



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

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

Summary record of the 821st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 22 January 2008, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3.05 p.m.

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

Third periodic report of Lebanon (continued)
(CEDAW/C/LBN/3, CEDAW/C/LBN/Q/3,
CEDAW/C/LBN/Q/3/Add.1)

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

2. **Ms. Jamhuri** (Lebanon), replying to questions posed by members of the Committee at the previous meeting on articles 7 to 9 of the Convention, concerning the image of women as portrayed in the media, said that the media in Lebanon was not centrally controlled. There was one official news channel; 90 per cent of television and radio stations were private. As such, they were expected to monitor their content themselves. Private channels were lucrative and often targeted a very specific audience; they portrayed many and varying images of women, not all of which were positive.

3. With regard to questions concerning nationality, she endorsed the hope expressed by Ms. Belmihoub-Zerdani that the National Commission for Lebanese Women would succeed in making it possible to confer Lebanese nationality on spouses and children in families where the mother was a Lebanese national.

4. **Ms. Kiwan** (Lebanon) said that the low level of women's participation in elections could be explained by the difficult political climate. The political regime was based on relative proportional representation, and party lists were open to men and women. Seats were also distributed along sectarian and community lines, and some seats were reserved in order to promote better gender balance within the community quotas. The goal, of course, was not just for women to be candidates for political office, but to see them elected.

Articles 10 to 14

5. **Ms. Arocha Dominguez** said that the Government's efforts to focus on women's rights despite the war and the difficult political situation were commendable. The information on girls' school enrolment rates contained in the report was encouraging. She wondered, however, if there were any indicators showing the impact of the crisis on girls'

access to education. She would also like to hear more about the right to education of Palestinians living in camps within Lebanon. Finally, with regard to the 2006-2015 plan to eradicate illiteracy mentioned in paragraph 56 of the report (CEDAW/C/LBN/3), she would like to know the specific policy for women.

6. **Ms. Zou Xiaoqiao** noted that there were many women studying at the university level, but that most were studying in traditional fields. She wondered about the impact of that situation on their future careers and whether there were any efforts to encourage women to enter non-traditional fields of study. She further noted that the university had no general policy on gender, and wondered whether any efforts were being made to raise awareness of gender issues and include gender studies in the curriculum or provide gender equality training for the faculty.

7. **Ms. Simms** said that the fact that 65 per cent of students at primary level were in private schools and the rest in government-funded schools could lead to a potential problem of elitism. Students whose families could afford school fees would be studying under better conditions than others. The Government had a responsibility to ensure quality education for its poorest citizens, and failure to do so would only serve to maintain the class system. She wondered if there were any plans to reform the educational system, and whether quality education was ensured for Palestinian women in refugee camps. Foreign domestic workers, many of whom were engaged in childcare, were denied access to education, and she was concerned about the potential impact of that situation on the children they cared for.

8. **Ms. Schöpp-Schilling** said that she would like to know why certain private schools were tuition-free, and whether the Government had any influence on textbooks and curriculum in private schools. It was her understanding that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) provided services, including education, to Palestinians living in camps. She therefore asked if the Government also provided services to refugees and if they had any input regarding the services provided by UNRWA.

9. **Ms. Gaspard** said that domestic workers were not covered by the Labour Act of 1946, and foreign domestic workers were even more vulnerable. Reports had been received of multiple violations of their human

rights, including confiscation of their passports, restrictions on their freedom of movement, poor working conditions and excessive hours. There were over 400 employment agencies placing foreign domestic workers in jobs; their activities could be likened to trafficking in persons. She asked how they were monitored, whether any statistics were available on the number of complaints received concerning those agencies, and the results of those complaints.

10. **Ms. Kiwan** (Lebanon) said that the war had definitely had an impact on access to education, with over 300 schools destroyed, but girls had not been specifically affected. Violence, internal displacement and instability were the major factors affecting access to education for both boys and girls.

11. Over half the country's population was concentrated around Beirut, with only 20 per cent living in rural areas. Therefore, most private schools were found in the areas of highest population density; the Government tried to ensure that each village had at least one public school. The curriculum and quality of education in private schools varied from poor to excellent. The Government did not have any influence on the curriculum in private schools, which were free to choose their own curriculum and textbooks. It had tried to ensure some consistency by providing the same textbooks in some subjects to all private schools, however. The Government provided subsidies to some religious institutions. Cases of fraud had been discovered where enrolment records were falsified in some private schools in order to attract higher subsidies. The Government provided the curriculum and teacher training for public schools; every effort was made to ensure its quality.

