

Country	Lebanon
SIGI 2019 Category	Very high
SIGI Value 2019	56%

Discrimination in the family		83%
	Legal framework on child marriage	0.75
	Percentage of girls under 18 married	3%
	Legal framework on household responsibilities	1
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	69%
	Female to male ratio of time spent on unpaid care work	-
	Legal framework on inheritance	0.75
	Legal framework on divorce	1

Restricted physical integrity		27%
	Legal framework on violence against women	0.75
	Proportion of the female population justifying domestic violence	44%
	Prevalence of domestic violence against women (lifetime)	10%
	Sex ratio at birth (natural =105)	105
	Legal framework on reproductive rights	0.75
	Female population with unmet needs for family planning	13%

Restricted access to productive and financial resources		45%
	Legal framework on working rights	1
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	46%
	Share of managers (male)	93%
	Legal framework on access to non-land assets	0.25
	Share of house owners (male)	76%
	Legal framework on access to land assets	0.25
	Share of agricultural land holders (male)	-
	Legal framework on access to financial services	0.25
	Share of account holders (male)	78%

Restricted civil liberties		62%
	Legal framework on civil rights	0
	Legal framework on freedom of movement	0.75
	Percentage of women in the total number of persons not feeling safe walking alone at night	62%
	Legal framework on political participation	0.25
	Share of the population that believes men are better political leaders than women	-
	Percentage of male MP's	72%
	Legal framework on access to justice	0.75
	Share of women declaring lack of confidence in the justice system	65%

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0, 0.25, 0.5, 0.75 or 1.

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

Lebanon

Article 7 of Lebanon's Constitution establishes that all Lebanese are equal before the law and enjoy the same civil and political rights. Nonetheless, Article 9 guarantees that the personal status and religious interests – for whatever religious sect – shall be respected. As such, all matters related to religious interests and personal status regarding marriage, divorce, child custody, inheritance, and often, domestic violence – are at the discretion of applicable personal status laws and courts. There is no unitary personal status or family code in Lebanon. Rather, fifteen religious-based Personal Status Codes exist and judicial power is exercised by courts of various degrees and jurisdictions in accordance with the laws of religious communities (Constitution, Art. 20). They include the Christian and Catholics (Maronite, Melkite, Armenian, Syriac, Roman Catholic, and Chaldean), Orthodox (Greek, Armenian, Syriac Orthodox, and Nestorian), and Protestant; the Muslim, divided into Sunni, Jaafari (Shici), and Druze; and the Israelite (Jews) personal status codes (Shehadeh, 1998). Discriminatory provisions affect women in all of them, to a lesser or greater degree.

This means women's rights and freedoms may range depending upon the Personal Status Code of her religious community. Paradoxically, women's equal rights – as conveyed in the Constitution – can be and are often undermined by incongruous personal status codes.

1. Discrimination in the family

a) Overarching legal framework for marriage

Lebanon has drawn reservations to articles 16 (1)(c)(d)(f) and (g) in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) pertaining to equal rights in marriage and family life (UN WOMEN, 2017). These articles specifically refer to women having the same rights with regards to marriage, dissolution of marriage, parental responsibilities, rights over children, and the freedom to choose one's family name and occupation.

All marriage is governed by religious law in Lebanon and there is no domestic code for those who seek a civil marriage (ANND, 2015; Fakih, 2015; NCLW, 2015;). All personal status codes include discriminatory provisions for women in terms of legal age to marry and for some, with regards to annulment and the right to choose when, if and whom to marry (Mikdashi, 2010). Though there is citizen demand for civil marriage in Lebanon and a draft civil marriage law, religious leaders have refused to support it and Parliament has yet to debate the bill (Fakih, 2015). The only means for a woman (or man) to bypass religious laws and personal status courts is to marry abroad and have the marriage recognized in Lebanon afterwards (Fakih, 2015; Khoury, 2013). In the past couple of years, some individuals have gone so far as to remove their religious affiliation from their civil record (which is added at birth) to marry under another country's civil law (Fakih, 2015). This is technically legal under the 1936 Decree No. 60 adopted by the French High Commissioner, that is still in place and recognises both religious and individual rights (Khoury, 2013). The outcome of these cases and how Lebanese courts will interpret them has yet to be determined, but removing one's religious affiliation

could have further reaching consequences in terms of other rights like voting, offspring's right to inheritance etc. (Fakih, 2015).

There is no common minimum age for marriage in Lebanon – rather, it differs across personal status codes. For Catholic religions, the minimum age for a male, with a guardian's permission, is 16 and age 14 for a female. Without a guardian's permission, the minimum age is 17 for a male, and 15 for a female (Fakih, 2015). Within the Roman (Greek) Orthodox code, a man must be 17 and a woman 15 to marry (Fakih, 2015).

As Mikdashi suggests, several inequalities exist in the rights between men and women when it comes to marriage in the Hanafi (Sunnite) code. Men must be 18 years old to marry, though a Sunni Personal Status court may grant them permission to marry at a younger age. No one can arrange a marriage for a male minor under age 17. A man may marry a non-Muslim – a Jewish or Christian woman -- and reserves the right to marry up to four women at a time. On the contrary, a woman must be 17 and have her guardian's permission to marry (unless she is a non-virgin), though a court can make an exception. No one can arrange a marriage for a female minor younger than nine years old. A woman is not permitted to marry a non-Muslim man. An annulment can only be granted if a marriage is not consummated, in which case, only half of a woman's dowry is returned (Mikdashi, 2010).

