is in the favor of girls at the primary education stage.

Drop-out rates peg at 2.15% among girls and 5.1% among boys. Child Labor report data confirm these figures, as the percentage of males is much higher than that of females. Statistics also show that the gender gap is in the favor of females in the intermediate and secondary stages. With respect to girls enrolled in the second secondary class, they are distributed among the different branches as follows: Humanities 81.6%, Social sciences and economy 55.8%, Life Sciences 52.4%, General Sciences 26.4%.

Researchers in education believe that school drop-out is turning to become a crucial problem in Lebanon<sup>7</sup> and that it is linked to many conditions, the last of

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<sup>7</sup> Khairieh Kadouh (2006). "Reasons behind school drop-out in Lebanon.", Social Movement and European Commission. She believed that educational and social reasons are behind drop out. She points out that Article 10 of the Constitution highly influence the increase in drop-out.

which is school failure, lack of harmony between school age and the social conditions of parents. Perhaps it is extremely important that this problem be highlighted. According to UN experts, Lebanon will not be able to fulfill its pledge to implement the millennium goals in education by 2015.

It goes without saying that drop-out is a serious matter that threatens ages of children, and it fuels society with potential illiterates. It can also thwart development plans.

### **C-Vocational and Technical education**

In 2005-2006, 98,795 male and female students were enrolled in public and private vocational and technical education.

With respect to the students' distribution in specialties in vocational education, it is clear that females are completely absent from scientific branches and majors, such as electro-mechanics with its different branches, medical techniques, industrial and electronic information, sanitation installments, welding, turnery, carpentry, heating and cooling. Meanwhile, males do not specialize in kindergarten education and specialized education, cosmetic arts, tailoring, children service, social service and hotel service, etc... As for professions that are regarded as neutral according to the roles between both genders, they are (hotel arts, computer, design, languages, typing, etc...). Specializing in these majors is still little among females, in comparison to males.

#### **d- Higher education**

The problem in higher education emerges in terms of the girls' selection of the types of specialties. The indicator of the data relevant to the distribution of the Lebanese University students according to gender for the academic year 2005-2006 reveals the following:

| <b>Major</b>           | <b>Males</b> | <b>Females</b> | <b>Percentage</b> |
|------------------------|--------------|----------------|-------------------|
| Engineering            | 425          | 236            | Around half       |
| Civil engineering      | 217          | 102            | Around half       |
| Mechanical engineering | 445          | 69             |                   |
| Electrical engineering | 41           | 11             |                   |
| Electronic engineering | 417          | 55             |                   |
| Agriculture            | 94           | 136            |                   |
| Interior architecture  | 193          | 455            |                   |

|  |      |     |  |
|--|------|-----|--|
| Computer engineering- Programming<br>& Editing | 1008 | 348 |  |
| Topography                                     | 11   | 2   |  |

It turned out that the number of female students in engineering specialties is still less than half or more, except for agriculture and interior architecture. With respect to general medicine, both genders are equal. In dentistry, females outnumber males (99 to 63).

In addition, females are more than males in pharmacy (184 compared to 36). In nursing, the ratio of females to males is 677 to 235. In laboratory sciences, it is 264 to 29. In veterinary sciences, it is 121 to 43. In botany, this ratio reaches 16 to 6, 154 to 77 in physics, and so is the case in chemistry.

| Major                                   | Females | Males |
|---|---------|-------|
| Teaching Arabic                         | 151     | 3     |
| Teaching History                        | 7       | 4     |
| Teaching Geography                      | 19      | 8     |
| Teaching Philosophy                     | 7       | 1     |
| Teaching Mathematics                    | 4       | 1     |
| Teaching Chemistry                      | 17      | 7     |
| Teaching Sciences                       | 18      | 2     |
| Arabic and Social Studies               | 190     | 4     |
| Teaching Mathematics and Sciences       | 247     | 6     |
| Health Management                       | 41      | 31    |
| Teaching Social Sciences                | 12      | 0     |
| Teaching Economics                      | 12      | 3     |
| Teaching Languages and<br>Communication | 35      | 2     |

This disparity between both genders proves that female students have a wider variety of majors that are above-mentioned. But they have become less for males. Indicators show that females outnumber males in teaching these subjects.

This demonstrates that teaching in the secondary stage has been feminized after the elementary stage has been feminized. Yet, males outnumber females in the following specialties:

| <b>Major</b>                     | <b>Females</b> | <b>Males</b> |
|----------------------------------|----------------|--------------|
| Tourism and travel               | 126            | 13           |
| Translation                      | 235            | 6            |
| Anthropology                     | 2              | 0            |
| Teaching English                 | 305            | 3            |
| Economics and Management         | 186            | 233          |
| Legal Midwife                    | 252            | 0            |
| Social and Health Guidance       | 300            | 1            |
| Rehabilitation of the Disabled   | 28             | 6            |
| Journalism, Radio and Television | 229            | 32           |
| Journalism                       | 234            | 39           |
| Public Relations                 | 336            | 42           |
| Child Education                  | 281            | 0            |
| Demography                       | 14             | 9            |
| Guidance                         | 10             | 0            |
| Educational Management           | 5              | 1            |
| Surgery                          | 6              | 56           |
| Biochemistry                     | 653            | 336          |
| Specialized Dentistry            | 30             | 22           |
| Speech Therapy                   | 51             | 3            |
| Cinema                           | 55             | 30           |
| Environmental Safety             | 30             | 0            |
| Tourism Guidance                 | 64             | 7            |
| Banking and transfer             | 433            | 284          |

The indicators of the students' numbers in the above-mentioned majors demonstrate that female students still outnumber males by half and more.

**e- Gender mainstreaming in educational policy, curricula and textbooks.**

**What is the concept of gender mainstreaming?**

Gender mainstreaming is a process that helps achieve equality between both men and women. It is not an objective by itself, as much as it is a methodology. Efforts of mainstreaming address structural issues related to the distribution of resources and provision of equal social opportunities (especially men and women) to take part in social and economic activities and benefit from their revenues. In addition, gender mainstreaming and creation of frameworks for planning implicitly mean the presence of an institutional planning system that works to establish equality between both sexes and among social categories. This objective can be reached through acknowledging, taking into account and planning for the needs, special interests.

