

# TREATY BODY MONITOR

International Service for Human Rights



Human Rights Monitor Series

## COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN 40<sup>TH</sup> SESSION LEBANON, 3<sup>RD</sup> REPORT 22 JANUARY 2008

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Information submitted to the Committee

### State report

On 6 July 2006 Lebanon submitted its third periodic report regarding the implementation of the *Convention on the Elimination of All Forms of Discrimination against Women* (hereafter referred to as Convention).<sup>1</sup> The report was submitted for consideration to the Committee on the Elimination of Discrimination against Women (hereafter referred to as Committee) at its 40<sup>th</sup> session in Geneva, and it came less than a year after the

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<sup>1</sup> CEDAW/C/LBN/3, 7 July 2006, available at:

[http://www.unhchr.ch/tbs/doc.nsf/0/c50b0ec4ca8a0a8ec12572a80044711c/\\$FILE/N0643744.doc](http://www.unhchr.ch/tbs/doc.nsf/0/c50b0ec4ca8a0a8ec12572a80044711c/$FILE/N0643744.doc)

submission of Lebanon's second report.<sup>2</sup> The report was prepared by the National Commission for Lebanese Women the report in collaboration with experts and specialists. Many questions were subsequently raised about the exact status of the Commission within Government, or its independence, and whether if it held decision-making powers. The first part of the report presented a general framework responding to the Committee's concluding observations of the previous reports,<sup>3</sup> followed in the second part by a systematic analysis of the substantive Articles of the Convention.

On 16 August 2007 the Committee submitted a list of issues and questions with regard to the consideration of the third periodic report.<sup>4</sup> The main issues where the Committee asked for additional information were related to legislation and national machinery for the advancement of women, violence against women, trafficking and prostitution, women's participation in decision-making, women's access to education, employment, health, and women in rural areas. Other issues regarded the level of the Convention's implementation into national law, the reservations to the Convention and the adoption of the Optional Protocol. Lebanon submitted its responses to the list of issues on 19 October 2007.<sup>5</sup>

### NGOs reports

Six non-governmental organizations (NGOs) submitted alternative reports to the Committee.<sup>6</sup> Five of these six NGOs provided oral statements to the Committee on 21 January 2008. Dr Fahima Charaffedine from the Committee for the Follow-up on Women's Issues denounced the existing discrimination against women in the national legislation and in the process for implementation of the Convention. In her speech Ms Zoya Rouhana from KAFA (Enough Violence and Exploitation) pointed out the lack of a national strategy to eradicate trafficking and violence against women. Ms Rasha Moumneh from Helem (Lebanese Protection for Lesbians, Gay Men, Bisexuals, and Transgender) stressed the discriminatory nature of Article 534 of the Lebanese Penal Code, which criminalizes homosexuality and legitimises all forms of discrimination against homosexual people on the basis of their sexual orientation. Frontiers Foundation's report denounced all forms of discrimination based on nationality, while Ms Aziza Khalidi from the Association Najdeh focused on gender issues within Palestinian refugee communities in Lebanon, presenting the major violations that Palestinian women are suffering, and highlighting domestic violence and exclusion from political decision-making.

### Themes and issues

The delegation of Lebanon was headed by Dr Leila Azouri Jamhuri (member of the National Commission for Lebanese Women's – NCLW – Executive Board), and also included Mrs Sossi Boladian (health expert

<sup>2</sup> CEDAW/C/LBN/2, 11 February 2005, available at: <http://tb.ohchr.org/default.aspx>

<sup>3</sup> CEDAW/Lebanon Concluding observation, A/60/38, paras.77-126, 22 July 2005, available at: <http://tb.ohchr.org/default.aspx>

<sup>4</sup> CEDAW/C/LBN/Q/3, 16 August 2007, available at: <http://tb.ohchr.org/default.aspx>

<sup>5</sup> CEDAW/C/LBN/Q/3/Add.1, available at: <http://tb.ohchr.org/default.aspx>

