



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 692nd meeting

Held at Headquarters, New York, on Tuesday, 12 July 2005, at 3 p.m.

Chairperson: Ms. Manalo

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial and second periodic reports of Lebanon (continued) (CEDAW/C/LBN/1, CEDAW/C/LBN/2, CEDAW/PSWG/2005/II/CRP.1/Add.8 and CRP.2/Add.8)

1. *At the invitation of the Chairperson, the representatives of Lebanon took places at the Committee table.*

Articles 5 and 6 (continued)

2. **Ms. Morvai** said that she had been concerned to read in the report that Lebanon treated prostitutes, even minors, as criminals, without any mention of punishment for their clients. She noted that Lebanon had apparently signed the Palermo Protocol on sex trafficking and yet seemed to maintain a policy that focused exclusively on the supply or female side of prostitution, rather than include the demand or male side as well.

3. **Ms. Azouri** (Lebanon) said that prostitution continued to be illegal but legislation had been introduced since the initial report to protect minors and treat minor offenders, not under the Penal Code but as a separate category with emphasis on care and protection.

4. **Ms. Beydoun** (Lebanon) said that the National Commission for Lebanese Women had been working with the Government and NGOs to establish shelters to protect women and children against domestic violence. In order to provide better protection, some secrecy was maintained about the sites of the shelters. On the issue of gender stereotypes in the media and images and language offensive to women, there was a conflict of values as the Government sought to protect freedom of expression on the one hand and yet to protect women against discrimination and offensive attitudes on the other. The media were being increasingly feminized, with numerous women announcers and reporters, so gender mainstreaming was taking place with very little Government intervention.

5. **Ms. Azouri** (Lebanon) said with regard to the status of maids that the labour laws were out of date and did not provide effective protection for certain

sectors that had been very small at the time of adoption of the laws, including domestic servants. Some degree of protection was, however, provided in civil law under the law of contracts. The situation was being reviewed and was being monitored by the Ministry and by law enforcement authorities.

Articles 7 to 9

6. **Ms. Zou Xiaqiao** noted that the number of women in the parliament was very low despite the absence of formal barriers. Information had reached the Committee that political parties were insufficiently concerned with women's issues and participation in decision-making and that the Government was not very effective in promoting women's participation in political life. She asked whether the Government planned to remedy the situation by adopting special measures such as quotas.

7. **Ms. Popescu**, observing that women in Lebanon seemed to be underrepresented at the national and local levels, asked what measures the National Commission for Lebanese Women planned to adopt to increase the participation of women in political life and to combat sexism. The Government should be urged to adopt special temporary measures, including quotas, to improve the situation. Women seemed to have reduced their involvement in political parties, perhaps as a result of years of discrimination and frustration. She asked what steps were planned to get parties to be more receptive to women and women's issues and to place women in positions where they could be elected and participate in decision-making.

8. **Ms. Belmihoub-Zerdani** drew attention to the crucial role played by Lebanese women in the long struggle involving foreign invasions and civil war and the destruction and chaos that ensued. Much remained to be done, however, in order to achieve a society without discrimination. Lebanese women were highly educated but few were elected to office. The Convention provided a valuable instrument to fight discrimination, namely, temporary special measures, including quotas. Other United Nations assistance should be mobilized to support and ensure implementation of the Convention, including the assistance promised at the Beijing Conference. Academics, judges, the mass media and individuals, including men, must be enlisted in the struggle to free Lebanon of discrimination.

9. **Ms. Arocha Domínguez** requested more gender-disaggregated statistics on women's participation in national and local decision-making and asked what strategies the Government had adopted in order to strengthen such participation. There seemed generally to be political interest, and NGOs were encouraged to assist in reducing negative factors, such as gender stereotypes; however, few Government resources had been allocated to improving the situation.