Plan and policy makers tend to set hypotheses and generalizations with respect to individuals and the needs of households and homes. Moreover, in many cases, women are excluded from an entire sector of development.

Here, we have to distinguish between gender-related planning that addresses disparities based on gender in a certain society in order to achieve fairness, equality and empowerment, and gender mainstreaming. The latter is process that responds to women's and men's needs and takes into accounts their interests in the planning, implementation, monitoring and the assessment of policies, measures, policies and programs of planning and regulatory policies.

The continuity of gender planning through integrating this concept in the method of national planning increases the likelihood of regular and sustainable development with respect to men and women in society.

**What are the gender-related issues in education?**

In spite of students' enrollment in schools, higher and vocational education, there is still contradiction between women's direction towards some majors on one hand and contradiction between the male/female graduates on all levels and the needs of education and the market on the other hand. There is also a dire need to:

- Reconsider the content of curricula and textbooks
- Confront the wide disparity in equal opportunities between both sexes and in the institutional discrimination against women (occupational progress).

Hence, women in Lebanon meet many challenges. There are also signs of lack of equilibrium between girls and boys and between men and women in our societies regarding education.

Illiteracy, drop-out and stereotyping the defined roles and narrow majors, they are all factors that negatively influence women. They also have an impact on other factors, such as lack of knowledge and skills. In addition, women would not know their rights. Not to mention their limited political, economic and social participation.

**Activities of NGOs to eliminate discrimination against women in the educational system**

**study by the Committee for the Follow-Up on Women's Issues**

**Discrimination in Arabic language and National Civics Books in the elementary stage**

**Gender-based approach**

**-Some results –**

- continue the process of updating and educational assessment of the curricula through setting new standards to change the gender image that currently exists in all educational stages in the elementary and secondary curricula.
- use a balanced language in these textbooks between both sexes so that women can feel they are valued as responsible citizens.
- focus on women's issues and their political, economic and social rights in society, methodologies and school books.
- conduct other studies in order to examine gender awareness and generalize knowledge about it among male and female students in all stages.
- hold training sessions for male and female teachers, as well as authors of books and members of curricula committees for school books to promote gender awareness.
- set up a gender training guide for male and female teachers to use it in promoting gender awareness.

## **f- Illiteracy and teaching adults**

The average of illiteracy among women is decreasing continuously. In 1980, the average pegged at 27.6%; however, in 1996, it registered 13.6%. According to National Survey of Household Living Conditions of 2004-2005, it is 8.8% (for those who are 10 and above). Overall, illiteracy is higher among women than among men. Among men it reaches 5.6%, compared to 11.8% among women. The average of illiteracy in the age group 10-34 ranges between 0.5% and 2.2% for males. The Gender gap does not emerge in the favor males except after the age of 34, where it increases progressively to reach 54% among women and 23.8% among men in the age category 65-69. The rate of illiteracy differs from one area. It reaches its minimum at 5.5% in the capital; whereas, in rural areas it varies between 8.5% in the north and 14.6% in the Bekaa.

Yet, this illiteracy is concentrated in high age groups, especially women. In the age group 60 and above, the percentage of illiteracy varied between 2.2% and 43.1% for men, compared to 50.7% and 63.1% among women. This great disparity is noted between both sexes in high age groups. It is also observed that the low illiteracy rates in these categories is due to the movement of the most educated age categories higher, more than the influence of programmed interventions on the illiteracy of the adults. Such interventions have not caused a huge impact yet, especially with respect to filling the illiteracy-related gap between women. Moreover, there is remarkable regional disparity in illiteracy rates. The lowest illiteracy rate is recorded in Beirut and Mount Lebanon, while this rate rises in other governorates in a way that restructures the social morphology between Lebanon's capital and its peripheries, and between the cities and rural areas.

**Illiteracy rate chart for those who are 10 years and above, according to age and sex**

| <b>Age group</b>               | <b>Females</b> | <b>Males</b> | <b>Females<br/>&amp; Males<br/>together</b> |
|--------------------------------|----------------|--------------|---|
| 10-14                          | 0.5            | 0.5          | 0.5   |
| 15-19                          | 0.8            | 1.1          | 1.0   |
| 20-24                          | 1.4            | 1.7          | 1.5   |
| 25-29                          | 2.2            | 2.4          | 2.3   |
| 30-34                          | 2.2            | 2.7          | 2.5   |
| 35-39                          | 4.8            | 3.4          | 4.2   |
| 40-44                          | 7.9            | 3.1          | 5.8   |
| 45-49                          | 13.4           | 4.5          | 9.2   |
| 50-54                          | 23.7           | 6.8          | 15.3  |
| 55-59                          | 28.9           | 9.1          | 19.4  |
| 60-64                          | 40.4           | 17.1         | 29.3  |
| 65-69                          | 54.2           | 23.8         | 38.9  |
| 70-74                          | 53.2           | 32.3         | 42.4  |
| 75-79                          | 56.5           | 28.5         | 42.6  |
| 80-84                          | 58.4           | 25.6         | 41.9  |
| 85 and above                   | 66.6           | 38.6         | 53.7  |
| <b>All ages (10 and above)</b> | <b>11.8</b>    | <b>5.6</b>   | <b>8.8</b>                                  |

These rates are likely to increase due to the current economic problems and the hike in the cost of public education. UNESCO'S 2003 report indicates that Lebanon is among the countries that are at the risk of not attaining complete elementary education by 2015. It is also among the countries that are at the risk of not attaining equality in education between both sexes and not reducing illiteracy among adults by half.