<sup>6</sup> Global Initiative to End all Corporal Punishment of Children (<http://www.endcorporalpunishment.org/>), report available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/globalall.pdf>

KAFA (Enough Violence and Exploitation - <http://www.kafa.org.lb/>), report available at:

<http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/KAFA.pdf>; HELEM (Lebanese Protection for Lesbians, Gay Men, Bisexuals, and Transgender - <http://www.helem.net/>), report available at:

<http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/HELEM.pdf>; Frontiers Foundation (<http://www.frontiersassociation.org/>), report available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FrontiersLebanon.pdf>; Association Najdeh

(<http://almashriq.hiof.no/lebanon/300/360/362/najdeh/>), report available at:

<http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/NAJDEH.pdf>; Committee for the Follow-up on Women's Issues (<http://www.lnf.org.lb/windex/part3.html>), report available at:

<http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/CommitteeFollowuponWomen.pdf>

and member of NCLW's Executive Board), Mrs Ghada Hamdan Hadib (member of NCLW's Executive Bureau), Dr Fadia Kiwan (Professor of political sciences at the Lebanese University), Mrs Joumana Abourrous Moufarrej (NCLW's administrative director), and Mrs Abir Abdel Samad (chief of the department of Women's Affairs at the Ministry of Social Affairs). Most the delegation representatives are active members of the, which drafted the report submitted to the Committee.

Head of delegation Dr Jamhuri opened the session by highlighting the delicate and 'dramatic' political situation that Lebanon is facing after the war with Israel in August 2007. She reminded the Committee of the short period that elapsed between the Committee's last concluding observations<sup>7</sup> and the preparation of the third report. Dr Jamhuri proclaimed in her statement that the situation of Lebanese women's human rights has improved in every field since the ratification of the Convention, especially in the economic and social realms. She commented on many of the questions raised by the Committee in the list of issues, in particular those involving violence against women and women's participation in the political arena. Because the Lebanese Penal Code does not define the concept of violence, head of delegation Dr Jamhuri emphasised in her opening statement that the question of violence perpetrated against women is no longer a silent matter limited to the sphere of private life. She outlined initiatives and projects that are arising in relation to public awareness on women victims of violence.<sup>8</sup>

The Committee appreciated the frankness and the detailed information endorsed in the third report, and Committee members unanimously expressed their understanding for the major challenges that the country is facing today in returning to a normal political life. Committee Chair Simonovic stressed the importance of including the Convention in the Lebanese Constitution and asked the delegation for clarifications on the implementation of the Committee's previous concluding observations. Committee member Patten strongly recommended that Government fulfil its obligation to ensure the full development and advancement of women and the achievement of gender equality in the political, social and economic realms. Some of the major themes addressed during the constructive dialogue were: the relationship between the Convention and the national law, the role of the National Commission for Lebanese Women, personal status, trafficking in women and prostitution, women's political participation, education and stereotypes, domestic workers, public health, and vulnerable groups of women.

### **Status of the Convention in domestic law**

Lebanon ratified the Convention in 1996 and entered reservations to Article 9 (2), Article 16 (1) (c, d, f, g) and to Article 29 (1).<sup>9</sup> Lebanon has not yet ratified the Optional Protocol of the Convention. Notwithstanding the expressed concern of the Committee regarding reservations to delicate issues, the delegation stated that no progress has been made in the retraction of the reservations or in the adoption of the Optional Protocol. The maintaining of reservations is related to the concept of personal status, which means that under the Family Code Lebanese persons are subjected to the regulation of their own religious community more so than to the regulation of Lebanese authority.<sup>10</sup>

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<sup>7</sup> CEDAW/Lebanon Concluding observation, A/60/38, paras.77-126, 22 July 2005, available at: <http://tb.ohchr.org/default.aspx>

<sup>8</sup> Head of Delegation Jamhuri refers for example to the university campaign "Hanging out the wash", where women were hanging out t-shirts with writing on them the violence they had suffered of.