10. **Ms. Gaspard** said she was glad to hear that a foreign woman who married a Lebanese national could retain her own nationality, and, conversely, that a Lebanese woman who married a foreign national could retain her Lebanese nationality. She wondered if there were any plans to change the rule that nationality could be transmitted only through the father, which ran counter to the Convention and to general international law.

11. **Mr. Flinterman** said that, although he understood the historical reasons for the State party's reservation to article 9, he questioned whether it was compatible with the object and purpose of the Convention. It was true that there was no authoritative definition of the object and purpose of the Convention, but for the sake of argument it could be said that there were three main purposes: first, to eliminate any discriminatory provisions of law; second, to achieve de facto equality; and, third, to eliminate stereotyped attitudes. In his view, the overarching obligation of States parties was to eliminate discriminatory provisions of their law, which must be accomplished before much could be done to achieve the other two purposes. For that reason, the Committee had consistently held that reservations to articles 2 and 16 were not compatible with the object and purpose of the Convention, and it could be argued that article 9 was so closely related to the other two articles that reservations to it were also incompatible.

12. **Ms. Coker-Appiah** said that she shared the opinions of the two previous speakers and encouraged the Government of Lebanon to take another look at its reservation to article 9, paragraph 2.

13. **Ms. Azouri** (Lebanon) said, in relation to the number of women in political life, that for roughly 20 years, owing to war and internal conflict, Lebanon had had no real political life and the composition of the 1972 National Assembly had been virtually frozen; even the unions had been paralysed. The effort to boost

women's participation had begun almost from scratch in the 1990s, and the three women deputies in the National Assembly represented progress, however slight. The newly elected members of the Assembly recognized that their first mission was to prepare new legislation governing elections, and the National Commission for Lebanese Women looked forward to the passage of a new electoral law that would provide a better basis for women's participation. Her delegation did indeed recognize the importance of participation in political parties as a conduit for change.

14. **Ms. Hamdan** (Lebanon) said that the law did not prevent women from running for office, but social conditions threw obstacles in the way of women's participation. However, the statistics did show noticeable progress over the period from 2000-2005 in the number of women in elected and appointed office, as the second periodic report indicated. For the first time, for example, there were two women ministers in the Cabinet. Once the electoral law was amended, the Government intended to propose a quota system for candidates. Even if the proposal was not adopted, efforts would be made to encourage political parties to include more women.

15. **Ms. Azouri** (Lebanon) said that nationality in Lebanon was governed by Decree No. 15 of 19 January 1925 as amended by the Nationality Act of 11 January 1960. When the nationality legislation was first enacted, the chief concern of its drafters had been to ensure that every child had a nationality and that no one was left stateless. Acquisition of nationality in Lebanon was based on *jus sanguinis*, with descent from the father. However, in order to ensure that no child was left without a nationality, an exception was made if the child was born in Lebanese territory and the parents were unknown, or if a child was born out of wedlock and the father was unidentified. In 1995 a bill had been drafted by the Minister of Justice to allow for transmittal of nationality through the mother in certain circumstances, but women's organizations had opposed it as being too limited. Although the bill had failed, it showed that the door was partly open, and it was not out of the question that another attempt would be made to introduce amendments.

Articles 10 and 11

16. **Ms. Pimentel** commended the Government for establishing a programme to produce school materials free of gender stereotypes; she hoped that it could also

take into account non-conforming sexual orientation. The Government's Education-for-All Plan, to be fully implemented by the year 2015, was evidently based on the United Nations Millennium Development Goals. Since, however, the Goals did not have a specific gender perspective, she wondered whether the Government intended to structure the Plan in such a way as to include the aims of the Convention and the Beijing Platform for Action.

