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English
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**Committee on the Elimination of Discrimination
against Women**
Pre-session working group
Thirty-third session
5-22 July 2005

**Responses to the list of issues and questions for
consideration of the initial report and the second
periodic report**

Lebanon*

* The present document is being issued without formal editing.

Translator's note: After question 25 in the original Arabic text, the numbering of the questions does not coincide with the numbering in the list of issues and questions with regard to the consideration of periodic reports (CEDAW/PSWG/2005/II/CRP.1/Add.8). The English text follows the numbering used in the latter document.

General

Question 1

- Both the initial report and the second periodic report were prepared by the National Commission for Lebanese Women, assisted by a group of experts who worked under the supervision of the Commission's Executive Bureau. In preparing the reports, some information was drawn from publications produced by women's non-governmental organizations.
- In 2000, the head of the Lebanese Government approved the initial report. He also approved the second periodic report, issued in Beirut in December 2004.

Question 2

- There is nothing new to add concerning the position of the Lebanese State in regard to the reservations mentioned.

Question 3

- There is also nothing new to add concerning Lebanon's failure thus far to accede to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

Articles 1 and 2

Question 4

- In recent years, significant progress has been made in regard to a number of legal texts and provisions (see second periodic report, part two, chapter 1.II).

Question 5

- It is true that the Lebanese Constitution contains no explicit provision relating specifically to the equality of men and women. Such equality, however, is a constitutional principle enshrined in the preamble to the Constitution, which, as such, has the same constitutional force as the provisions of the Constitution (see second periodic report, part one, chapter 2.I).
- In the same context, on amendment of certain provisions of the Employment Act, the Lebanese legislator incorporated an explicit text, namely that of article 26, as amended, which states that: "Employers shall be forbidden to discriminate on grounds of sex between male and female workers in regard to type of work, amount of pay,

recruitment, promotion, pay rises, vocational training and dress.” (See second periodic report, part two, chapter 1.II.1.A, first paragraph.)

- The term “the insured”, contained in article 14 of the Social Security Act, is now also construed to mean “the insured male and the insured female alike, without discrimination” (see second periodic report, part two, chapter 1.II.1.B, third paragraph).

Article 3

Question 6

1. Work undertaken by the National Commission for Lebanese Women since its establishment

- See second periodic report, part one, chapter 3.I.1.

2. Role and level of authority of the National Commission for Lebanese Women within the Lebanese Government

- The National Commission for Lebanese Women is a body established under the Office of the Prime Minister pursuant to Act No. 720 of 1998. Women ministers and deputies are regarded as legal members of the Commission and have consultative status throughout their term of office.
- The wife of the President of the Lebanese Republic, Mrs. Andrée Lahoud, has presided over the National Commission for Lebanese Women since the promulgation of Act No. 720 of 1998.
- Pursuant to its mandated functions of advising the Office of the Prime Minister and all public departments, the National Commission on Lebanese Women is invited to participate in parliamentary committee meetings when matters relating to women’s issues are under consideration. Recently, for example, it played an effective role in the work of the Parliamentary Committee on Administration and Justice during its discussion of the text of the proposed bill for amendment of the Lebanese Penal Code.
- Pursuant to its mandated functions of liaising and coordinating with various public departments and institutions, with non-governmental and civil associations and with international and Arab bodies and organizations, the National Commission for Lebanese Women participates in local, regional and international meetings and conferences held on women’s issues.
- The National Commission assumes executive functions covering a number of activities, including that of outlining a general national strategy for Lebanese women.

3. Human and financial resources of the National Commission for Lebanese Women

Human resources:

- **Members:** The General Assembly of the Commission comprises 24 members who are demonstrably active in the field of women's affairs. They are appointed by decree for a three-year term. The General Assembly also elects eight of its members to serve on an executive bureau.
- **The administrative machinery:** The administrative machinery currently comprises six individuals.
- **The Lebanese Women's Information Centre:** In 2004, the Commission engaged three specialists to establish the Lebanese Women's Information Centre and oversee its work.