<sup>9</sup> Article 9 (2) is related to women's equal rights to men regarding the nationality of their children. Article 16 (1 c, d, f, g) covers marriage and family issues, while Article 29 (1) refers to the possibility of bringing a request of arbitration in front of the International Court of Justice.

<sup>10</sup> Lebanese persons are not subject to a uniform personal status law. Instead each Lebanese is subject to the laws, regulations and courts of his or her own religious community. With the foundation of the modern Lebanese State in 1920 and in the first Lebanese Constitution of 1926, the confessional system of the personal status laws was established. The Constitution confirms the affiliation of Lebanese to spiritual families and recognizes the self-administration of each of these families and the right to legislate and pass judgement exclusively in matters relating to personal status. Christian and Jewish authorities can decide on issues related to

Committee Chair Simonovic addressed her concern to the delegation on the binding nature of the Convention within the Lebanese national legal system. Head of delegation Dr Jamhuri noted that the new preamble of the Constitution, added as part of the constitutional revision in 1990, states the precedence of all international instruments over domestic legislation, and where there is a conflict between international law and internal legal instruments, the judge must consider that the international convention has precedence. Because the new preamble has the same weight as articles of the Constitution, there is no doubt about the binding nature of the Convention. Regarding the request expressed by the Committee to incorporate the Convention in the Constitution, the delegation stressed the present political climate in Lebanon and the lack of a political consensus to amend the Constitution.

Head of delegation Dr Jamhuri also stressed that the Lebanese Constitution establishes the equality of all citizens before the law, without discrimination, and that the Lebanese Government is fully aware of its obligations to remove discriminatory provisions against women from Lebanese legislation. A draft amendment of the Penal Code is under discussion by the competent parliamentary committees and the dialogue about the adoption of a unified personal status<sup>11</sup> for all Lebanese is ongoing.

In its concluding observations<sup>12</sup>, the Committee urged the State party to recognize the negative impact of its nationality law on Lebanese women married to foreigners, and to remove the reservation to Article 9, as well as to Article 16 (1)(c, d, f, g).

### **National Commission for Lebanese Women**

The National Commission for Lebanese Women – NCLW (hereafter referred to as the Commission)<sup>13</sup> was established by the Council of Ministers in January 1996, in compliance with the Beijing Fourth World Conference on Women in 1995, which called upon the adoption of effective measures to achieve gender equality and enhance women’s advancement. Committee member Coker-Appiah expressed her confusion regarding the role of the Commission. Committee member Chutikul requested clarification on issues relating to Commission’s constitution, its members, its role and mandate, and its relation with the Government and with civil society. Most of the Committee members insisted upon receiving a better elucidation on the identity of the Commission, particularly whether it was a governmental institution or a civil society organization. Often during the entire session questions on the nature of the Commission were raised.

Head of delegation Jamhuri expressed her appreciation for the Committee’s profound interest in the activities of the Commission and clarified the structure and mandate of this institution. Even if the Commission was set up by the Council of Ministers with the purpose of creating a governmental body responsible for the advancement of women in Lebanon, the Commission keeps some distance both from public authorities and also from civil society organisations, trying to shed light on mistakes committed by both sides. Delegation member Kiwan explained the roles of the Commission as an organ empowered to deal with gender issues at the local, regional and international levels, and also as the main body responsible for drafting reports to CEDAW. Despite the implementation of many programmes for the enhancement of gender equality, she admitted the necessity of increasing the Commission’s capacity to influence the political arena in

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marriage and children, while Islamic authorities have competence on issues related to marriage, children, inheritance, and testamentary.

<sup>11</sup> The Lebanese law recognizes 18 confessions and grants the authority to religious courts. Therefore the personal status law, on issues related to marriage and family, depends on these various religion laws and not on one unified personal law. The adoption of a unified personal status would mean that women and men, regardless their religion orientation, would be submitted to a unique law and not to the will of the different religious communities.