17. **Ms. Arocha Domínguez**, noting that illiteracy was more prevalent among women than men, asked whether there were any disaggregated data that would allow a comparison of rates in rural and urban areas; whether the Government was making any special efforts to reach illiterate women in rural areas; and what strategies were in place to bring literacy teachers to those areas, since it had proved too expensive to transport the women to more centralized learning centres. In the case of adult women, she wondered whether any provision was made for them to continue their education once they had achieved literacy. The reports indicated that few girls took up technical subjects or technical vocational training and that little was being done to steer them in those directions. The reports also indicated that the vocational guidance was inadequate. Accordingly, she wished to know what steps the Government was contemplating to change the situation. Lastly, she was interested in the fact that most girls were enrolled in the State schools, most of which were co-educational, but a study had shown that co-education seemed to have a negative effect on their school results and on their gender attitudes and self-image. Perhaps the delegation could elaborate on those points.

18. **Ms. Patten** said that she commended all the State party's initiatives to eliminate discrimination in education, but she was concerned about disparities between regions and between public and private education and about the lack of preschool education and adequate financial and human resources. She would like to hear more about the mandate of the national literacy committee. She was also concerned about the lack of diversity in the choice of subjects by girls and the failure to provide sufficient vocational guidance. She wondered whether the Government was envisaging more aggressive measures, such as scholarships for girls. She would also appreciate information on non-formal continuing education possibilities for women past school age. She would like

to know what measures were being taken or contemplated to address the problems identified in the report with regard to women in higher education and if there had been any attempt to promote gender studies at the post-graduate level or to develop leadership training programmes for women.

19. **Ms. Khan** said that, although there were many anomalies in the education sector, it did appear that in urban areas women enjoyed a level of education and training comparable to that of men, a situation which was reflected in their increasing representation in the work force. It was interesting and unusual that they had a larger presence in the private sector than in the public sector. Nonetheless, they seemed to be limited to stereotyped categories of jobs and to occupy very few posts at higher levels. She wondered what factors were preventing them from rising to higher positions. The wage structure appeared to be discriminatory, raising the question of whether there was an anti-discrimination law and, if so, whether it was being applied. Lebanon's migrant work force was large, and migrant workers faced violence and exploitation. She would like to know what laws governed such workers and whether there was a specific government department that dealt with the matter.

20. **Ms. Patten** said that both reports were very candid and realistic about the differences in the employment situation of women and men. It appeared that anti-discrimination provisions of the labour laws were inadequate or inadequately enforced. Despite the generally high educational level of the women in the labour market, there was a large wage gap between men and women; women were absent from management and policy levels in both the public and private sectors; and they suffered from a lack of job security. She wondered what measures the Government was considering to overcome occupational segregation and promote diversification of occupations and upward mobility for women. Efforts were also needed to help women with children enter the work force and to promote sharing of family responsibilities. Women working in the informal and agricultural sectors were particularly badly off. Although she understood the historical background of the employment situation, she would urge the Government to adopt better anti-discrimination policies, thereby harnessing the potential of Lebanese women to advance the country's development.

21. **Ms. Beydoun** (Lebanon) said that efforts had been made to broaden education without discrimination. The National Action Plan for Education for All in Lebanon (2003-2015) sought to secure a balance between the rural and urban areas, but the State had yet to find a mechanism to implement it. One expert had asked why there were more women in public education. That was a positive sign. Public education was virtually free and every time a public school was opened, particularly in a rural area, it gave girls a greater opportunity to be educated. Lebanon was to a large extent a patriarchal society, with families spending money on the education of boys rather than girls. Schools had recently been opened in the suburbs to accommodate the children of internal, country-to-city migration. There was a need to provide incentives for teachers to move to rural areas. The Ministry of Education had a rule that every teacher had to serve at least five years in a rural area before moving to a city.

22. No child repeated classes in the first three years of education. There was a tendency in rural areas for boys, in particular, to drop out of school in order to help in the fields, but rural schools had introduced flexible curricula that were adjusted during the harvest season to enable students to help their families. There was a continuing effort to counter stereotyping in curricula and to introduce gender mainstreaming. There had been a number of setbacks, but corrective action was being taken. The Lebanese University had introduced gender mainstreaming in its law, media, humanities and health faculties, and a number of private universities had similar pilot projects.