In the Ja'farite code – there are temporary marriages and regular ones. A man reserves the right to have up to four wives simultaneously and there is no specified age for marriage. Likewise, there is not a specified age for a woman to marry, though there is an article that states that marriage can be consummated after the age of nine for women. Unless a woman is a divorcee – she needs the consent of her father or grandfather to marry.

Polygamy is a man's legal right in all Muslim personal status codes, except for Druze men who are not permitted to have more than one wife (Fakih, 2015). Under Druze law, a male can get married at age 18 and a female at age 17. With permission from the religious authority or a judge from the personal status court – a man can marry as young as 16 and a woman as young as 15. In the case of females, up to the age of 21 -- the sheikh notifies her guardian of her impending marriage. The guardian has up to 15 days to object (Mikdashi, 2010).

b) Child marriage

There is not a minimum age for marriage set in Lebanon's civil law, rather marriage is governed by the personal status codes of religious sects with varying minimum ages for marriage between males and females (Girls Not Brides, n.d.). Within the Sunni and Shiite confessions, marriage can be granted approval for girls at age 9 and within the Jewish denomination at age 12.5 (UNICEF, 2011). However, UNICEF reports that marriage this young is no longer customary and occurrence is very rare (2011). Draft legislation to establish the legal age of marriage at age 18 within Lebanon's Penal Code – an effort to ban child marriage -- was presented to the Presidential Cabinet in March 2017 and will be debated by parliament (Albawaba, 2017).

There is a dearth of official information on the scale of child marriage in Lebanon. Official figures reveal that around 6% of girls are married before age 18 and 1% before age 15 (UNICEF, 2016).

Evidence suggests that the Syrian refugee crisis has contributed to an increase in child marriage (Bartels and Michael, 2016). It has been adopted as a negative coping strategy among displaced Syrian families residing in Lebanon (Bartels and Michael, 2016). The severe trauma of armed conflict and forced displacement experienced by Syrian refugee families has exacerbated the practice of child marriage -- born out of economic necessity and ironically from “a desire to protect girls from harassment and sexual violence at the hand of strangers”.

c) Household responsibilities

Within Lebanon’s Census Registry, men are the heads of families and women are either registered under their father or husband’s census record (Mikdashi, 2010). Personal Status courts identify the male as the head of the household (Khoury, 2013).

In terms of custodial rights -- it is only among the Armenian Orthodox that mothers and fathers share the same rights to parental authority (UNICEF, 2011). In Catholic personal status codes, men are specifically recognized as the legal guardians of children and women as caregivers (Mikdashi, 2010). Under Hanafi law, the father is the legal guardian and must provide financially for his children’s upkeep, even when they are under custody of the mother (Mikdashi, 2010). There are numerous grounds for women to lose maternal custodial rights – for re-marrying, for being from a different confession than her children, lack of attention to religious education, and if she is deemed “unfit” (HRW, 2015). There is no solid definition for “unfitness” – rather it can be established from reasons as benign as having a tattoo to questionable moral character (HRW, 2015).

Under Shia, Sunni, Druze, and Christian personal status laws, husbands are obligated to pay spousal maintenance for their wife’s (or wives’) food, clothing, shelter and living expenses while married (HRW, 2015). Some personal status codes define cohabitation and having sex with one’s husband as a marital obligation. Within the Ja’farite Personal Status Code, a wife is not allowed to leave the home without her husband’s permission except to fulfil her responsibilities as a wife. Doing so is grounds for divorce and bars her from receiving alimony should the marriage be dissolved (Mikdashi, 2010).

Women disproportionately carry the burden of unpaid care for children, relatives and maintaining a household. Select tenants of some Personal Status codes formally accord women’s role as being in the home and subordinate to her husband (Bazalgette & Mohamed, 2015). A 2015 study by SWMENA found that the most common reason for women not working for pay was because of their duties as housewives (IFES, 2015).

d) Divorce

It is possible for women to obtain a divorce in all religious sects – except for the Catholic confession where there is no divorce, but rather, the possibility for annulment or legal separation. Nevertheless, women do not have the same rights as men when it comes to divorce or dissolution of marriage in Lebanon. It can be much costlier for a woman to obtain a divorce than a man and women often need to satisfy criterion that men do not (HRW, 2015). In all confessions, if a wife initiates divorce proceedings, the husband’s obligation of spousal support expires (Fakih, 2015).

Sunni, Shia and Druze men can divorce their wives at will, sometimes without the knowledge of the wife (Fakih, 2015). Under Hanafi (Sunnite) and Ja'fari law, men can divorce their wives through verbal repudiation, as well as change their minds about their decision within three months' time – without the consent of their ex-wife (Mikdashi, 2010).

The discriminatory nature of personal status codes often forces women to resort to giving up custody of their children, pecuniary rights and in some cases – pay off their husband – to obtain a divorce (Fakih 2015; HRW, 2015). Under the Ja'farite personal status code, a woman can only initiate a divorce by abdicating all her legal rights (Mikdashi, 2010). Under Hanafi Law, a woman can stipulate certain conditions in her marriage contract that ensures her right to initiate divorce under certain circumstances and the right to half of her spouse's property in the case she is not to blame for a divorce (Mikdashi, 2010). If these conditions have not been stipulated within the marriage contract, then a woman is still able to ask for a divorce under certain conditions, but must forgo her alimony and belated dowry (*mu'akhar*) (Mikdashi, 2010).