<sup>12</sup> CEDAW/C/LBN/CO/3, available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW.C.LBN.CO.3.pdf>

<sup>13</sup> For more detailed information see the website of the National Commission for Lebanese Women at <http://www.nclw.org.lb/welcome.cfm>

Lebanon. During the whole session, various Committee members questioned the real nature of the NCLW, expressing their confusion if they were dialoguing with a governmental institution or with civil society. The delegation never exhaustively replied to this question.

In its concluding observations, the Committee pointed out that the NCLW is a semi-governmental body with weak institutional capacity. The Committee called on the State party to give urgent priority to the strengthening of the national machinery for the advancement of women.

### **Personal status**

The Committee unanimously expressed its concern regarding the lack of a unified personal status law, which impedes the full implementation of the Convention and the achievement of equal rights for women in political, social and economic realms. With the adoption of a unified personal status, women will no more be submitted to the will of their religious community. Instead they will finally be free to enjoy those rights promoted by the Convention, irrespective of any religious affiliation. The Committee also stated that only through the adoption of a codified personal law would it be possible to launch a constructive dialogue for the abolition of reservations to Article 9 and 16 of the Convention.

The delegation remembered that the first Lebanese Constitution in 1926 established a confessional system of personal status laws, confirming the affiliation of Lebanese to spiritual families and recognizing the self-administration of each of these families in matters relating to personal status (i.e. the Family Code). Delegation members apparently understood the importance of a unified personal code to fully implement the Convention, but at the same time they did not see any future progress in the adoption of such a code, both due to a lack of political consensus on this matter, and because of major challenges that the country was facing after the war.

A number of Committee members brought up issues related to nationality.<sup>14</sup> They strongly recommended the adoption of a unified personal status in order to allow women, regardless of their religion, to pass their nationality on to their children. The codification of a personal status would define all those matters related to marriage, divorce, children's custody, marital property and inheritance, which nowadays are differently interpreted by the various religious groups present in Lebanon.

In its concluding observations, the Committee reiterated its recommendations that the State party urgently adopt a unified personal status code, which is in line with the Convention and would be applicable to all women in Lebanon, irrespective of their religion.

### **Trafficking in women and exploitation of prostitution**

The delegation informed the Committee in the State report that Lebanese law forbids clandestine prostitution and the opening of brothels is therefore subjected to specific conditions. The lack of Lebanese laws that protect women and girls from agencies engaged in trafficking of human beings spurred the Government to sign and ratify international agreements related to trafficking in women and exploitation through prostitution. In order to adapt the Lebanese legal framework to international standards, Lebanese authorities have suspended the granting of new licences for the establishment of brothels and developed an action plan to implement its obligations in this regard.

Committee member Mr Flinterman drew attention to paragraph 136 of the State report, which concerned the necessity of controlling the entry and exit of persons to and from Lebanon in order to safeguard public order and decency. His perplexity regarding these monitoring methods became clearly visible when he asked about

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<sup>14</sup> Reservation to Article 9 of the Convention.

the 5,000 artist visas that had been issued every year – considering that there are only 400 artists resident in the country – which represent a new way of trafficking in women. Committee member Chutikul asked for the results of a field study on trafficking in human beings, which should have been completed in December 2007.

Head of Delegation Jamhuri stressed that after the ratification of the *United Nations Convention against Transnational Organized Crime*<sup>15</sup> a steering committee was set up and it launched a field survey and a legal survey on trafficking and prostitution issues. The outcome of this survey was supposed to be published by the end of 2007, but it is now expected that the results will be ready by March 2008. Some preliminary findings of these studies highlighted that trafficking in persons in Lebanon does not affect children. The preliminary legal survey's results showed a lack of provisions in the Penal Code regarding trafficking in human beings and the necessity of drawing up a new draft law that will expressly take up the issue. Notwithstanding, Committee member Flinterman twice raised the question of “equivocal” artist visas. The delegation never gave a satisfactory reply, announcing that any measure to prevent this phenomena will be undertaken once the steering committee has provided its field survey results.