## **F- Interventions to eradicate illiteracy**

The educational system in Lebanon is quasi-restricted to formal education and its other little components which are dispersed and often lacking. Therefore, intervention to eliminate illiteracy in Lebanon did not reach the extent of having a planned national strategy that has a time-table to achieve its objectives.

Official statistics of the National Committee for the Elimination of Illiteracy and Education of Adults at the Ministry of Social Affairs indicate that the total number of male and female beneficiaries from the sessions of illiteracy and education of adults reached 21,613 male and female beneficiaries between 1997 and 2006 (i.e. since the beginning of the illiteracy program), i.e. with an average of 2,000 beneficiaries per annum. 85% of the beneficiaries were females, while the rest were males.

Though Lebanon has contributed and endorsed all the recommendations coming out from world conferences that were held in Juntien and Thailand in the years 1990-2000 to eradicate the disparities between both sexes in education and to set up a methodology and educational programs that meet the basic needs until year 2010, none of these objectives has been attained yet. The opportunities of the enrollment of children who are 3-4 years of age are still limited. This is due to the financial cost resulting from school enrollment and to other cultural factors that prevented girls from attending schools alone.

Even though the ministerial statements of successive governments since 1995 have underlined development and equal opportunities for everybody, the translation of such a declaration into reality was not seen. There were even no authorities that contributed to the advancement of the Lebanese women and the improvement of their participation in development. Ministerial statements did not include as well any reference to the implementation of the Convention on the Elimination of all Forms of Discrimination against Women, especially regarding sex-based discrimination.

**Some active NGOs in the elimination of illiteracy and education of adults**

ALPHA

Makased

MAAREF Islamic Association

Najdeh

Karakozian association

Rene Mouawad Association

Al- Azam Wa Al- Saada

Lebanese League for women's Rights

The Lebanese Women democratic Gathering

Women studies Institute in the Arab World/ Lebanese American university

## 2.2 Women and decision-making

The new development in women's issues and decision-making is summed up on two levels:

**First level:** It is the increase in women's participation in the parliament from 2.3% to 4.6%. It is still an unacceptable rate if we take into account the guarantee of women's right to take part in politics as per the Constitution and the enforced laws on one hand, and the women's capacity and their early involvement in the public domain on the other.

**Second level:** The National Commission for Parliamentary Elections adopted decree No.58 on 8/8/2005. The decree provided for a women's quota of 30% in candidature on the national level. However, the final calculation of this quota does not give women more than 10% due to the many obstacles that hinder women's way in the electoral law.

In spite of the importance we give to this development, the final result was not up to the expectations. The elections of 2005 revealed a decrease in the number of female candidates, compared to the session of 2000, from 18 to 14 candidates. The percentage of female candidacy was 3%.

**Chart of female candidates to the Parliament from 1953 to 2005**

| Parliamentary session | Number of female candidates | Number of withdrawing female candidates | Female winners       |
|-----------------------|-----------------------------|---|----------------------|
| 1953                  | 1                           | 1                                       | 0                    |
| 1957                  | 1                           | 1                                       | 0                    |
| 1960                  | 2                           | 0                                       | 0                    |
| 1963 (by-elections)   | 1                           | 0                                       | 1 (without opponent) |
| 1964                  | 2                           | 1                                       | 0                    |
| 1965 (by-elections)   | 1                           | 0                                       | 0                    |
| 1968                  | 2                           | 1                                       | 0                    |
| 1972                  | 4                           | 2                                       | 0                    |
| 1991 (appointment)    | 0                           | 0                                       | 1 (appointment)      |
| 1992                  | 6                           | 0                                       | 3                    |

|      |    |   |   |
|------|----|---|---|
| 1996 | 11 | 1 | 3 |
| 2000 | 18 | 1 | 3 |
| 2005 | 14 | 0 | 6 |

**a- Participation in Executive Authority**

For the second time (in 2005) in Lebanon’s history, women enter the Executive Authority and assume a significant ministry, which is the Ministry of Social Affairs. The first time was in 2004. Nevertheless, the government did not last long. We believe that women acceded to the Executive Authority and that the obstacles that used to hamper their participation have been overcome until now. However, this is only a first step that should be backed by rational rates in the Cabinet.

**b- Participation in decision-making**

Nothing has changed in women’s status due to the lack of political decrees in the government’s work in light of the current political situation that Lebanon has been witnessing since February 14, 2005, the date when political assassinations started and when Prime Minister Rafik Hariri was martyred.

**c- Participation in political parties and movements**

Rallies and demonstrations that took place in the wake of assassinations revealed remarkable interest of girls and women in politics. However, this changed into a permanent behavior that is surrounded by ambiguity due to the current situation of political parties and movements.

With respect to women’s membership in parties, numbers are still few. Laws do not force parties to adopt the required transparency by its members. Men still dominate the leadership of parties.

The information presented by the national file on Lebanese women in 2004 has not changed much. According to this information, women’s participation in parties is still weak. For instance, in the Communist Party, which is supposed to be a pioneer party, there are two women only out of 75 members in the central board and one lady only in the executive bureau. In the bloc, there are three women in the central board and one lady in the executive bureau. In the Phalanges Party, 5% of the leadership are women<sup>8</sup>, while in religious parties,

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<sup>8</sup> National file, 2004

such as Hizbullah for instance, women's absence is complete in spite of all the allegations of giving women roles in these parties.

In a modern study conducted by the female council in 2004 about the reasons behind the low participation of women in the political life, researchers found that discrimination exists in the mentality of the society and in the pattern of social life.

**Discrimination against women in the mentality of society**

| Percentage | Repetition | Option   |
|------------|------------|--|
| 51         | 211        | lies in mentality of society and social life                     |
| 33         | 135        | Discrimination in personal status                                |
| 37         | 154        | in social guarantees and fields of work                          |
| 17         | 69         | discrimination in civil rights and penal code                    |
| 28         | 144        | in on political level and non-occupation of leadership positions |
| 1          | 5          | Violence against women   |
| 15         | 60         | Other  |

**Source:** Lebanese Women Council, Opinion poll about women and their representative role in Lebanese elections, 2006

The rational conclusion of the afore-mentioned is that women's absence from the political decision is strongly linked to their non-participation in political activities in parties and associations. Yet, we go beyond that to see that the sequence of reasons has to intertwine with the group of conceptions and expectations prevailing in the Lebanese society and reproduce defined roles for women.

