

9 February 2005

Original: English

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

Pre-session working group for the thirty-third session
5-22 July 2005

**List of issues and questions with regard to the consideration of
periodic reports***

Lebanon

The pre-session working group examined the initial report of Lebanon (CEDAW/C/LBN/1).

General

1. Please provide information on the process of preparation of the report, including on whether non-governmental organizations, particularly women's organizations, were consulted, and whether it was presented to Parliament or any designated high-level authority.
2. Please describe any progress concerning withdrawal of Lebanon's reservations with regard to article 9, paragraph 2, and article 16 of the Convention.
3. Please indicate any progress made with respect to ratification of, or accession to, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

Articles 1 and 2

4. The report, in several sections, candidly and frankly draws attention to the persistence of discriminatory legislation (for example, the personal status laws, the citizenship law, the labour law, the social security law, the Employment Act, and the commercial law). Please explain what measures the Government is implementing in order to eliminate such discriminatory provisions.
5. The report (p. 18) indicates that "the Lebanese Constitution does not explicitly proclaim equality between men and women". Are there any plans to proclaim

* The page numbering in the present list of issues and questions refers to the English version of the report.

equality between men and women and to reflect the definition of discrimination against women contained in article 1 of the Convention in the Lebanese Constitution or other legislation, including the implementation of temporary special measures in accordance with article 4, paragraph 1, of the Convention?

Article 3

6. The report (p. 23) indicates that “(i)n November 1998, a new law (Law No. 720) stipulated the creation of the National Commission for Lebanese Women” and that “an adequate administrative structure was established to fulfil (the Commission’s) duties”. Please provide details on the work that has been undertaken by the Commission since its establishment, and on its role and level of authority within the Government, as well as its human and financial resources.

Article 5

7. The report (p. 32) indicates that “the main aspects of ... stereotyping are still prevalent (in education and the media), and measures taken to abate it are either non-existent (media) or insufficient (education). Moreover, these measures are by no means included in the general governmental policy”. Have any efforts been made to correct this situation? If so, please provide details.

Violence against women

8. The report (p. 28) states that “(a)rticle 562 (of the Lebanese penal code), which requires mitigation of the penalty (for crimes committed in the name of honour), encourages killing and injuring and contradicts the principles of freedom, justice and equality”. The report (p. 29) also states that “(a)rticles 487, 488, and 489 of the penal code discriminate against women with respect to the conditions that establish the crime and penalty imposed on the adulterer and the adulteress”. Please report on any measures taken, or planned, to change the provisions of the penal code that are discriminatory to women.

9. The Special Rapporteur on violence against women, its causes and consequences, in her report E/CN.4/2002/83 of 31 January 2002 (para. 58), indicates that the Penal Code of Lebanon state(s) “that if a woman is raped and the perpetrator agrees to marry the victim, he will be pardoned”. Has the Government taken any action to revise the Penal Code in order to eliminate the impunity of perpetrators? In addition, what measures is the Government planning to take in order to address the underlining cultural and societal attitudes that require a victim to marry the perpetrator?

10. The report (p. 51) indicates that “(a)mong the main obstacles to the abolition of violence are the absence of repressive laws and of judicial and executive systems to implement them, and the lack of governmental programmes and policies to be carried out in collaboration with the non-governmental organizations, in order to empower women and heighten their awareness”. Please describe which steps have been taken to overcome such obstacles.

11. The report (p. 30) states that “(a)s far as violence at home, in society, or at work is concerned, the law has stipulated penalties for its perpetrator. Still, these penalties fail to give battered women the opportunity to bring an action against somebody without fear or hesitation, or to receive compensations”. Please provide

reasons why this is the case and information on steps taken, or planned, to address the problem of violence against women in a comprehensive, coordinated and concerted manner.

Articles 7 and 8

12. The report (p. 63) indicates that “(a)lthough women enjoy political rights, they rarely run for elections”, and that “the Parliament comprises today 3 women out of 128 (2.3 per cent)”. Please provide information on the measures taken by the Government to ensure that women become more actively involved in politics, as candidates in the various elections, including through temporary special measures in accordance with article 4, paragraph 1, of the Convention.

Article 9

13. The citizenship and naturalization law of 1 November 1960 does not grant equal citizenship rights to children of Lebanese women married to non-nationals, but it does grant those rights when a Lebanese man marries a non-national. What measures are being taken in order to eliminate such discrimination against women?