Some Muslim personal status codes allow a woman to ask for guardianship of her marriage contract which can allow a third party to file for divorce on her behalf and can help her to retain more rights through the process (Mikdashi, 2010).

Restrictions are also placed on women's ability to remarry after a divorce – typically three to four months to either ensure that she is not pregnant, or in the case the ex-husband changes his mind. Muslim personal status codes refer to the latter period as '*iddat*' -- where a woman is confined for three to four months and an ex-husband is permitted to change his mind about the divorce (Mikdashi, 2010). Across the board of personal status codes – as soon as a man is granted divorce, he can remarry.

Men and women do not enjoy the same rights when it comes to child custody and guardianship. There is a preference across all religions for the mother to maintain custodial rights while children are young after a divorce (Fakih, 2015). Still, custody reverts to the father after a certain age (Fakih, 2015; HRW, 2015; Mikdashi, 2010). For Catholics, custody reverts to the father at age two for both girls and boys. Greek Orthodox men, are by default, the legal guardian of their children, though women can challenge this and gain custody via order from the Roman Orthodox Personal Status court (Mikdashi, 2010). Custody reverts to the father at age 14 for boys, and 15 for girls (Fakih, 2015). For Coptic Orthodox, it's age 11 and 13, and for Druze, Syriac and Armenian Orthodox, it is age 7 for boys and 9 for girls (Fakih, 2015). In 2011, the Sunni sect adopted a custody age that does not discriminate between boys and girls – 12 years of age for both sexes – the same as for Evangelical Christians (Higher Islamic Shariah Council, Decision No. 46, 2011).

Most personal status courts can rule conversely to what is written in law if it is in the best interest of the child, but inequitable provisions remain from the get-go (Mikdashi, 2010).

There are no laws – civil or religious – that value a woman's non-monetary contributions to a household – which contributes to further discrimination when courts determine allocation of assets in a divorce (Fakih, 2015). Verdicts on alimony often ignore that the sums are insufficient to fulfil the needs of a family or ex-wife (OHCHR, 2010).

e) Inheritance

The 1959 Civil Law of Inheritance, regulated by civil courts, gives women and men equal rights to inherit as well as to share their inheritance (KVINFO, n.d.). Personal Status Codes also govern inheritance, which often negate the equality set out in the civil law. Where inheritance for Christians and Jews is governed by the 1959 law, Muslims abide by Sharia's inheritance rules as interpreted by the various sectarian groups. As a result, Muslim women generally inherit half of what their male relatives inherit, and a non-Muslim widow cannot inherit property or assets from her late husband (KVINFO, n.d.). Some personal status codes prevent the transfer of property between confessions (Pollard, 2016). This creates a conundrum for inter-faith marriages where a woman who marries a man from a religious confession other than her own (e.g. Greek Orthodox woman marries a Shia man) is unable to transfer her property to her children (Pollard, 2016). The only Muslim denomination in Lebanon that strays from these rules and allows the writing of a will for one's estate are Druze (Mikdashi, 2010).

Children born to Lebanese women and non-Lebanese fathers are subject to discriminatory inheritance laws. Lebanese mothers of children with a foreign father cannot pass on family property or land because the children are not eligible for Lebanese citizenship.

The amendment of article 9 of Legislative Decree no. 146/1959 in 2011 rectified the law on transfer duties payable by married male and married female heirs, so that women could also benefit from tax deductions – the same as married male heirs do (Law no. 189, CEDAW, 2014). Another amendment to article 94 of the National Defence Law in 2012, ensured that that the spouse of a male or female volunteer in the military and security forces could benefit from the retirement pension of that person, after their death, even in the event of a second marriage (Law No. 239, CEDAW, 2014).

In terms of non-Lebanese nationals, discriminatory laws directly target long-time Palestinian refugees in Lebanon – men and women alike – denying them the right to inherit property or own land.

More

Articles 487 and 488 of the Lebanese Penal Code deal with unequal punishments for men and women who commit adultery. Adultery only counts for a man if the act takes place within the marital home, whereas a woman is culpable for adultery committed anywhere (Mikdashi, 2010; Penal Code). A man can be imprisoned for one month to one year for extra marital sex. A woman's punishment (and that of her partner in crime) is up to three-fold that of a man's punishment – from three months to two years. If the man she committed adultery with is unmarried – he is only liable for a 1 month to 1 year sentence. For same-sex affairs – under Article 534 of the Penal Code -- the potential length of punishment for an adulteress that sleeps with another woman is higher than that of a male adulterer's potential sentence (Penal Code of 1943, Mikdashi, 2010).

2. Restricted Physical integrity

a) Violence against women

Violence against women (VAW) is addressed within the framework of Law No. 293 on Protection of Women and Family Members from Domestic Violence, as well as multiple articles within the Penal Code that cover sexual assault and rape. As such, coverage of VAW is not comprehensive.

Until recently, the discussion of gender-based violence was subject to strong taboos, given that much of it takes place within the family domain, considered to be private, and a matter of concern only for religious courts (Bazalgette and Mohamed, 2015). Steps to close loopholes providing leniency for “honour crimes” and to introduce legislation into the Penal Code to further protect women against all forms of violence, are underway and have broadened the discourse.