Financial resources:

- The Commission's receipts come from allocations made in the budget of the Office of the Prime Minister. The Commission may also accept gifts and donations from local and foreign non-governmental bodies, as well as from international organizations, by a decision of its Executive Bureau.

Article 5

Question 7

- Monitoring and oversight bodies concerned with changing the stereotypical image of women are generally lacking. The image of women portrayed in schoolbooks, however is monitored by a body comprising the National Commission for Lebanese Women, the Educational Centre for Research and Development, the Family Planning Association and the Women's Council, as well as experts and scholars on the subject. Its meetings, however, have ceased for reasons which are unclear.
- As for the portrayal of women in the media, there is no evident mechanism for monitoring by the Media Council or by women's organizations. The media are reproached for generally acting to spread the prevailing culture more than they intend to develop it. Hence, no obvious effort is being made to change the stereotypical image of women and there is a conspicuous absence of any procedure leading to the imposition of penalties for exploitation of women's bodies in advertising (see second periodic report, part two, chapter 2.III.2).

Question 8

- The provisions of the Lebanese Penal Code, including, as a matter of course, the articles which are discriminatory to women, are currently under comprehensive review. It should be emphasized, however, that the Parliamentary Subcommittee on Administration and Justice, which is tasked with this matter, operates on the principle that men and women are equal (see second periodic report, part two, chapter 2.III.2).

Question 9

- Article 522 of the Penal Code is one of the articles which, by a decision of the Subcommittee mentioned in connection with question 8, is to be abolished. (Annexed hereto is a copy of the letter No. 2182, dated 14 February 2005, from the Secretary-General of the National Commission for Lebanese Women on the subject. See also the second periodic report, part two, chapter 1.II.2).

Question 10

- The violence against women referred to on page 51 of the initial report (CEDAW/LBN/1) appeared under the rubric of employment and the economy. In the same paragraph, violence in the workplace was cited as another form of violence against women, focused primarily on “real” salaries, promotion, training and retraining. Sexual harassment was also stated to be a widespread practice.
- In the field of employment, the new text of article 26 of the Employment Act (already cited in the response to question 5) explicitly prohibits any discrimination between male and female workers on grounds of sex. The responsibility which arises out of the contravention of these provisions is both civil and criminal.

Question 11

- In its effort to combat violence against women and prevent the resistance shown in our society to acknowledging violence against women, the Women’s Affairs Department at the Ministry of Social Affairs, in conjunction with the concerned non-governmental organizations (the Lebanese Council to Resist Violence against Women and the Women’s Democratic Gathering), is implementing a three-phase project to combat domestic violence against children, the elderly and women under the banner of “families without violence: a safe and sound society”. The first phase is designed to develop the capacities of those working in development service centres. The second phase is designed to heighten local-community awareness of domestic violence. Currently in preparation, the third phase is designed to train workers in specialist intervention with women victims of violence. The same services are being expanded as part of a new project being implemented in centres run by non-governmental

organizations involved in combating violence against women (see second periodic report, part one, chapter 3.I.3).

Articles 7 and 8

Question 12

- On the subject of women and political participation, noticeable progress has been recorded in recent years, as precisely illustrated in figures in the second periodic report, to which reference should be made in this connection (see second periodic report, part 2, chapter 4).

Article 9

Question 13

- On the subject of nationality and bearing in mind Lebanon's reservation to the provision that women are to be granted equal rights with men with respect to the nationality of their children, Lebanese legislation contains nothing new in this regard. It is worth pointing out, however, that a child's nationality does not preclude the mother's receipt of social benefits for her children (see second periodic report, part one, chapter 4.I, final paragraph, and part two, chapter 1.II.C, second paragraph). In addition, it is explicitly stated in the Regulation of the Employment of Aliens Act that work permits are granted to aliens born of a Lebanese mother.