Article 10

14. What measures is the Government implementing in order to promote female literacy nationwide, especially in the rural areas?

15. The report (p. 13) indicates that “Lebanon has established compulsory basic education through the age of 12 but has not been able to implement it until now”. Please describe the obstacles to the implementation of compulsory basic education, and the steps taken in order to overcome them.

16. The report (p. 72) highlights the progress made by girls and women in higher education. However, despite such progress, women continue to be underrepresented in the labour force. Kindly indicate which efforts the Government is making in order to help bridge the gap between girls’ and women’s educational achievements and their participation in the labour force.

Article 11

17. The report (p. 65) indicates that “women’s share in (the public service) does not exceed 6.1 per cent of its total number of offices” and that “the distribution of women by office in the civil service demonstrates the marginalization they are victims of in the high-ranking offices and in the executive management linked to decision- and policy-making. Moreover, the percentage of women holding some of these offices is extremely low”. Which initiatives has the Government taken to increase women’s presence in the civil service, particularly in high-ranking positions?

18. The report (p. 12) indicates that “female economic participation ... is evaluated at about 14.7 per cent”. Please indicate what legislative or other measures have been taken to promote equal employment opportunities for women in both the formal and informal sectors.

19. The report (p. 40) indicates that article 29 of the labour law (?) “prohibits the employer from dismissing or threatening job dismissal of women during pregnancy,

unless it is proved that they were employed elsewhere during the period referred to. However article 52 allows the employer to notify pregnant women prior to the fifth month of pregnancy, which threatens the future of pregnant workers and contradicts the essence of the international Convention". Please explain these contradictions, and describe any measures taken to eliminate discriminatory provisions in the labour law.

20. Please describe any steps taken to harmonize the maternity leave of female civil servants, salaried employees in public administrations, and workers in the private sector, so that female workers in the private sector can benefit from the same period of maternity leave enjoyed by female civil servants (that is to say, 60 rather than 40 days).

21. Please clarify whether women are entitled by law to receive equal pay for work of equal value, whether in practice a wage gap exists between women's and men's wages, and the extent of this gap, and what measures are available to women to challenge discrimination in pay.

22. The report (p. 41) indicates that "(a)rticle 3 of the legislative decree No. 3950 of the Employment Act and article 46 of the social security law, both of which have given male civil servants or workers the right to benefit from welfare, have also wronged female civil servants or workers and denied them the benefits enjoyed by men, even though women's contributions are equal to men's". Please describe the measures taken to address this disparity of treatment.

23. The report (p. 11) indicates that "(f)amilies headed by women constitute 12.5 per cent of the total number of families resident in Lebanon", and that "(i)nfornation shows that families headed by women have a low income". What steps have been taken to economically empower women heads of households with low income?

Article 12

24. Please provide information on the general status of women's health, including data on types of diseases affecting women, and information on women's access to health services.

25. The report (p. 30) indicates that "the Lebanese law is one of the most severe laws regarding abortion. However, it has not put an end to abortion". What measures have been taken to increase women's access to reproductive and sexual health services and to family planning in order to avert unwanted pregnancies and women's recourse to illegal abortion?

26. The report (p. 80) indicates that women represent 21.3 per cent of AIDS patients, and that the National Programme for Fighting AIDS does not include a special programme aimed at women. What initiatives have been undertaken to introduce a gender perspective in programmes and policies dealing with HIV/AIDS, as well as to introduce programmes targeted at women?

Article 14

27. Please describe the impact of the Government's efforts to improve the situation of rural women, including their access to health, education, water and land, and their participation in decision-making processes at all levels.

Articles 15 and 16

28. The report does not provide any information on marriage and family relations, and the extent of applicability of the same personal status law to all women. Do women and men have the same rights and responsibilities during marriage as called for in article 16 of the Convention, including in regard to divorce/dissolution of marriage and grounds for divorce, property rights, custody of children, and maintenance for the divorced wife?

29. The report (p. 56) indicates that “the percentage of women who got married at an early age (15-19) is 4.9 per cent at the national level, whereas it doubles at least in the regions of Akkar and Bint Jbeil”. What measures have been taken to discourage early marriage, particularly in the rural areas?