In its concluding observations, the Committee urged the State party to intensify its efforts to combat all forms of trafficking in women and girls. The Committee further called upon the State party to increase its international, regional and bilateral cooperation with countries of origin and transit so as to address more effectively the causes of trafficking. .

### **Women's political participation**

The delegation informed the Committee that in relation to women's political participation, in 2005 the Lebanese Government convened a special consultative committee to draft a new electoral law based on a quota system, which should allocate 30% of the 51 available seats in parliament to women. This law has not yet been adopted, but the debate remained ongoing.

Committee members Neubauer, Tavares de Silva and Kaddari argued that a quota system is not enough to allow women to actively participate in the decision-making process. The Government should eliminate all those obstacles that reduce the “electability” of women. Committee member Ms Kaddari specifically referred to the burden of elections costs, which may limit the candidacy of women in political elections. Committee members called upon the adoption of temporary special measures to secure a system that would make women more electable.

Delegation member Kiwan assured the Committee that the Commission is pushing for the inclusion of a contribution for candidacy costs in the draft law, so that women will not be prejudiced because they are less wealthy than men. Dr Kiwan expressed her dissatisfaction with the quota's level at 30%, which she considers not to be enough. Once adopted, the new electoral law will regulate media coverage to guarantee equal rights for all candidates running in the elections.

### **Education and stereotypes**

The State report announced that 63.2% of students at all levels are enrolled in private education, while 36.82% of students are enrolled in the free public system, and that the enrolment of girls in public schools exceeds the enrolment in private schools.<sup>16</sup> The report notes that Lebanese girls at university level choose

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<sup>15</sup> Lebanon adopted the *UN Convention against Transnational Organized Crime* by law 680 of 24 August 2005. The two protocols against the *Smuggling of Migrants by Land, Sea and Air* and to *Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* were adopted by law 681 and law 682 of 24 August 2005.

<sup>16</sup> CEDAW/C/LBN/3, 7 July 2006, Paragraphs 171-172.

traditional curricula in human sciences and literature, and that women's access to specialization in technology, engineering and public administration is still very low.<sup>17</sup>

Delegation member Simms pointed out the risk of elitism in education; that one group will receive the best education under the best conditions, while the rest of the population will learn under very substandard conditions. She strongly recommended that the Government adopt measures and reforms to ensure quality of education to all children, both in private and in public schools. Committee member Xiaoqiao sought clarification about the measures adopted by the Government to encourage girls to select non-traditional curricula at university. Committee member Dominguez drew her attention to the necessity of specific policies to eradicate illiteracy among women. Committee member Coker-Appiah emphasised the importance of eliminating gender stereotypes against women, starting by their removal from school textbooks.

Several delegation members stated that the same access to education existed for both boys and girls. They noted that before the establishment of public schools, education was mostly provided by private missionary institutions. They also commented that most of the private schools are located in Beirut, where 80% of the Lebanese population live, while the other 20% reside in rural areas and study in public schools. As members of the National Commission for Lebanese Women, certain delegation members claimed that they had insisted that the Government improve efforts to equal the curricula in public schools to those of the private institutions, and provide teachers with training in order to ensure a high standard of education across the whole country. Regarding the access of women to non-traditional curricula at the university, the delegation reaffirmed the equal access for boys and girls to all faculties. They acknowledged that Lebanese authorities must undertake more efforts to increase the enrolment of women in non-traditional specializations. Delegation members also highlighted the sensibility among the Lebanese Government to eradicate gender stereotypes in education through workshops and training for teachers.

In its concluding observations, the Committee requested that the State party enhance the training of teaching staff on gender equality issues and revise educational textbooks and curricula to eliminate gender-role stereotypes. The Committee called upon the State party to further encourage diversification of the educational choices of boys and girls.

### **Domestic workers**

The delegation informed the Committee that the Lebanese Labour Code excludes domestic servants from its provisions. Therefore, it stated, the Ministry of Labour had drafted provisions to regulate the relationships between domestic workers and their employers. The delegation informed the Committee that workshops have been organized to raise awareness on the situation of migrant female workers in Lebanon and that a steering committee was set up to elaborate on the draft of a unified labour contract for domestic workers and to amend the Labour Code.