There are no official national statistics on the prevalence of physical and/or sexual Intimate partner violence or lifetime non-partner violence in Lebanon (EVAW, 2008). The issue of violence against women is largely ignored by local and religious authorities (Nassar, 2015; ANND, 2015). A 2014 study undertaken by American University’s Beirut Medical Centre for gynaecological care on Intimate Partner Violence (IPV) found that out of 91 married women interviewed, 41% gave a history of physical abuse, 33% of sexual abuse, 65% of verbal abuse, 19% of emotional abuse, 33% economic abuse and 22% reported spouse-imposed social isolation. This study highlighted the need for routine screening of IPV in health care settings to identify victims of violence and the necessity for culturally informed interventional strategies (Nassar, 2014).

The degree to which “honour crimes” are committed in Lebanon – crimes where people injure or kill their wife, daughter, or other relative to protect family “honour” -- are difficult to measure. If the case of a woman’s death, the cause may be categorized as a suicide, as opposed to murder. KAFA (Enough Violence and Exploitation) cited 66 honour killings between 1999-2007, where the cause of death for the majority of victims was being shot, while others were beaten to death, strangled or burned (Baydoun, 2011). Law No. 162 of 2011 annulled article 562 of the Penal Code which allowed for reduced punishment for the perpetrator in so-called “honour crimes” (CEDAW, 2014). The gender-based implication of the previous law was clear, as before annulment, the text designated that women could not kill for “honour,” but could be killed for “honour” (Mikdashi, 2010).

Violence against female refugees is an emerging problem (Amnesty International, 2017). Lebanon is not party to the 1951 UN Refugee Convention and the Lebanese authorities do not formally recognize many refugees, which limits the protection the country provides for them. Syrian refugee women are particularly vulnerable to harassment, sexual violence and exploitation. Without a valid refugee status, and thus residence permit, many refugee women fear reporting sexual harassment or abuse to the police (Amnesty International, 2017). In lieu of support by the Lebanese government, some foreign development agencies have funded a mobile gender-based violence service ran by the International Rescue Committee (IRC). The mobile service offers women and girls free access to psychological support services, among others, and connects them to health and legal services (Lilleston, 2016).

b) Domestic violence

A Law on Protection of Women and Family Members from Domestic Violence (Law no. 293) was passed on April 1, 2014 (Massena, 2014). While the law is a major milestone and lends further protection to women, the original draft presented by a collection of 64 NGOs was heavily watered down (ANND, 2015; Fasih, 2015; Massena 2014). The original title containing the words “Violence against women” was changed to “Domestic Violence” (Massena, 2014). The law does not recognise or define various forms of violence against women as originally conceived, but instead narrowly defines domestic violence as “an act, act of omission, or threat of an act committed by any family member against one or more family members... related to one of the crimes stipulated in this law, and that results in killing, harming, or physical, psychological, sexual, or economic harm” (ANND, 2015; HRW, 2014). Article 13 allows for protective orders to be issued, but does not currently provide full protection of children or other family members when a woman does not hold custodial rights (ANND, 2015). Article 18 introduces consequences for anyone who tries to challenge a protective order – an offence subject to fines and imprisonment from three months to one year.

Article 21 of Law no. 293 calls for a special fund to be created to “assist the victims of domestic violence, provide them with care and the means necessary to limit the crimes of domestic violence, prevent the same and rehabilitate the perpetrators thereof,” consisting of state contributions to yearly budget of the Ministry of Social Affairs and donations. There is no information, to date, on whether such a fund has been established, level of resources received, or how they are spent.

Article 22 of the Domestic Violence Law states that any laws in conflict with it are to be annulled, apart from personal status laws (HRW, 2014). Religious courts are also given priority in adjudicating whether an act is violent and should be criminalised, over civil courts (Massena, 2014). Certain articles of Law no. 293, especially Article 22, reassert the power of religious authority a marital relationship, which has proved problematic for robust enforcement (Obeid, 2017). Some personal status codes legalise the right for husbands to reprimand their wives, restricting the rights of women to seek justice (Bazalgette & Mohamed, 2015; OHCHR, 2010). In Christian confessions, domestic violence – unless it is life threatening – is not sufficient grounds for an expedited divorce and husbands are not required to leave the marital home during divorce proceedings (Fasih, 2015).

Law No. 293 calls for the establishment of temporary shelters for victims, formation of family violence units in the police and assigning a public prosecutor tasked with investigating domestic violence complaints in each governorate (HRW, 2014). The degree to which this tenant of the Law has been fulfilled is unknown.

Some shelters for victims of domestic violence exist, predominately run by non-government entities, such as Le Bon Pasteur, Maryam and Martha, and the ABAAD Dar Programme (Massena, 2014). Their overall physical capacity to house victims remains limited, but they provide a range of services: medical, social, psychological, reintegration, job training, and coordination with embassies, women’s organisations, and the police (Massena, 2014). According to the most recent data available, the Social Care Department, within the Ministry of Social Affairs operates free shelters with a capacity of 100 beds (EVAW, 2008).

Women's rights groups contend that the law could be further improved by streamlining the complaints procedure and faster issuance of protective orders, especially in emergency cases (Massina, 2014). A 2014 report by KAFA found that enforcement of protection orders were almost immediate upon adoption of the law, with around 83% of requests granted. However, the mandate of issuing protection orders is currently restricted to the Judge in Chambers or the Investigating Magistrate – a process that can be lengthy and places women seeking protection at risk (ANND, 2015). As such, human rights groups have called for an amendment to Article 12(2) to extend the umbrella of protection provided by the state to children too (KAFA, 2014).