23. There had been a marked decrease in illiteracy, with very large numbers of students attending literacy courses, which were offered on a non-discriminatory basis. The rate of illiteracy was under 10 per cent for women, and about 5 per cent for men. Whereas in outlying rural areas the rate was still rather high, in Beirut, it was virtually zero. More than 30,000 people — two thirds of them women — had become literate as a result of the programmes organized by the Ministry of Social Affairs in partnerships with NGOs. As for continuing training, a department in the Ministry of Labour offered training programmes for women, particularly in rural areas. Forums were organized by NGOs on a non-discriminatory basis at which the details of the labour market and free services were provided. Women were beginning to gain

employment in areas which used to be the exclusive preserve of men.

24. **Ms. Azouri** (Lebanon) said that there was no distinction between Lebanese and non-Lebanese workers in terms of working conditions, social benefits and employment rights, except for the fact that foreign workers had to get work permits. That situation, however, did not apply to domestic and agricultural workers, who were still not covered by labour legislation. All workers, however, were subject to the civil law, which guaranteed their rights if their employer ended their contracts, and could award compensation irrespective of whether they were Lebanese or non-Lebanese. There was a special department in the Ministry of Labour that dealt with foreign workers while they were in Lebanon.

25. As for the status of women in the labour force, the situation had improved, although they were still not getting the level of jobs and the decision-making positions commensurate with their level of education. In the public sector there was a single wage scale for men and women and therefore no difference in the wages they received. In the private sector, where such differences sometimes existed, they were usually to be found in the smaller companies that were not subject to labour legislation and collective bargaining. Lebanon's labour legislation decreed that there should be no discrimination on the basis of gender. If it existed, a woman could contest it in law. The economic situation in Lebanon was very difficult, with many employers having gone out of business or having dismissed large numbers of their employees, and the reality was that many women preferred to work and receive lower wages than they felt they deserved, rather than not work at all.

Articles 12 to 14

26. **Ms. Pimentel** asked whether the reduction in fertility rates indicated widespread use of contraceptives. She asked whether the Government had undertaken studies on the incidence of unwanted pregnancies and on the damage to women's health resulting from clandestine abortions. Was a woman who was pregnant as a result of a rape allowed to have an abortion?

27. **Ms. Dairiam** said it was clear that there was disparity in health coverage on the basis of class, age, gender and region, but it was not clear whether there

was continuing gender disparity in terms of access to health-care services. The initial report stated that half of the population did not benefit from health insurance schemes, while the second periodic report stated that one third of families were uninsured and that the Government, along with NGOs, provided free services for the uninsured without discrimination. How was that provision of free services monitored in order to ensure that it was without discrimination? Were there figures that showed the percentage of uninsured women who benefited from free services compared with the percentage of uninsured men? The initial report referred to women's higher life expectancy and the possibility of their being subjected to complex discrimination in terms of health because of their age and gender. What health programmes were specifically directed towards elderly women? What was the maternal mortality rate of women with unassisted births in the regions, compared with the national average, and what plans were there to address the situation? What kinds of services were available free of charge to treat the health consequences of unsafe abortions? Were there any plans to amend legislation so that a woman did not have to plead mitigating circumstances in order to secure an abortion when the pregnancy was a result of adultery or incest? Which chronic diseases, other than those pertaining to reproductive health, did women suffer from more than men? Finally, she noted that the concept of women's health in Lebanon should be broadened to cover all its aspects, as set out in the Committee's general recommendation No. 24.

28. **Ms. Tan** asked what the new Government of Lebanon was willing to do to improve the situation of rural women, including achieving equality in wages and the receipt of social benefits. The second periodic report spoke of an increase in the number of women heads of households between 1970 and 1987, but what was the situation since then? The initial report spoke of an inadequate supply of potable water and a lack of sewerage systems, and although it had been stated that the situation had improved with the provision of potable water to most rural areas, it was not clear how many people still lacked a supply of potable water and a system of sewerage. The next periodic report should contain sex-disaggregated statistics, and information on steps that had been taken to remedy the situation of rural women.