12. Efforts had also been made to encourage women to enter non-traditional fields of study at the university level, with little effect thus far. Difficulties had also been encountered in correlating university courses with the needs of the job market, for both men and women. University officials were aware of the need to include gender orientation in the curriculum and were working towards that goal.

13. **Ms. Patten**, referring to the precarious situation of female foreign domestic workers, asked for details on the status of the draft bill covering their rights and a progress report on the standard unified labour contract. She also wondered if a separate legal regime would be established for workers in the sex trade.

14. Finally, she asked what the Government had done to address occupational segregation of women and wage disparity, issues which the Committee had mentioned in its concluding comments on the previous report.

15. **Ms. Jamhuri** (Lebanon) clarified that there were 200,000, and not 2,000,000, domestic workers in Lebanon.

16. **Ms. Samad** (Lebanon) confirmed that the Labour Code did not apply to domestic servants. In order to address that lacuna, a steering committee, composed of several experts, relevant government officials and representatives of a number of United Nations agencies, had been established to explore ways and means of improving the situation of those individuals. It had begun work on a draft labour law regulating the employment of domestic servants and a standard employment contract. A booklet informing employers and employees of their respective rights and responsibilities had also been prepared and distributed.

17. The Government and several international non-governmental organizations (NGOs), with support from the General Directorate of Public Security, had signed a memorandum of understanding on the establishment of a shelter for female domestic workers who had been the victims of ill treatment. The Ministry of Labour had adopted a decree regulating the operations of recruitment agencies, which stipulated, inter alia, that employers were responsible for providing female domestic servants with adequate clothing, food and shelter, as well as a monthly salary. The decree also prohibited beatings. The Department of Labour Inspection monitored the activities of recruitment agencies and it was mandatory to report any violations of domestic workers' rights to the appropriate authorities.

18. **Ms. Moufarrej** (Lebanon) said that the 2006 conflict had had a dramatic effect on employment prospects in the private sector and on the economy as a whole. The service industry, which employed 75 per cent of female workers, had been particularly affected, and women were beginning to migrate in order to find work, a phenomenon previously unknown in the country. The current instability was preventing the Government from addressing the issue of the wage gap between women and men: in the present circumstances, finding a job, rather than negotiating a salary, was the priority.

19. **Ms. Coker-Appiah** commended the State party for the efforts it had made to provide a comprehensive network of health-care services throughout the country. However, she was concerned about the persistent difficulties described in paragraph 223 of the report and therefore enquired as to the measures taken to ensure that ordinary citizens had access to the whole range of services offered by both public and private sector providers. It would be particularly interesting to know whether all specialist services, including obstetrics and gynaecology, were available at the public health centres and whether those centres were adequately staffed. Since the report did not contain much information about maternal mortality rates, she would be grateful for the relevant statistics for both rural and urban areas.

20. **Ms. Pimentel** enquired as to the obstacles hindering the approval of the health mapping project referred to in the State party's responses to the list of issues and questions (CEDAW/C/LBN/Q/3/Add.1). She wondered whether there was an estimated time frame for its approval and whether the Government or the National Commission for Lebanese Women had taken any steps to accelerate that process. With regard to clandestine abortions, it would be useful to learn whether the measures adopted to lower the number of unwanted pregnancies included the widespread distribution of contraceptives. She also wished to know whether voluntary abortions were permitted in cases of rape, in the event that the pregnancy was endangering the mother's health or under any other circumstances.

21. Lastly, she was pleased that, pursuant to Broadcasting Act 3820/94, television and other broadcast media were required to set aside an average of one hour per week for educational and health programmes. She would be grateful to hear more about the impact of that measure on women's health.

22. **Ms. Shin** expressed surprise that only 2 per cent of women in Lebanon suffered from some form of disability; in most countries, that figure stood at a little over 5 per cent. She drew attention to General Recommendation No. 19, which pointed out that disabled women suffered from double discrimination linked to their special living conditions and called on States parties to provide specific information on the situation of those women in their periodic reports. Further data on that subject should therefore be supplied, if not during the present meeting then in the next periodic report.

23. **Ms. Tan** requested more information about the special legislation for the agricultural sector that had been promised in 1946 and, stressing that rural dwellers, especially women, were particularly vulnerable to violations of their rights, enquired whether any further progress had been made on that front. Referring to paragraph 281 of the report, she asked why seasonal and non-Lebanese labourers working in the agricultural sector were not entitled to social security benefits. It would also be useful to know the extent of the benefits provided under the optional insurance scheme available to workers in family enterprises. How many of those workers were women and were there any plans to extend the scope of that coverage? She was particularly interested in the situation of elderly rural women and wondered whether they had easy access to appropriate health-care services.