Women who leave their marital homes and refuse to cohabit with their husbands can be accused of “recalcitrance” in some personal status courts. If found guilty, the judgement can be used to revoke her right to maternal custody and spousal maintenance (HRW, 2015). As such, it is not uncommon for women to stay in an abusive relationship for financial reasons and so as not to lose custodial rights (Fakih, 2015).

c) Rape

Rape is a criminal offence in Lebanon covered by Articles 503-506 and 522 of the Lebanese Penal Code (Penal Code of 1943). Under the Penal code, men are posited as the potential perpetrators and women the victims, though women can be penalised for molesting minors (Mikdashi, 2010). Rape is narrowly defined as “forced sexual intercourse [against someone] who is not his wife by violence or threat,” (Penal Code, article 503). Men convicted of raping a woman above the age of 15 can face up to 5 years in prison and up to 7 years for the rape of a female below the age of 15.

Article 522 in Lebanon's Penal Code allowed the halting of a rape prosecution if the perpetrator married his victim. Women's rights activists sought to have this article repealed. In December 2016, the Parliament's Administration and Justice Committee started to repeal the article by agreeing that it should be abolished and are drafting a law for its removal, which parliament must still confirm (Massena, 2016b). In August 2017, Lebanon's 128-member Parliament voted to repeal article 522 of its penal code.

The 2014 Law on Protection of Women and Family Members from Domestic Violence (Law no. 293) does not cover marital rape, rather “marital right by force” and is only penalised if physical evidence of violence is produced (Massena, 2014). Marital rape is also not criminalised by Lebanese criminal law (Fakih, 2015). The Penal Code goes so far as to give tacit consent for marital rape in the wording of articles that cover the crime. For instance, Article 503 of the Penal Code states, “Whoever uses violence and intimidation to force someone other than his spouse to engage in sexual intercourse shall be sentenced to at least five years' hard labour.” Within the Ja'farite Personal Status Code, a wife must make herself readily available for her husband's pleasure and can only recuse herself under religiously authorized reasons (Mikdashi, 2010).

d) Sexual harassment

Sexual harassment is not expressly defined or penalised as a crime in Lebanon. The Labour Law does not include a provision to punish sexual harassment in the workplace (AAND, 2015; CEDAW 2014). It

is common for women not to report instances of it, to be unaware of the many forms it can take, and to feel ashamed to talk about it as an offence (Massena, 2016a). Sexual harassment is a common reality for women in Lebanon, who report that it has become normalised behaviour (Massena, 2016a).

In 2016, three young Lebanese entrepreneurs launched the website HarasserTracker.org used to track, map and document sexual harassment on the streets of Lebanon. Results showed that sexual harassment occurred in wealthy and poor neighbourhoods alike (El-Mir, 2016). Common occurrences of harassment reported included cat-calling, men masturbating in public, and being inappropriately touched and insulted (Massena, 2016a).

Amnesty International's 2016-2017 Annual Report underlined that Syrian and Palestinian refugee women face sexual harassment in public spaces. Refugee women that are heads of households are especially at risk of harassment by men if they do not reside with any adult male relatives (Amnesty International, 2017).

e) Female genital mutilation

There is little evidence to suggest that female genital mutilation is a concern or practiced in Lebanon.

f) Abortion

Articles 539-546 of the Lebanese Penal Code make abortion illegal, under all circumstances. The only grounds on which abortion is permitted is to save the life of a woman. Establishing these grounds requires the certification of three physicians – inclusive of the one charged with performing the abortion. These physicians must sign a statement – sent to the President of the Physicians Association with a record of the facts -- that the life of the woman can only be saved by her undergoing an abortion (UNDESA, 2002). A women's consent is required – unless she is unconscious – and a physician may perform the abortion even if her husband or relatives are in opposition (UNDESA, 2002).

Abortion is a crime punishable by six months to three years imprisonment for a woman who induces her own abortion, by any means, or allows another to perform it (Penal Code, art. 542; UNDESA 2002). A person who performs an abortion on a woman, with her consent, is also subject to punishment of one to three years imprisonment if she lives, and from four to seven years imprisonment if she dies (Penal Code, article 541; UNDESA 2002). An abortion performed without a woman's consent is punishable by a minimum of five years of forced labour and at least ten years of forced labour if the abortion results in the woman's death (Penal Code, articles 543; UNDESA 2002). The penalties for health personnel performing abortions are harsher and involve forced closure of their business and prohibition of their future practice in the medical field (Penal Code; UNDESA 2002). Article 545 of the Penal Code lessens the potential prison sentence of a woman who underwent an abortion to "protect her honour."

The penal code also restricts the dissemination of information on methods for facilitating an abortion, as well as the selling of objects designed to perform an abortion. The offence carries a penalty of two months to two years' imprisonment and a fine (UNDESA 2002). Nonetheless, birth control is widely available in Lebanon, without a prescription – as is emergency contraception (IPPF, 2013).