29. **Ms. Schöpp-Schilling** said she had been very disheartened to read of the high rates of poverty and illiteracy among rural women and the fact that they lacked social security benefits and had difficulty gaining access to health care. Why was there a larger proportion of young boys than young girls? Was it due to death or infanticide? Were there any statistics? Did the new Government plan an integrated, holistic effort to improve the situation of rural women? If so, which government ministry would be responsible, and would the National Commission for Lebanese Women have gender mainstreaming input? Was there a time frame for implementing such a plan?

30. **Ms. Simms**, referring to the fact that rural women in Lebanon had been displaced as a result of military activities, asked whether the urban drift had continued or whether the rural areas were now more settled. The fact that labour legislation did not cover domestic or agricultural workers, and most of the latter were women, meant that there was serious discrimination against rural women. The Government of Lebanon should pay greater attention to the way they were treated.

31. **Ms. Beydoun** (Lebanon) said that no studies existed on abortion, and the Government of Lebanon undoubtedly needed to conduct such studies, particularly on clandestine abortion.

32. **Ms. Azouri** (Lebanon) said that all workers with permanent jobs in the public and private sectors received health and social security cover, and there was no difference between men and women. Health care was provided free of charge. Other workers were provided with health care according to the availability of resources.

33. **Ms. Moufarrej** (Lebanon) said that the figures showed that there had been improvements in the situation of rural women, in terms of numbers of family members, use of family planning, political participation and education, which was currently being extended to the remoter rural areas. Considerable efforts were being made by all ministries to reach all of the country's rural areas. None of the rural areas in Lebanon were particularly remote, and there was no great distinction between rural life and urban life. In fact, the poorest areas were not rural areas but areas adjacent to large cities.

Articles 15 and 16

34. **Ms. Šimonović**, noting that the Government had acknowledged already in its initial report (CEDAW/C/LBN/1, Part II, chap. I.B) that some Lebanese laws regulating matters like adultery or honour crimes violated the equality guarantees in Lebanon's own Constitution and in the various international human rights instruments and must be amended, asked the delegation to explain why those laws were still in place.

35. **Ms. Tan** observed that while the new Government had introduced legislation against domestic violence and was making necessary amendments in laws governing honour crimes, incest, adultery and the like, the important thing was to change the patriarchal mentality in the country.

36. **Ms. Bokpe-Gnacadjia** asked how Lebanon's reservation to article 16, discussed in the response to question 28 in the responses to the list of issues and questions (CEDAW/PSWG/2005/II/CRP.2/Add. 8), affected its implementation of the other parts of article 16 to which it did not apply; whether the Government was planning to eliminate honour crimes in its revision of the Penal Code; and whether the legal developments outlined in the initial report (Part II, chap. I.C) had been put into effect, and if so, how the 18 separate religious communities in Lebanon and their religious courts had integrated the changes and applied them in matters such as property rights or legal recourse. The initial report (Part I, chap. IV.D) had stated that there were legal provisions that applied to all Lebanese, some that applied to Muslims, others to non-Muslims, and still others to foreigners; what, then, were the common provisions in the personal status laws? In the case of a marriage between persons of two different creeds, it was unclear which religious law would be applicable and which court would be competent to settle disputes. In the light of article 16, paragraphs 1 (b) and 2, dealing with free consent to marriage and minimum marital age, she would like to know the Government's position on the marriage of girls as young as nine, allowed by some religious communities in rural areas even though such marriages violated the girl's right to be a child and compromised her health, and its position on precocious and incestuous marriages in general. Surely more could be done by the Government, which recognized such practices as unconstitutional, than simply issuing educational guidelines.