If women's participation in the political life is as such, is it better in the state institutions? Figures that were collected in the Central Statistics Administration reveal that women's participation in the formal public sector reached 8.53% of those working in 2000. The percentage of women who were taking part in any decision-making, i.e. in the three administrative categories according to the Lebanese system: first, second and third grades respectively, is 2% for the first grade and 10% for the second one.

The Lebanese women have been part of the judiciary since the eighties. There are now 124 female judges out of 434, i.e. around 35%. What is more important

is that they take part in the State Advisory (Shura) Council and in the Higher Judicial Council, even if at small rates. However, until now, they have never been part of the Constitutional Council.

With respect to female ambassadors, this participation is very minimal. There are 6 female ambassadors out of 88 across the world. Women's participation in the diplomatic corps slightly improved, as it registers now 22% (Source: Lebanese Foreign Ministry).

In unions, women are absent from leadership, and they are almost absent from union boards. There is only one woman in the General Labor Confederation.

In professional syndicates, where membership in the syndicate is a condition for work, women's presence is continuously progressing. However, her presence in the leadership is still slight.

These figures prove that the educational status of women was not translated by improving their occupational status.

The question is: why? The answer is: patriarchy and the system of educational values still produce role on the basis of gender and limit women's aspirations for change. These figures show that women's educational status was not translated by improving their occupational status. There are no official interventions by the government to help change the prevalent status that governs the sharing of roles.

## 2.3 Women in media

Women in all audio-visual media outlets and the press dominate, especially from the young age category. These data go along with the statistics that point out real development on the level of women's integration in the labor market in Lebanon. However, this numeric presence of women might register equality with men, and even in many times, women outnumber men. Yet, this gender supremacy or equality is still hampered by several hindrances in terms of participation in decision-making at their working places. Women's presence in decision-making posts is not practically noted.

Media attract young women, where the percentage of female graduates has become more than 90%. In an objective analysis of the figures and percentages of female and male graduates, we can conclude that number of female journalists will increase in the short run by a high percentage that might exceed 85%. However, positions of responsibility and decision in this vital sector remain in the hands of males, who now constitute a minority. Male and female graduates have noticed that the chances of getting a job rely heavily on the physical appearance in finding a job, especially for females. The "wasta" (mediation) still plays a significant role as well.

It is also worth noting that female members in the Union of Journalists does not exceed 30%, knowing that membership in the union has been suspended since 2000 for several reasons. For instance, those benefiting from this union would still be able to control the results of elections and decision-making posts.

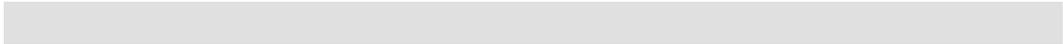
In a research on the roles and posts of male and female journalists, studies have concluded that it is necessary to go beyond gender disparities, to an attempt to examine the position of each of them towards media production within the context of a more comprehensive production process. Media is part of a capitalist production that is subject to conflicting interests. This system is still patriarchal, where men make the decisions and women follow. Therefore, media belongs to a capitalist group, the objective of which is not making profit only but reproduce the dominating ideology through re-distributing the roles.

It is also observed that women have not taken main central positions though they have managed to access fields that express the change of vision towards their traditional role in media. There is a change in the role of women (photography, head of transmission, editing, directing, preparation, head of department, programming officer...), but their position has not changed. Women for instance have not succeeded yet in becoming a new director, stage director, or chairwoman of board of directors. Their role has not been enhanced in forming the public opinion through enabling them to write an opinion column or analysis in first pages.

Moreover, on the level of the media's ownership, available data prove that among the owners and shareholders in the media, we might find names of female shareholders. But in general, they are merely wives or sisters or members in the families of the male shareholders and owners.

On the level of promotion, the situation of women in media does not differ much from that in other sectors. In general, they get promoted less than men, whether in terms of promotion in the salaries grade or financial promotion. Yet, among the factors that help in women's promotion, it was noted that if women excel in foreign languages, this would help them get promoted at work.

As for women's image as addressed by the media, it is still a negative one in general, as it is dominated by the image of traditional roles. Moreover, women's news and issues are not given the aspired space in media. A media scene still lacks positive samples that encourage viewers to look up to women thanks to their progress in all fields.



## 2.4 Violence against women

The civil society managed to present the problem of violence against women as one of the most prominent social issues which constitute a blatant violation of human rights and one of the main aspects of sex-based discrimination.

Thanks to the exceptional efforts undertaken by some civil organizations in Lebanon, they managed to depict injustice against women and take it out from the private domain to the public one. These organizations worked on different levels and succeeded in triggering the media's interest, which allocated and still does remarkable spaces to discuss this problem, present live testimonies and host many specialists, such as lawyers, social workers, psychologists... Moreover, the interest of male and female researchers increased in this topic. Hence, many studies and researches were conducted and addressed the cultural and social reasons behind violence against women. In addition, there were many researches on laws and their relevance to violence against women. Female university students were also enthusiastic to pick the topic of violence against women as titles for their university researches. It is also noteworthy that administrations of universities concerned with social work were interested to allocate sessions in the university syllabus to tackle violence against women.

The civil society also succeeded in raising social awareness towards the phenomenon of violence against women and its negative impact on families and the society. This urged more women victims of violence to seek assistance and benefit from the services provided to them in the civil organizations. This is translated in the figures issued by guidance centers in different associations.

The civil society also sought to shed the light on the phenomenon of killing women, whether under the pretext of "honor crimes" or due to disobedience. This was detected via the cases of murder that reached Lebanese courts during the past 10 years.