Women who get pregnant out of wedlock are stigmatized and children born outside of marriage are deprived of many rights under religious personal status codes. As such, women resort to clandestine procedures running anywhere between \$300 to \$2000 USD, depending on the milieu of the procedure – with the price often negotiable, depending on a woman’s economic situation (Luca, 2010; Kaddour, 2002). Done improperly or without appropriate tools, and due to a lack of follow-up by a medical professional, these abortions have led to health complications (Kaddour, 2002). Women with little money or access to healthcare use more dangerous methods to terminate an unwanted pregnancy (Luca, 2010).

More

Lebanon is a destination country for internationally trafficked persons, primarily women (ANND, 2015). In 2011, Law No. 164 on Punishment for the Crime of Trafficking in Persons was adopted (ANND, 2015). Chapter 3 includes applicable definitions of victims of trafficking – inclusive of sexual exploitation and prostitution (Trafficking). It directs the Ministry of Social Affairs to establish a trust fund for victims. The Human Rights Watch 2016/2017 Annual report noted that the trust fund has yet to be established and that the Lebanese government’s response to sex trafficking remains uncoordinated. The report further noted that Syrian women appear especially at risk for trafficking in forced prostitution and sexual exploitation.

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

Article 215 of the Law on Contracts and Obligations guarantees women and men have the same rights with respect to concluding contracts and administering property (Chemali Khalaf, 2010). Nonetheless, social norms dictate the degree to which women are engaged in financial activity, with her decisions often influenced by her husband or male relatives (Chemali Khalaf, 2010). Lebanon’s Central Administration for Statistics reported that when it comes to buying major household items – husband and wife make the decision together 64% of the time and 37% of the time it is the husband only (Fong, 2010).

From a legal perspective, the bankruptcy chapter of the Commerce Law includes restrictions on a woman’s property rights in the event of her husband’s bankruptcy. Articles 625 and 629 presume that any wife’s property must have been acquired with her husband’s money – thus making them dual assets – unless the wife can prove otherwise (Commerce; CEDAW, 2014). The same rule does not apply to a husband’s property if his wife declares bankruptcy which illustrates the difficulty for women to be viewed independently, as opposed to dependent on their husbands.

Some discriminatory provisions exist within the Social Security Law governing those affiliated to the Social Security Fund. Per Article 46, women do not benefit from the family allowance for an unemployed husband (CEDAW, 2014). In Article 47, precedence is given to the father with respect to receiving family allowance for children, unless the mother has sole custody of the children (CEDAW, 2014).

In 2010, the National Commission for Lebanese Women (NCLW) began a campaign (“*Wayn ba’dna*”) to annul or amend laws with economic provisions which were discriminatory to women. Since then a few amendments have taken place. Notably, the amendment to Article 31 of the Income Tax Law which previously granted married men or male heads of household a tax break, while married women’s wages were taxed as if they were unmarried. Law No. 180 promulgated in 2011 amended the tax law to allow women to benefit from a tax deduction on her income for her husband and children (CEDAW, 2014).

Businesses tend to be owned by male family members (Bazalgette and Mohamed, 2015). There is no statistical information on women’s land ownership in Lebanon (CEDAW, 2014). However, it is common practice to limit the transfer of real estate to male children and women face difficulties acquiring land tenure in rural areas (CEDAW, 2014).

b) Secure access to formal financial resources

There are currently no provisions in Lebanon’s laws that hinder women from opening a bank account or taking out a loan, but there are also no provisions to prevent creditors from discriminating based on gender or marital status (World Bank, 2016). Until 2009, banks did not allow women to open bank accounts for minor children without the consent of their husband (Daily Star, 2009). The Association of Bank in Lebanon changed this policy in 2009 (Daily Star, 2009).

A traditional system that favours transfer of property to male heirs can make securing a bank loan can be more difficult for women without collateral – especially in rural areas. A 2011 study undertaken by the National Observatory for Women in Agriculture and Rural Areas (NOWARA) found that 76% of women covered by the study had never obtained any loan or credit and that 44.7% had never made an application for credit or had felt the need to do so (CEDAW, 2014). Women entrepreneurs tend to finance their businesses through personal savings as opposed to formal bank loans (CEDAW, 2014). A 2011 study by the International Finance Corporation found that only 17% of female Lebanese business owners (included in the study) that sought external financing for their businesses received it, though 51% applied (IFC, 2011). Of the 51% that applied, none received any funding from a formal institution (IFC, 2011).

In 2012, the Governor of Banque du Liban published an official decision to back the National Commission for Lebanese Women (NCLW) to offer “*Najah*” loans – microcredit to women – through its banks to ease the process for women seeking credit.

c) Workplace rights

Lebanon’s 1946 Labour Code covers women’s workplace rights and Lebanon has ratified ILO Convention No. 156 on Equal Opportunity and Treatment at Work (ILO, 2016). Women are entitled to seven weeks of fully paid maternity leave under Article 29 of the Labour Code. Amended articles 50 and 52 of the Labour Law prohibit the firing of an employee while on maternity leave and on the grounds of being pregnant (CEDAW, 2014). Women working in the public sector are entitled to 60 days’ maternity leave (CEDAW, 2014). Prior to 2013, there was an intra-gender discrimination between salaried female staff and wage earners, where the former only received 40 working days of

maternity leave. Decree no. 9825 amended the discrepancy so that both staff categories receive 60 days (CEDAW, 2014). There are no laws that guarantee childcare leave in Lebanon or the right to breastfeed, nor does the law provide for nursery or childcare facilities (ATUC; CEDAW, 2014). Paternity leave is not yet recognized in Lebanon either. Additionally, article 34 of the Labour Law permits women one hour of rest every five hours of work, where men are given the same right every six working hours (CEDAW, 2014).