Committee member Gaspard pointed to the lack of protection and legislation and asked for clarifications on the adoption of a unique contract and on the precautions undertaken to control the 400 agencies trafficking migrant domestic workers. Committee member Patten also asked for more detailed information on the work of the steering committee and on the control of these agencies.

Delegation members admitted that domestic workers constitute a category that is excluded from the Labour Code, whether Lebanese or not. They explained in detail the activities of the steering committee in drafting a common model of contract and a booklet with employers' duties, and in setting up a shelter for female migrant workers who have been abused or subjected to violence. The Lebanese authorities issued decisions,

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<sup>17</sup> *Ibidem*, Paragraphs. 179-187.

which regulate and monitor the recruitment activities of these agencies to ensure that they respect the law and protect the rights of these female workers. Head of delegation Dr Jamhouri felt that it was important to clarify a misunderstanding regarding the number of domestic migrant workers, which does not amount to 2 million as stated by Committee member Begum, but rather to 200,000.

In its concluding observations, the Committee recommended that the State party speedily enact the draft law regulating the employment of domestic workers. It also recommended that the State party establish procedures to monitor and safeguard the rights of women domestic workers and adequately prosecute and punish abusive employers.

### **Public health**

The State report confirmed that there is no explicit legal provision that establishes the right of the citizen to health facilities. The State report notes that the distribution of health services in Lebanon is uneven and does not reflect the geographical distribution of the population, and Committee member Coker-Appiah asked about the adoption of programmes and reforms to ensure access to health services across the country. Committee member Pimentel questioned whether the interruption of pregnancy exists in case of risk to the mother's life or in cases of rape. In addition Committee member Schilling denounced the lack of statistics and information regarding disabled women and their access to the health system, whose number would be more than 5% of the population following the war.

The delegation responded by presenting all the measures adopted by the Government to create an efficient health network, in cooperation with municipal authorities and associations from civil society providing the population with basic health care. They proudly highlighted the opening of ten hospitals in rural areas and informed that the Ministry of Health had launched preventive campaigns across the country against breast cancer and other diseases, providing screening and radiology at affordable prices. No exhaustive clarification was given on issues related to abortion and women with disabilities. Delegation members just referred to the fact that 'clandestine abortions have become almost insignificant' due to awareness campaigns.

In its concluding observations, the Committee recommended that the State party put in place mechanisms to make health care services accessible to all groups of women and to ensure that all health policies and programmes integrate a gender perspective.

### **Vulnerable groups**

#### ***Rural women***

The State report stated that Lebanese law excludes agricultural labour from the provisions of the Labour Code. Committee member Tan called for clarifications on the special legislation for agriculture that has been under discussion since 1946. She questioned why social security coverage is only limited to permanent workers, excluding groups which are already vulnerable, from the social security benefits. Committee member Begum inquired about the special measures that the Government is adopting to eradicate domestic violence against women in rural areas, and questioned whether small loans exist for rural women to launch their small business.

In response, the delegation admitted that both domestic workers and rural workers are excluded from the Labour Code, but they emphasised that they have since been protected under separate specialized legislation. They noted that times were changing and many efforts have been undertaken to provide the agriculture sector with a proper legal framework. On the issue of limited social security coverage, head of delegation Dr Jamhouri stressed the high financial cost of a widespread social security system, and cautioned that it would

take time to expand this social system to the whole Lebanese population. As justification to any delay in the adoption of special measures or plans, the delegation advised the Committee to bear in mind the gravity and complexity of the present Lebanese political situation. Regarding the launching of small business by women, the delegation briefly answered that the Government is disseminating micro-credit funding for women.

In its concluding observations, the Committee urged that the State party pay special attention to the needs of rural women, ensuring that they participate in decision-making processes that affect them and have full access to justice, education, health services and credit facilities.