These efforts resulted in the shy acknowledgement- sometimes indirectly- of some official authorities of the problem of violence against women. Some ministries, namely the Ministry of Social Affairs, started to deal with this problem through cooperating with the civil organizations involved in launching special programs on domestic violence. These programs address violence against children, women and the elderly. Moreover, the Women's Affairs Department at the Ministry of Social Affairs cooperated with the organizations concerned with violence against women in training female guides and social workers at development services centers at the ministry on how to organize awareness sessions and on how to deal with women who are victims of violence. These training programs are still ongoing until now. It is worth noting that the level of performance of the ministry's centers in confronting violence against women has

not reached yet the level of direct intervention with women who are victims of violence. However, they are referred to the organizations' specialized centers.

Furthermore, interest in the issue of violence against women has increased among civil organizations, some of which are specialized in this topic only, while others have added it to their programs. Listening and guidance centers for victims of violence rose. Moreover, the number of female social workers and assistants, who enjoy the necessary skills for listening and guidance, increased. Parallel to that, the number of organizations that provide victimized women with shelter services also hiked. However, the need for such centers is still very high due to the tight places on one hand and the incapacity to receive women with their children on the other.

- **Difficulties and challenges**

The problem of violence against women is still a main challenge before the Lebanese State in fulfilling its commitments to international instruments it signed, especially the Universal Declaration for Human Rights and the UN Convention on the Elimination of All Forms of Discrimination against Women.

The violation of women's right to life, their right to enjoy equal protection from the law and other rights are is clear evidence of Lebanon's non-commitment to the simplest rules of human rights with respect to women and to recommendation 19 of the commission concerned with the elimination of discrimination against women.

It is enough to point out the lack of any legislative text on combating violence against women in the context of the family and on protecting them, and this is in spite of detecting many cases in which violence reached murder. In addition, the Lebanese State still "understands" the crimes committed against women, under the pretext of "honor". The government has not sought to annul Article 562 of the Penal Code even though recent studies conducted by the civil society indicate that this article has not been used by Lebanese judges in their verdicts concerning such crimes.

- **Weak official interest in addressing the problem of violence against women**

Despite the emergence of some positive indicators in the past few years on the level of official dealing with the issue of violence against women, thanks to some activities undertaken by the Ministry of Social Affairs and the National Commission for Lebanese Women's Affairs, combating violence against women requires measures that go beyond the borders of the different activities held here and there on the official and civil levels.

- **Civil Status Laws**

It is worth noting that one of the characteristics of violence in Lebanon lies in the Lebanese government's giving up of its powers in civil status. It referred these powers to the different sects, entitling them to impose their own laws on their followers. Therefore, civil status matters were linked to religion, i.e. rendering laws of marriage, divorce and custody subject to the religious courts, which complicates and ramifies these laws. In spite of its small area, Lebanon includes 19 denominations, each of which has its own system. Hence, solutions to some domestic violence problems are done as per the denomination of both spouses. Sometimes, solutions depend on the personal jurisprudence of the religious official.

Given the lack of a civil law for personal status, the enforced personal status laws in Lebanon constitute one of the main obstacles before combating violence against women. In addition to discriminating among women in Lebanon, dividing them into categories of different forms of violence against women, they all have a common factor. They all place women in a position of dependency and submission to man's will. They all regard the man as the absolute custodian over his children. After them, custody is transferred to their male relatives (father then brother...). Some sects also believe that a woman's role ends with the end of breastfeeding with respect to her male children. She will be then deprived of their custody when they are two years old in case of dissolution of marriage. In any case, in the remaining sects, the right of a mother's custody over male and female children alike ends at early years, except for the Greek Orthodox sect, which raised this age recently to 14 and 15 years. In cases of the dissolution of marriage, a mother suffers from different forms of unfairness, in terms of obtaining the sufficient financial indemnities even in the event when she keeps the custody of the children. Among the forms of such unfairness is her prohibition from keeping the house and difficulty of getting her alimony, etc...

A married woman, who is a victim of violence, faces extreme difficulties to get divorce, separation or annulment of marriage in case she decides to get rid of the situation of violence she lives in. It is impossible to get divorce in some denominations. Others set as a condition the approval of the husband. For others, it is costly to get a divorce. This is in addition to other difficulties.

The policy that the Lebanese government adopts is relinquishing its powers in the family planning of its citizens in the favor of the different Lebanese denominations. This is what pushed it to have reservations on Article 16 of CEDAW. At the same time, it was not in harmony with the obligation of implementing other principles of other international conventions which it signed with no reservations, namely the Children Rights Convention. This is clearly

manifested in the accepted minimum age for girls' marriage, which reaches 9 years in some sects and the age of 12 and 14 in other sects.

It is noteworthy that with the plurality of civil status laws, and attributing to them, the quality of sanctity, and with the presence of a civil code for personal status, the civil society finds it extremely difficult to achieve equality for a woman's positions inside the family, or at least alleviate the forms of unfairness inflicted upon her.

### **Efforts to eliminate forms of discrimination and violence against women**

victims of violence, and provide them with guidance and psychological-social and legal support to face violence inflicted upon them.

Form support groups for women who are victims of violence and exploitation. These groups would empower them and support their independence.

Increase awareness towards the problem of gender-based violence.

Launch awareness and advocacy campaigns

Build the capacities of those working in the front lines with women who are victims of gender-based violence, such as social workers, health workers and judicial police:

Train Internal Security Forces on how to deal with enforced laws in the field of preventing violence against women.

Follow-up the rehabilitation of the staff of listening centers on how to deal with women who are victims of violence.

Involve the media in combating violence against women

Seek to draft a protection law from domestic violence.

Defend and trigger the public opinion to change the culture of violence

Conduct studies and researches on domestic violence and its impact on society.