Article 10

Question 14

- Lebanon has a national literacy committee, the aims of which are, inter alia, to combat illiteracy and halve illiteracy rates by 2015. The committee's successes include the training of literacy tutors (210 tutors in development service centres, 389 tutors in non-governmental organizations, 143 tutors in the military establishment and 15 tutors in the Directorate of Prisons). The University Students for Literacy (UNILIT) programme, which aims to involve university students in literacy activities by granting them free academic credit for every 40 hours of tutoring they provide within the programme, has also been implemented and the eradication of illiteracy is now included as part of the academic curriculum at universities.
- Literacy classes benefiting 3,220 learners, one third of them women, were organized by 15 main offices and 22 branch offices of the development service centres. Classes benefiting a further 2,524 learners, over half of them women, were also run by 25 non-governmental organizations. A teaching programme has been developed and literacy books have been produced; in writing these books, careful attention was paid to

incorporating the concept of gender with the aim of altering thought and behaviour patterns.

- The literacy programmes are facing a number of difficulties, including: the lack of studies to assess such programmes (although they are estimated to benefit 56 per cent of women participants); the high cost of the programmes; the failure to develop training programmes geared to the productive needs of male and female participants; and the inability to offer material incentives, such as payment of travel expenses for illiterate women, particularly those from deprived areas.
- Those running the above programmes observe that women show a greater commitment to and desire for literacy than is the case with men. The reason for this is that, in the case of some men, illiteracy does not stand in the way of employment, particularly in physically demanding sectors, whereas employment opportunities are few and far between for illiterate women (who are usually not well off). Within the family, the need to keep track of their children's schoolwork is a further incentive for women to acquire a knowledge of reading (see second periodic report, part two, chapter 5.III).

Question 15

- In 1998, a law providing for compulsory education to the age of 12 as a first phase and to the age of 15 as a second phase was approved. This law, however, was not linked to free education. Furthermore, no control mechanisms or procedures were put in place and no budget for implementation of the law was established. The Education for All plan comprises a number of steps to be completed by 2015. These relate to early childhood, basic education, children and young people who are non-school goers and adult education. No special or specific measures for females are mentioned in the plan (see second periodic report, part two, chapter 5.III).

Question 16

- The proportion of women in the workforce increased by 3.3 per cent during 2001, compared with 1997.
- This increase, however, was not achieved as the result of a deliberate policy or direct effort on the part of the Lebanese Government; it was an automatic outcome of economic growth and the trends in its development.
- The majority of women workers are unmarried. It can therefore be assumed that the underlying reasons for the disproportion between men and women in terms of joining the workforce are twofold: the failure of establishments to support the reproductive role of women (with free crèches, subsidized cafeterias, etc.) and the widespread belief that only women - and not men - bear responsibility for the tasks involved in that role (see second periodic report, part two, chapter 6.I.2, and tables 5 and 6).

Article 11

Question 17

- The tables contained in the second periodic report (part two, chapter 4.II.3) show the proportion of women in various State departments and in the civil, legal, judicial and military machinery, in accordance with their administrative grade. The indication is that there has been a quantitative and sometimes qualitative improvement in the positions of women and the extent of their involvement in such departments. The Lebanese Government has not launched any open initiatives for positive discrimination in this area. However, the selection system used to fill government administrative posts, which is applied by Lebanon's Civil Service Council, does not discriminate against women.

Question 18

- The rate of women's participation in the job market has increased to 25 per cent of inhabitants of working age.
- Some of the measures taken by the Government to improve employment opportunities for women involve the inclusion of training for various income-generating occupations as part of the programmes offered by the National Employment Office - which is under the mandate of the Ministry of Labour - in conjunction with non-governmental organizations, particularly in outlying areas (see second periodic report, part two, chapter 1.II (The workforce)).