### ***Palestinian women refugees***

A number of Committee members brought up issues related to Palestinian women's rights. They raised questions about the protection of refugee women against violence, and their access to education and health facilities, including data. The delegation did not provide any statistics but simply stated that Palestinian women have access to education and then drew the attention of the audience to the way that the Lebanese Government deals with the Palestinian presence. The head of delegation Dr Jamhuri remembered how the Lebanese army was massacred during the war against Israel because they decided to fight for the protection of women and children in refugee camps so that they did not have to pay the price of the conflict. The declaration of the delegation did not fully answer the questions raised by the Committee and met with the dissatisfaction of the NGO for Palestinian Refugees present at the session.<sup>18</sup>

In its concluding observations, the Committee urged the State party to adopt laws and regulations relating to the status of asylum-seekers and refugees in Lebanon, in order to ensure protection for asylum-seeking and refugee women and their children.

### ***Lesbian women***

Article 534 of the Lebanese Penal Code criminalizes homosexuality, punishing all sexual activities that are "contradictory to nature". Committee member Schoepp-Schilling inquired whether the issue may be included on the Government's agenda and if a dialogue for the abrogation of this law has been opened. Delegation members confirmed that the Penal Code criminalizes "unnatural" sexual practices and affirmed that the Court of Justice established a sub-committee for the abolishment of Article 534. NGO Helem,<sup>19</sup> which submitted a report on violence against women based on sexual orientation, pointed out that Lebanese authorities have taken no measures to repeal Article 534 of the Penal Code and that lesbian and bisexual women in Lebanon continue to be victims of physical, mental and sexual harassment simply on the basis of their "unnatural" sexual orientation.

## **Conclusions and next steps**

The meeting ended with both Committee and delegation expressing satisfaction with the frank and open dialogue. The delegation welcomed the open and constructive statements of the Committee members and confirmed their efforts towards the adoption of a common personal status law. They appreciated the Committee's concerns about the situation of Lebanese women and they promised they would heed the final recommendations and comments expressed by the Committee in the previous sessions, and those that were to come out after the 40<sup>th</sup> session. Delegation members reminded the Committee that once the peace was restored, they would be able to continue such dialogue.

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<sup>18</sup> Association of Najdeh at <http://almashriq.hiof.no/lebanon/300/360/362/najdeh/>

<sup>19</sup> Helem at [www.helem.net](http://www.helem.net)

A number of other UN treaty bodies made previous concluding recommendations on the same issues addressed by the Committee. The Committee on the Elimination of Racial Discrimination (CERD) reiterated its concern with the enjoyment by the Palestinian population present in Lebanon of all rights provided in the *International Convention on the Elimination of Racial Discrimination* (ICERD) on the basis of non-discrimination.<sup>20</sup> CERD urged the State party to review the national legislation, so as to bring it in line with provisions of ICERD (i.e. Lebanese nationality derived exclusively from father)<sup>21</sup> and urged to take all necessary measures to extend full human rights protection to all migrant workers.<sup>22</sup> The Committee on the Right of the Child (CRC) called upon the State party to rapidly review legislation with a view to eliminating all provisions allowing sentences to be reduced if a crime was committed in the name of honour,<sup>23</sup> and to strengthen efforts to promote breastfeeding and encourage the introduction of adequate maternity leave for all working mothers.<sup>24</sup> The CRC urged the State party to increase awareness among confessional groups about the need to harmonize the minimum age for marriage, to raise it and to make it the same for boys and girls.

*Last revised and updated: 21 February 2008.*

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<sup>20</sup> Paragraph(s) 12 CERD/C/64/CO/3 (CERD, 2004)

<sup>21</sup> Paragraph(s) 13 CERD/C/64/CO/3 (CERD, 2004)

<sup>22</sup> Paragraph(s) 11, CERD/C/64/CO/3 (CERD, 2004)

<sup>23</sup> Paragraph(s) 23 CRC/C/15/ADD.169 (CRC, 2002)

<sup>24</sup> Paragraph(s) 45 CRC/C/15/ADD.169 (CRC, 2002)

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