## 2.5 Refugee woman

The refugee woman in Lebanon, of different walks of life, suffers from accumulated discrimination due to this status and the uncovered social and economic situation. This situation is intermingled with gender-based discrimination. The status of a refugee woman in Lebanon is the breach of her civil rights, as Lebanon did not implement the Casablanca Protocol, which guaranteed non-discrimination between male and female refugees and between male and female citizens in civil rights. What marks the status of male/female refugees is the presence of multiple authorities involved with their status, in terms of security and services protection. The main category of male/female refugees are the Palestinians. They are the most ancient. They came to Lebanon in the wake of the 1948 war. Second come the Iraqis who started arriving in Lebanon since the mid 90's for political reasons. Their number significantly increased after 2003. It is worth noting that the first and second official reports did not mention the term "refugee". As for the third report on discrimination against women, it pointed out in its sidelines the Palestinian refugees (males/females) within a chart that depicts the activities of the civil society with respect to violence against children<sup>9</sup>. It also failed to mention the efforts in the field of violence against women, which seriously started since 1999. The Palestinian woman suffers from the impact of her chronic status as a refugee and from the repercussions of the imbalance in implementing the Casablanca Protocol, with respect to her deprivation from civil rights and her reliance on the international community via UNRWA. The refugees (female/males) started to work in health services, education and relief. In spite of UNRWA's efforts to reduce discrimination against women through having women in decision-making positions, ensuring statistical data detailed according to males and females, and finding development programs for women, the main obstacle hindering the reduction of discrimination against women are the limited resources at the disposal of UNRWA in order to change such initiatives into tangible achievements. The Palestinian woman refugee shares the Lebanese citizen to bear the burden of discrimination resulting from gaps in implementing civil status laws and the discrimination culture against women when integrated in the labor market available for her- with respect to the wage and other types of infringement. In addition, she shares with the Lebanese female citizen the suffering from violence within the context of the family. There are sample

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<sup>9</sup> For more details, see the third report of 2006- p.38 and the report relevant to the female Palestinian refugees.

studies that reveal the percentage of the prevalence of physical violence, which reaches 18%. As for the female Iraqi refugees, who are more recent, many of them suffer from the repercussions of their illegal status and from the limited budget allocated to ensure the health, educational and relief services. This is in addition to their suffering from the repercussions of the culture of discrimination against women in the labor market available for them. There are also indicators of the spread-out of family violence.



## 2.6 Human Trafficking

Unfortunately data available on the problem of human trafficking in Lebanon is extremely limited. The available information is mainly extracted from the report submitted by the special rapporteur at the UN who is involved in the human rights of victims of trafficking, after the delegation that visited Lebanon in February 2005.

Mrs. Sigma Huda, the special rapporteur, involved in the human rights of victims of trafficking, especially women and children, after the delegation that visited Lebanon (from 7 to 16 February 2005). E/CN.4/2006/62/Add.3

According to this report and other international reports (US Department of State, Report on Trafficking, 2007 report on human rights- Lebanon's protection program), Lebanon is considered as a transit country and as a final destination country for many migrant domestic workers, many of whom are trafficked to exploit them at work. Lebanon is also a transit and a final destination country for foreign women who are exploited in prostitution.

The true extent of the human trafficking problem remains unknown to much of the Lebanese society. As indicated by the Special Rapporteur in her report, there have been seemingly no initiatives by Lebanese authorities to compile information about human trafficking networks and modes of operation. In addition, civil society (and relevant official authorities as highlighted by the Special Rapporteur) lack of clear understanding of the concept of human trafficking. On another hand, there is a sort of blinding over the crisis that victims of human trafficking in Lebanon pass through. Most of the Lebanese society categories are unaware of the existence of such a problem. This is due to the fact that the victims are often foreigners or are considered of lower social classes. Moreover, they often suffer in places that are far from the eyes of the public opinion, such as houses, night clubs or hotel rooms. This is in addition to other factors, such as the discriminatory standpoints on the basis of race, color, race and gender which contribute to the spread-out of human trafficking and covering of this problem. Another factor is the social and cultural taboos which prevent the discussion of issues relevant to sexual abuse before the public opinion.

It is worth noting that the Lebanese government signed a convention in 2005 with Caritas-Lebanon and the international catholic committee that is concerned with emigration. This was aimed at protecting and helping women who fall victims of trafficking.

In 2006, the government formed two steering committees to examine the issue of trafficking and relevant issues. However, it did not do its best to prevent human trafficking, such as the necessary investigations and the conviction and

punishment of perpetrators, as well as the assistance and the protection of victims.

## **2.7 Migrant domestic workers**

It is estimated that 120,000 to 200,000 domestic migrant workers are present in Lebanon; most of them come from Asia and Africa (particularly Sri Lanka, Philippines, and Ethiopia).

- **Area of Concern**

- Migrants workers involved in domestic labor are excluded from the protection of the labour law (Labour Code of 1946) and do not benefit from its regulations..
- Domestic migrant workers are subject to a separate legal regime; more specifically to a set of administrative directives issued by the General Security Department of the Ministry of Interior
- They do not benefit from the protection ensured by this law or its provisions, such as working hours, weekly vacation and the annual leave, etc...
- The mechanism adopted in recruiting those female workers and the conditions governing their work do not guarantee their rights fully.
- In Lebanon, there is no comprehensive and efficient monitoring system to follow-up the working conditions of those female workers.
- The number of active organizations in Lebanon to help those female workers is very limited.

## **2.8 Women in the sex industry**

The position of law with regard to prostitution is ambivalent. Prostitution is legal under certain conditions:

- The opening of brothels and maisons de rendez-vous is subject to specific conditions, and women in prostitution must be registered and must undergo medical examinations
- The government has stopped granting permissions for several decades..
- The same law prohibits secret prostitution and practicing or enabling secret prostitution is punishable by imprisonment for one month to one year. While all women engaged in prostitution are criminalized, the law does not punish or criminalize the customers..