There is no *de jure* discrimination in respect of a Lebanese woman's right to work, employment opportunities and conditions, wages, job security or access to vocational and industrial training (CEDAW, 2014). The Labour Law, does however, include special texts on the protection of women working in harmful industries and prohibiting night work (ANND, 2015).

The National Commission for Lebanese Women (NCLW) is lobbying parliament to make amendments to the Labour Law that would incorporate paternity leave and grant mothers one hour for breastfeeding for one year, starting from her delivery date (NCLW, 2015).

Overall, the Labour Law is limited in its protection and does not cover domestic workers, and workers in rural areas who have not joined institutions – a majority of which are women (ANND, 2015). Lebanon has also not ratified the ILO Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (CEDAW, 2014).

As such, this affords some workers lower working standards and benefits in comparison to other workers and makes them vulnerable to abuse. An estimated 250,000 women live in Lebanon working as domestic workers under Lebanon's '*kafala*' system (Maxwell, 2016). The latter is a sponsorship system practiced in many Middle-Eastern countries that gives migrant workers no say in their contract or working conditions and an inability to terminate their employment contracts with their sponsor (ILO, 2015). Common reports of exploitation include non-payment of wages, forced confinement, no time off and verbal and physical abuse (Khawaja, 2016). In 2014, Lebanon's Labour Ministry deemed the request of six Lebanese workers to form a union for domestic workers as illegal -- contrary to the right to collective bargaining under international law (Khawaja, 2016).

Palestinian refugees -- men and women alike -- have limited rights and are prevented from working in 20 specific professions (Pollard, 2016).

More

A study conducted by the Lebanese Women Democratic Gathering found that women's enrolment in trade unions was high – ranging from 40-75% in six out of eight unions studied (Alami, 2015). However, the facts indicate that their presence in leadership bodies is still weak (CEDAW, 2014).

4. Restricted Civil liberties

a) Citizenship rights

Women and men do not have the same citizenship rights. Citizenship is governed by the Constitution and Lebanon's 1926 Nationality Law, with different rules applying to men and women. Lebanon maintains a reservation to article 9(2) of the Convention on the Elimination of All Forms of Discrimination against Women that calls for equal rights with regards to nationality (UN WOMEN, 2017). Women are identified by a family registration number through the male line of descent, so citizenship is transmitted by paternity (Khoury, 2013). The Nationality Law adopts a *jus sanguinis* system and states that "a child is Lebanese at birth if: he/she is the child of a married couple of whom the father is a Lebanese citizen," and "he/she is the child of a Lebanese father not married to the mother if the link of paternity has been declared" (Pollard, 2016). Lebanese men may pass their nationality on to their children and foreign wife, but Lebanese women married to foreign men cannot pass on Lebanese nationality to their children or spouses. One exception to this, is for unmarried Lebanese women with illegitimate children -- if no one claims paternity within a year -- she may pass her citizenship onto her children.

Since women are unable to pass on their nationality to a foreign spouse or children, both must apply for residency visas on a regular basis, limiting their access to education, health and social benefits that citizens enjoy. Given that employer's must pay a fee for a work permit for someone without Lebanese nationality, the situation limits job prospects as well. There are also cases of children rendered stateless when foreign husbands (often Palestinian) of Lebanese women also cannot pass on their nationality (Chamoun, 2017).

The non-right for Lebanese women to pass on their nationality to their foreign spouse and children is a highly contentious issue. Human rights and women rights groups have mounted an active protest against the discriminatory law. A ministerial committee rejected a draft law seeking to rid the Nationality Law of discrimination between men and women in 2013 on the grounds that it would shift the demographic ratio and trigger other political consequences (Khoury, 2013).

b) Voting

Women gained suffrage a decade after Lebanon's independence from France in 1952. Article 21 of the Constitution permits every Lebanese citizen the right to vote at the age of 21, though the language used is not gender-neutral. It reads "Every Lebanese citizen who has completed his twenty-first year is an elector provided he fulfils the conditions stated by the electoral law." The primacy of family and kinship ties weighs heavily on a woman's choice as voters (Khoury, 2013). They tend to vote as part of their family, headed by a male relative and very rarely, if ever, do they vote outside their kinship ties (Khoury, 2013). Measures to ensure proper secret voting is an issue in Lebanon -- which affects women's ability to vote freely -- especially in small villages with a small population (Khoury, 2013). The Civil Campaign for Electoral Reform (CCER) was established in 2006 by the Lebanese Association for Democratic Elections (LADE) to reform a flawed electoral process in Lebanon which is has seen virtually no reform since 1943.

c) Political voice

Article 12 of Lebanon's Constitution establishes that every Lebanese shall have the right to hold public office and "no preference shall be made except on the basis of merit and competence," which may preclude the possibility of legislating a quota(s) for women. Currently, there are no quotas, of any kind, for women in politics – not within political parties, electoral law, local or national decision-making bodies. A study conducted by the Lebanese Women Democratic Gathering focusing on six active political parties, found that no more than two women could be found in each party's leadership body, 33% absolutely rejected a women's quota and 16.6% had nominated women for parliamentary elections (Alami, 2015). Nonetheless, in 2017 Lebanon's Prime Minister Saad Hariri announced his support for a women's quota, reserving a certain number of parliamentary seats, and the possibility of a quota for candidates in Lebanon's 2017 elections for parliament (Haboush, 2017). In 2018, 113 women registered as candidates in the parliamentary elections compared to 12 women who registered to run in 2009. As a result, six women were elected to Parliament (UN WOMEN, 2018).