37. **Ms. Belmihoub-Zerdani** said that, given the existence in Lebanon of 18 different Muslim and other denominations, each with its own applicable religious law governing personal status — which had prompted Lebanon's reservation to article 16 — it was not clear who was actually competent to determine the law in such matters and how many judges were qualified to do so. If the spouses were from different sects, did the husband's or the wife's law apply in the event of marriage or divorce. Were Muslim/Christian marriages even possible, given the strictures of Sharia law. Referring to the initial report, she said that it would seem to limit Lebanon's sovereignty if, as frequently happened, the Government had to apply the marriage laws of another country when its citizens escaped complications by marrying abroad (Part I, chap. IV.D.1). A previous President had tried and failed to secularize the marriage laws, but perhaps modern attitudes would now favour a consolidation of all the disparate family codes and eventually the adoption of a single, universally applicable Civil Code, allowing religious marriages to be performed in addition to the requisite civil marriages as a strictly private matter.

38. **Ms. Azouri** (Lebanon) assured the Committee that, except for the areas excluded by its reservation to article 16, Lebanon was endeavouring decisively to guarantee, in a gradual fashion, the total equality of men and women before the law. The second report highlighted the realization of such aspirations between 2000 and 2004 and discussed some areas of discrimination the Government was trying to eliminate. Domestic violence, long considered a private family matter, was no longer seen in that light, and women, with the help of civil society organizations, were seeking to make it a subject of open discussion and to have all instances reported and punished. The Penal Code was under revision and, with the full support of the Government, a parliamentary committee was developing legislation for enactment. Honour crimes were dealt with under the Penal Code and the Government would be eliminating all forms of discrimination against women in that area.

39. She wished to point out that of the 18 religious denominations in Lebanon, each with its own personal status code and family code, only five were Islamic and the rest were Christian denominations of various types. In Lebanon, all persons married and divorced according to the rules of their own religious denomination. In the case of mixed marriages, the

husband's religious law prevailed: if a Sunni man married a Christian or a Shia, the Sunni rules would apply; a Muslim woman had to convert if she wanted to marry a Maronite Christian. The alternative would be for such couples to marry abroad, at which point the legal reference points would be the Lebanese Civil Code and the personal status code of the country in which the marriage had taken place, in keeping with the principles of international private law. When Lebanon had adopted that solution, it had not considered its sovereignty undermined, because the foreign law did not replace the Lebanese Civil Code, but only the personal status codes applied in Lebanon by the sects to which the spouses belonged.

40. **The Chairperson**, speaking in her personal capacity, said that while the Government was clearly making great efforts to improve the situation of women in the country, the Committee would appeal to it to ratify the Optional Protocol and the amendment to article 20, paragraph 1, and to lift all its reservations, especially with regard to articles 9 and 16. Also, the Government should consider legislating explicit provisions regarding equality, including a definition of discrimination, pursuant to article 1 of the Convention.

41. It was important to provide enough funds to the National Commission for Lebanese Women and the other women's bodies. The Government should, moreover, formulate a strategic vision of gender equality, with specific timelines for achieving it. It was especially significant for women to be put on an equal footing with men in the political field and in decision-making positions, and stereotyping should be resisted. It seemed that domestic violence was accepted in Lebanese society as a way of life, but that could not be: the Government had to enact laws on the matter, but also train judges, lawyers and law enforcement officials. Discriminatory provisions regarding honour crimes, adultery, assaults on honour and violence against migrant workers should be repealed and temporary special measures for the advancement of women considered, in accordance with the Convention.

42. A single, secular, national Civil Code governing personal status was essential to strengthen equality in society and to help the Government in its implementation of the Convention. Many institutions were in place but concrete accomplishments were the important thing.

43. **Ms. Azouri** (Lebanon) thanked the Committee for its close study of the situation in Lebanon and for the proposals members had made. The delegation would urge the Government to forge ahead with its efforts towards gender equality. The assistance of the Division for the Advancement of Women had been invaluable. She hoped that her delegation had conveyed a picture of the situation of women in her country to the Committee. With its assistance the Government would continue, despite all constraints, to strive towards the common objective.

The meeting rose at 5.50 p.m.