- Females working in prostitution are subject to a separate legal system that is set by the General Security Directorate.
- Some directives facilitate in fact the process of exploiting women in prostitution. There are other directives that breach the applied international standards, such as banning female migrant domestic workers or women working in prostitution from getting married during their stay in Lebanon, provided that they be deported in case they got married.
- Very few specialized non-governmental organizations in Lebanon deal with the problem of human trafficking for the purpose of sexual exploitation

## 2.9 Women's health care

Health care is a very significant aspect of women's progress, as health is associated with different potentials that a woman needs in order to fulfill all her roles.

First of all, it is worth noting that paragraphs (1) and (2) of Article 12 are not implemented sufficiently, even if in an acceptable manner. The studies, issued by the project of "Capacity Building for Reduction of Poverty"<sup>10</sup> in its bulletin issued in March 2007, stress that 55.1% of the Lebanese do not have access to health insurance. This percentage includes women with an average of 51.7% and men 57.4%. This increases the demand to the State so that it fulfills its health commitments towards its citizens.

### Chart on the population's distribution according to the type of health insurance

| Health                                       | Percentage |
|--|------------|
| National Social Security Fund                | 23.4       |
| Army and Security Forces                     | 9.0        |
| Cooperative of Civil Servants                | 4.3        |
| Private Insurance                            | 2.6        |
| Union, Commission on the expense of employer | 3.9        |
| Other types                                  | 1.7        |

<sup>10</sup> Ministry of Social Affairs and UNDP, Project of Capacity Building for Reduction of Poverty. Source: Ministry of Social Affairs, Central Statistics Administration, Arab League, Lebanese Census of Family Health, 2005

|              |      |
|--------------|------|
| No insurance | 55.1 |
|--------------|------|

**a- Maternity Care**

A mother's health is considered essential for the family health. Therefore, it constitutes a significant pillar of a healthy society. Reproduction is also considered among the main and sensitive age phases. Ensuring health care for the mother and her baby during pregnancy is considered among the main priorities of the health sector in order to guarantee care before, during and after pregnancy. During this health follow-up, periodical examinations are conducted, and any symptoms of illness cases of the mother's or the baby's health is monitored. An easy-access delivery service is also ensured. As for the post-delivery stage, it is not less important that the stage before and during the delivery, as a result of its repercussions on the mother's health and her baby's. The Lebanese Census for Family Health, which was conducted by the Ministry of Social Affairs in cooperation with the Arab League and the Central Statistics Administration in 2004, addressed many questions on the health care of mothers who have delivered babies five years before the census.

**b- Health care during pregnancy**

The aforementioned census reveals that around 95.6% of women have received care during pregnancy. These rates vary from one area to another. It ranged between 88.6% in the North and 98.9% in Mount-Lebanon. Pregnant women often resort to doctors, with regional disparities between 85.1% in the Bekaa and 98.1% in the South.

It also turned out that the younger the wife, the more care she receives from the doctor. So is the case with respect to the first baby, when the woman receives more than the next babies. The percentage of care given to the first baby reaches 99%, while that of the sixth is more than 80%.

**c- Delivery care**

The Lebanese Census for the Family Health proves that more than 92% of deliveries take place in a governmental or private hospital and that 2.4% of the deliveries take place at home.

**d- Reasons of interruption of pregnancy**

The reasons of interruption of pregnancy are mainly attributed to the high cost, where its percentage reached 32.3%. It is a high percentage and completely contradicts the government's commitment to ensure health care. This also does not conform to Article 12 of CEDAW, which is ratified by the Lebanese Parliament. As for the women who stated that it is due to lack of experience

(19.3%), we believe that they were shy of saying that it is due to lack of resources.

**e- Fertility**

Information on fertility is essential to follow-up with the development and the assessment of the impact of health and demographic policies and programs in Lebanon. It is also important because of it is highly related to the health and mortality of mothers and children. The overall fertility rate was registered at 1.9 babies (boy or girl) per woman during the five years before the census.

**f- Prior use of family planning means**

The census reveals that the prior use of these means emerged in the age category (15-24). The use of any means reached 43.6%, but it decreased, compared to modern means, to stand at 29.4%. It is a new phenomenon in research in light of the increase in the age of marriage among females in Lebanon (28.5 years). The census also illustrates that the highest percentage of the use of means goes for pills (35.2%), followed by the loop (29.9%). However, the use of traditional means or the less efficient ones decreased: withdrawal at 20.8%, safety period (19.2%) and the condom (11%).

The available data prove that the traditional and modern means of family planning are all used in Lebanon. The lowest percentage goes for sterilizing men (0.2%) and injection (0.3%). As for prolonging the period of breastfeeding, it registered (4.2%). It turned out as well that the age category (35-40), is the largest one to follow this means. However, it decreased by half in the age group (25-30).

It can be said that "Family Planning services" and reproductive health are available to an acceptable extent. They meet women's needs in different areas, except for some areas in the North which need more services, especially in terms of raising awareness.

Nevertheless, what attracts us here is that the source of family planning services is distributed as follows:

**Chart on source of family planning services**

| Source of family planning services | Percentage % |
|------------------------------------|--------------|
| Public institutions                | 7            |
| Civil sector                       | 6            |
| Private sector                     | 80           |
| Undefined                          | 7            |

|       |     |
|-------|-----|
| Total | 100 |
|-------|-----|

Source: Lebanese Census on Family Health, 2005

In fact, the study did not define the reasons why women resort to private clinics and put up with their high costs. The reasons should have been clarified to see their adequacy with paragraph (2) of Article 12, which states: **States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary.**

This means that governmental centers that provide the service do not sufficiently take into account women's circumstances and their needs. This is why they relied on the private sector in the family planning-related services.



## 2.10 Rural Women

A “rural woman” the woman who lives different Lebanese villages and towns outside medium and big cities, hoping that this will not weaken the discussion on the rural woman, as per Article 14 of the Convention.