Women are underrepresented in the political realm and play a very minor role in Lebanese politics. Current research points to a strong correlation between women's role in politics and the country's sectarian based political system and political familism (Henderson, Nelson & Chemali, 2015). Political blocs based on family allegiance and loyalties to a certain party and its leader, the Za'im, pass from generation to generation (Khoury, 2013). Likewise, the role of Za'im is expected to be inherited by the leader's son, which essentially eliminates the possibility for a woman to take on the role (Khoury, 2013). Further, because parliamentary seats are allocated by religious sects – the possibility for a woman coming from a sect with few seats to win one is lower.

While women have had the right to run for election since 1952, no women were elected to Parliament until the early 1990s, aside from one case in 1963 (Chemali Khalaf, 2010). Since 1952, there have been only 17 women MPs to serve in Lebanon's parliament (Henderson, Nelson & Chemali, 2015). There is saying in Lebanon, that "women enter parliament in black," given that those who have managed to gain a seat have done so in lieu of a family member that has died and to warm the bench, per say, until power is smoothly transferred to another man (Alami, 2015; Ekmekji, 2012).

Women currently make up 3.1% of parliament, far below the regional average of 18% average for Arab States and the world average of 23.3% (IPU, 2017). Women's representation in parliament is on par with that of Kuwait, and except for the gulf states Oman, Qatar and Yemen – Lebanon fares worse than all other countries in the Middle-East North African region in terms of women's representation in parliament.

Lebanon has never had a female Head of State or Head of Government and few women have served at the Ministerial level, though those that have covered a range of portfolios (Alami, 2015).

d) Access to justice

Article 7 of Lebanon's Constitution states, "All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction."

Judges often exercise fair judgements for women when applying criminal and civil law. A number of discriminatory civil laws remain on the books in Lebanon, but studies of legal judgements have indicated that these articles are rarely used by lawyers and judges in prosecuting, defending and adjudicating cases (Mikdashi, 2010). Women have successfully won cases against male plaintiffs who are technically endowed with more rights than them (Mikdashi, 2010).

Personal Status courts are another matter, as judgements are based on Personal Status laws that are inherently discriminatory toward women, to varying degrees, across all religious confessions. Sunni, Ja`fari and Christian courts, for instance, take obedience and cohabitation claims into account when issuing judgements – claims that can only be levied by men against their wives. In some Muslim personal status courts, a woman’s testimony may be viewed as half of that of a man’s, based on Sharia law. A 2014 study by KAFA and UNFPA revealed that public trust in religious courts is low, with an average of 42 percent of those surveyed believing that cases in Sharia or ecclesiastical courts would not render fair results.

Men and women are equally privy to judicial review for work-related disputes that are adjudicated by employment tribunals and exempt from judicial fees and stamp duty (CEDAW, 2014).

Women make up 28% of judgeships in Lebanon (Fong, 2010).

A 2015 report issued by civil society for Lebanon’s Universal Periodic Review noted that the physical conditions of prisons contribute to serious violations of human rights and that the appropriate care (psychological, health, clothing, special food) needed by pregnant and nursing female prisoners is not afforded to them (ANND, 2015).

More

The announcement of a newly formed government in 2016 after two years of political crisis saw the establishment of a Ministry for Women’s Affairs – though with no pre-defined budget. In step with the appointment of male leadership for 29 out of 30 Ministries – a man, Mr. Jean Oghassabian, was appointed as Minister of State for Women’s Affairs. The appointment of a male ex-army colonel drew criticism and led to protests to reverse the decision under the slogan “No women, no legitimacy” (Massena, 2017; McKernan, 2016; Shaheen, 2016). Some rights groups have expressed concerns that the Ministry could possibly marginalise women’s rights by relegating work on gender equality to one entity alone, instead of horizontally across government (Massena, 2017). The government stood behind the decision and proffered that the appointment of a man signalled to other men, that working toward gender equality is a shared responsibility in order drive change – one that must be taken up by both men and women (UNDP, 2017). On the establishment of OMSWA, the Prime Minister remarked that “It is no secret that the empowerment of women became one of the international standards used to measure the progress of nations, and today, after almost 70 years, we didn’t make much progress in this field. In short, the State Ministry for Women’s Affairs task is to correct this defect,” (UNDP, 2017).

In 1998, pursuant to Law no. 720, the National Commission for Lebanese Women was founded, enjoying official status as a state institution and carrying out advisory and executive functions. It operates as a general assembly, with between 18-24 members, and permanent committees focusing on Legislation, Economics and Labour, Education and Youth, Research, Media and Public Relations, Health and Environment, and the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). The NCLW is led by an 8-member Bureau, elected by the assembly, with the President appointed by the President of the Republic. The current President is First Lady Mrs. Wafa Sleima.

Funds are earmarked in the budget of the Prime Minister's Office – around 7.3 million USD per year, on average, between 1999-2015 (The Monthly, 2016). The NCLW consulted with a variety of stakeholders to draft and launch Lebanon's 2011-2021 National Strategy for Women in Lebanon and the 2013-2015 National Action Plan.

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