Question 19

- Under article 29 of the Employment Act, it is forbidden for employers to dismiss from service or issue a warning of dismissal to a female worker during the period of confinement, by which is meant the period of maternity leave and not the period of pregnancy. In any event, article 52 of the Employment Act has been amended; the reference to the fifth month of pregnancy has been removed and employers are now forbidden to issue a warning of dismissal to a "pregnant employee" or to an "employee on the ground of confinement" (see second periodic report, part 2, chapter 1.II.1.A, final paragraph).

Question 20

- The period of maternity leave in the private sector has been increased from 40 days to seven weeks with full pay (see second periodic report, part two, chapter 1.II.1.A, second paragraph).

Question 21

- The statement that women's pay is low in comparison with men's pay certainly does not apply to all sectors; in the public sector, as in the formal private sector, workers in the same occupational category receive equal pay, without discrimination between men and women. In Lebanon's informal sector, however, the workers are not subject to the Employment Act and its supplementary provisions. The question of pay in this sector is therefore subject to different influences, not least the general economic situation which Lebanon has been experiencing for a considerable period of time, the accompanying shortage of job opportunities and the increasing unemployment rate.

Question 22

- In 2002, the provisions of the Social Security Act were expressly amended so that there is no longer any disparity between male and female insured persons as far as the right to receive child benefits is concerned (see second periodic report, part two, chapter 1.II.1.B, third paragraph).
- In 1999, the equality of female employees with their male counterparts (in the public sector) was established in regard to the receipt of benefits from the Civil Servants' Cooperative for themselves and their children. This equality between male and female employees, however, does not include the right to family allowances for children, governed by article 3 of Decree No. 3950, which is mentioned in the second periodic report under the heading of "Areas of discrimination against women" (see second periodic report, part two, chapter 1.III.2).

Question 23

- Low-income women heads of household receive assistance from the Ministry of Social Affairs under its support programmes for families in need. Such assistance consists of grants in kind and of service awarded to families on the basis of the priorities established by the families themselves, with the help of the Ministry's departments. Low-income women heads of household may also attend, free of charge, the vocational retraining programmes for women organized by the Ministry.

Article 12

Question 24

1. Health problems affecting women in particular

- Women are vulnerable to sexually transmitted diseases (STDs), especially AIDS, as well as to the physical and mental risks of secret abortion (see second periodic report, part two, chapter 7.III), pathological complications linked with childbirth, genetic

disabilities caused by intermarriage (see second periodic report, part two, chapter 7.VI) and cancers such as breast and cervical cancer, in addition to osteoporosis (see second periodic report, part two, chapter 7.V).

2. Women have access to the following health services:

- All health benefits if they belong to the National Social Security Fund or are insured with a private company;
- Health benefits for uninsured citizens, which are provided in conjunction with the Ministry of Health, the Ministry of Social Affairs and the health sector;
- Services offered by the public sector in conjunction with the non-governmental sector in the context of implementing the national population policy, to which Lebanon made a commitment in 2001 and which includes policies relating to reproductive health and family planning;
- National programmes supported by the United Nations, such as the national reproductive health programme, the national AIDS/STD control programme, the national programme for non-transmissible diseases and the medication programme for chronic patients (see second periodic report, part two, chapter 7.V).

Question 25

- The health services accessible to women and mentioned in the response to question 24 promote the development of family planning services, thus reducing unwanted pregnancies and consequently the abortion rate. Field studies showed that, in 2000, 99 per cent of women were aware of at least one method of family planning. It should be mentioned that Decree No. 9814 of 22 March 2003, under which reproductive health services were incorporated as part of the primary health care system, focuses on further increasing the use of family planning methods and the number of women receiving health counselling and family planning services (see second periodic report, part two, chapter 7.II).

Question 26

- There are no special programmes designed to protect women from AIDS. Women do, however, benefit from the national AIDS/STD control programme and from decisions concerning control of the AIDS virus that have been issued in the form of laws and decrees on maternal safety, the AIDS reporting requirement and compulsory testing. They also benefit from awareness-raising campaigns; the 2005 campaign is particularly focused on the protection of women (see second periodic report, part two, chapter 7.V).