- **Problems**

Rural women face multiple problems, and they form an integral part of the problems that women in Lebanon suffer from, in terms of discrimination, stereotypical trends, and family suffering in general, namely in rural areas. Among the main problems are:

- High rate of illiteracy- compared to men
- A complete or partial lack of social activities for women
- Lack of a methodological manner in the framework of a clear governmental plan to solve these above-mentioned problems. Civil society associations tend to solve these problems, without planning as well.
- Lack of any government policies relevant to micro and small credits. These are offered by a wide variety of civil organizations, with assistance from abroad. There are no published reports to determine the number that annually benefit from these credits, especially the numbers of women, as loans are given to males and females. In addition, the required economic opportunities are not available for women because they are few in the first place. This is what pushed to women’s emigration, which Lebanon did not know in the past.

## Critical Issues

The critical issues that we evoked in our second report of 2004 are still the same.

1. More than 10 years have passed since Lebanon ratified CEDAW with many reservations (paragraph 2 of Article 9 on nationality, paragraphs (c, d, e, g) of Article 16 on the Civil Status Law, paragraph 1 of Article 29 on conflict resolution); however, no amendment of these reservations were made.
2. More than 10 years have passed since the establishment of the National Commission for Lebanese Women, which is a mechanism that is directly related to the office of the prime minister. The commission did not submit any proposals to lift the reservations of the articles that Lebanon had remarks on.
3. A parliamentary commission for women was established. However, until now, the forms of its actions and scope of work have not been determined. It did not forward any suggestions to lift off the reservations made by the government on the document.
4. Even though the government allocated in its ministerial statement a paragraph relevant to women and the government's intention to implement the relevant conventions and the declarations, and even though the Human Rights parliamentary commission started to draft a plan to enhance human rights, which the women advancement plan is part of, the government did not submit any strategy to eradicate violence against women. This is manifested in the absence of any programs by the committee for updating the laws, which has been working since Lebanon entered the phase of peace. It does not have any programs to set laws to curb violence against women or look after victims of violence.
5. The government or the relevant governmental bodies do not have any programs to eliminate discrimination in the various economic and media fields.
6. The government did not submit any programs to involve the civil society in the relevant decisions.
7. The Lebanese government has to sign and ratify the International Convention on the Rights of all Migrant Workers and their families.
8. There are no laws that protect a female refugee and female migrant domestic workers from human trafficking and sexual exploitation.
9. There government has no national strategy to enhance women.
10. The national plan to promote women is the first step towards women's progress in Lebanon.

## **Recommendations**

The information we revealed in this report proves the fragility of the ads and procedures which the government adopted since 2004 until today. The ministerial statement which allocated a paragraph for women is still ink on paper.

Moreover, the quota system mentioned in the Commission for the Electoral Law is not up to the expectations. The 20% that was given to women in a second stage of elections has become a bit more than 10%, whereby the quota would be in candidacy and seats.

As for the urgent needs that were the essence of demands and national campaigns led by women movements, in cooperation with the civil society, have not been met. If the political situation is a reason behind this inertia, we have to admit that issues of equality between men and women do not form part of the government's and the parliament's concerns. Perhaps, it is useful to point out that this report carried along some hopes based on good intentions, but there is a dire need to turn intentions into deeds.

- **What are the policies that should be adopted to promote women?**
- **What are the measures and what is required on the legislative level?**
- **Who implements them and how are they implemented?**

### **What are the policies that should be adopted to promote women?**

We can describe the matters related to policies as follows:

- 1- Integrate the concept of gender, i.e. taking into account the issues of both genders in all policies and sectors and in all sectors, including measures of training, capacity building, establishment of special units inside ministries and administrations to detect and monitor the implementation of this concept.
- 2- Give ultimate priority to endorse a comprehensive methodology to confront violence against women and girls and integrate this methodology in all the economic, social and cultural policies.

- 3- Draft new laws to protect women are subject to violence and punish those exercising violence against women.
- 4- Create laws that protect female refugees and migrant workers from trafficking and sexual exploitation.
- 5- Implement internal measures, including positive distinguishing (quota) in order to improve and enhance women's participation in decision-making, particularly in electing committees.
- 6- Adopt legislative measures to promote awareness towards the necessity to amend stereotypical laws and traditional standards on the roles and the responsibilities of each of men and women in the family and at work. The profound study on "violence against women", issued by the secretary-general, stressed that lack of equality is a reason behind violence. Stereotypical roles in society constitute a dangerous obstacle that prevent women from enjoying human rights and hinder the complete implementation of the convention.
- 7- Build equilibriums on the basis of gender in interest men and women.

- **What are the measures and what is required on the legislative level?**

The first measure that should be implemented to achieve equality, in terms of culture and behavior is:

1. Lift the reservations off paragraph 2 of Article 9, relevant to nationality and paragraphs (c, d, f, g) of Article 16 which is relevant to personal status, because these reservations contradict the essence of the convention.
2. Promulgate a unified law for personal status that could be applicable on all women, regardless of their religions. It is high time that the government adopts the necessary measures in order to unify religious courts and render them affiliated with the Justice Ministry.
3. Implement the preferential treatment or the quota to expedite women's integration in different sectors and facilitate her accession to the voting bodies.

Changing the paragraph on women in the ministerial statement and the advancement plan endorsed by the Human Rights parliamentary committee into procedures and legislations is a good start on the way of justice to women in Lebanon.

- **Who implements them and how are they implemented?**

All the government's apparatuses are the ones that embrace and implement policies. However, implementation needs a change of vision, culture and behavior. This means well-planned hard work in order to have the required impact in culture and social behavior. The National Commission for Lebanese Women is the first institution concerned with this issue.

Therefore, the urgent matter is to enhance this commission, which necessitates giving it real powers after reconsidering the functions and the formation of this commission, where it can voice women inside public administrations and apparatuses.

Moreover, the civil society and women's associations play a significant role along with the commission. They are the objective ally of a commission that voices women's demands. Therefore, coordination with the civil society is a basic function of the commission. The civil society is the executive arm that changes issues into concerns and demands before the society. This can be embodied in:

1. Form lobbying groups and establish alliances in order to promote women's issues .
2. Raise the awareness of women and guide them to their rights.
3. Build a public opinion in order to lift the reservations off CEDAW

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