- Women also benefit from all of the intervention measures adopted under various strategies, including those aimed at:
 - Involving all sectors concerned with this subject;
 - Adopting a system for the monitoring and evaluation of action plans;
 - Strengthening the involvement of the private sector, notably the media;
 - Adopting an integrated approach comprising: preventive health, education and support for sufferers;
 - Preventing transmission of the virus through blood transfusion, sexual intercourse, etc.

It should be noted that, under Lebanese law, any person wishing to marry is required to undergo medical, laboratory and preventive testing (see second periodic report, part two, chapter 7.V).

Article 14

Question 27

- The beneficial impact of the Government's efforts to improve the situation of rural women can be listed in the following indicators:
 1. Improvement of the health situation of rural women as a result of access to the services mentioned in the reply to question 24 above, as well as access to services provided by the clinics opened in a number of rural areas;
 2. Improvement of the educational situation of rural women following the completion of renovation work in the schools destroyed by military activities between 1975 and 1990, the updating of educational curricula and development of the education strategy for 2015, mentioned in the reply to question 29;
 3. Improvement of the situation of rural women in agriculture and services following the supply of drinking and irrigation water to most rural areas;
 4. An increase in the proportion of rural women involved in decision-making, in which connection we would point out that there is no significant difference in the proportions of men and women who exercise their right to vote. We would also point out that the proportion of rural women who participate in parliamentary and local elections is higher than among urban women (for reasons connected with cronyism, family allegiances and return favours that

sometimes taint the electoral process in outlying rural areas). In the 2004 parliamentary elections, the number of women who won seats in rural areas rose compared with the number in major towns (see second periodic report, part two, chapter 4.II).

Articles 15 and 16

Question 28

- Lebanon has no one personal status law; instead, it has laws which vary on the basis of the religious community to which each Lebanese belongs. It is for this reason that Lebanon was obliged to make a reservation to article 16, paragraphs (c), (d), (f) and (g), of the Convention, as the rights articulated therein do not apply as one to all Lebanese. For further details on this subject, please refer to the second periodic report (part one, chapter 4.II).

Question 29

- Studies have shown a link between age of marriage and level of education, since the rate of early marriage is lower among women with a secondary education than among those having attained only the primary and intermediate levels. In this context, it is important to apply, in 2005, the strategic guidelines for education in Lebanon in a bid to tackle successfully a number of core areas of concern, including, for instance, compulsory education, literacy and measures to prevent school drop-out (see second periodic report, part one, chapter 1.III).

Enclosure: Letter No. 2182/2005 dated 14 February 2005 from the Secretary-General of the National Commission for Lebanese Women.

National Commission for Lebanese Women

Ref.: Commission/2182/2005
Hazimiyah, 14 February 2005

Subject: Letter from the Director of the United Nations Division for the Advancement of Women concerning article 522 of the Lebanese Penal Code

Reference: Cable from the Permanent Mission of Lebanon to the United Nations addressed to your Directorate in connection with a “complaint concerning the situation of women” dated 13 October 2004 - facsimile No. 1971/8 - file No. 8/16/4.

Sir,

We should like to inform you that the provisions of the Lebanese Penal Code are currently under comprehensive review. The Parliamentary Subcommittee on Administration and Justice took up the request of the National Commission on Lebanese Women and Lebanese non-governmental associations and abolished article 522 - the subject of the complaint forwarded by the Director of the United Nations Division for the Advancement of Women to the Lebanese Permanent Mission in New York - in the text of the proposed amendment of the Penal Code, which is to be submitted to Parliament.

We kindly request you to notify the Permanent Mission of Lebanon in New York of this matter as soon as possible so that it may in turn so notify the Director of the United Nations Division for the Advancement of Women.

Accept, Sir, the assurances of my highest consideration.

(Signed) Leila **Nimah**
Secretary-General
National Commission for Lebanese Women

His Excellency Ambassador Antoine Chedid
Director of the Department for International Organizations
Ministry of Foreign Affairs and Emigrants