24. According to the report, it had been difficult to market the products made by rural women enrolled in skills training programmes. She would be grateful for some indication of the reasons for those difficulties. The State party should also provide information about the resources allocated to such programmes and the average class size. Lastly, noting that only nine of an estimated 30 lending associations did not discriminate on the basis of sex, she enquired as to the measures taken to raise awareness among lenders of the advantages of investing in projects managed by women and to educate women about available financial assistance.

25. **Ms. Dairiam** asked how the Ministry of Public Health was complying with its obligations under article 12 of the Convention and who was responsible for monitoring its activities. She would appreciate more information about the Government's involvement in the provisions of health-care services to female Palestinian refugees; in particular, the State party should indicate whether it monitored the services provided by UNRWA to ensure that they were of an appropriate standard. It would also be useful to have comparative health indicators for female Palestinian refugees and women in the rest of the country.

26. **Ms. Ara Begum** noted that there were no specific laws on violence against women in Lebanon. Since rural and displaced women and female refugees were particularly vulnerable to violent acts, she enquired as to the measures adopted to protect them and asked for further details about the 2006-2010 action plan on

gender-based violence. It would also be interesting to hear more about the impact of the various programmes and projects designed to promote the advancement of rural women. In that connection, the State party should clarify whether such women who wished to start small businesses had access to microcredit schemes and/or collateral-free loans. Lastly, turning to the topic of reproductive health, she wished to know whether the relevant services were an integral part of the primary health-care system, particularly in rural areas, and whether Palestinian refugees had access to those services.

27. **Ms. Baladian** (Lebanon) said that a number of measures had been taken to extend the network of health-care services, including the establishment of 38 new health centres in remote areas. Working in partnership with civil society organizations and the municipalities concerned, and with funding from the World Bank, the Government had also opened 10 new hospitals. Primary health-care centres offered reproductive health services and efforts were under way to build capacity in the areas of family planning, childbirth assistance and neonatal care. A national campaign to prevent cervical and breast cancer had been launched and free or reduced-price testing was available. Courses on sexual and reproductive health had also been incorporated into the school curriculum. Abortion-related deaths were almost non-existent, since awareness-raising campaigns had led to a sharp drop in the number of unwanted pregnancies.

28. **Ms. Moufarrej** (Lebanon) said that, according to statistics from the World Bank, approximately 500,000 individuals, or 13.5 per cent of the population, lived in rural areas. Between 2003 and 2005, income from agricultural activities had accounted for 6 per cent of the country's total income. During the war, however, vast swathes of land in southern Lebanon had been seized, leading to a dramatic decrease in agricultural activity and income. Those areas were currently being demined with a view to restoring them to their former state.

29. Women accounted for 40 per cent of the total number of agricultural workers. As part of its efforts to combat poverty, the Government was seeking to extend basic social security coverage in rural areas. Steps had also been taken to increase the availability of microcredit.

30. **Ms. Jamhuri** (Lebanon) said that, when the 1946 Labour Code had been drafted, it had excluded, for a number of specific reasons, agricultural workers, domestic servants and individuals working in family enterprises. Although the legislature had intended to develop separate legislation covering those groups, it had not yet done so.

31. It was very expensive to provide comprehensive social security benefits to all citizens and, for that reason, the current regime included only certain categories of employee. The executive branch had decided to extend social security benefits to permanent agricultural workers with a view to further expanding coverage in the future. However, in spite of the Government's willingness to honour its commitment, financial constraints meant that those plans were currently on hold.

32. **Ms. Moufarrej** (Lebanon) stressed that the Government was endeavouring to address the specific needs of rural women and female agricultural workers. It was hoped that a national observatory for rural women and female agricultural workers would be established in 2008.

Articles 15 and 16

33. **Ms. Belmihoub-Zerdani** said that, in the absence of a unified personal status code in Lebanon, considerable injustices and disparities between the private lives of men and women existed and, also, between women, because of sectarian differences. Although when it had examined Lebanon's initial report, the Committee had expressed concern that religious law was applicable according to the community of the individual and had proposed the introduction of a unified civil code, the situation remained unchanged. The present report provided scant information on the different religious communities and their codes. In order to comply with the Convention, which was integrated in the Constitution, Lebanon must adopt a unified civil code immediately. That code should be applicable to all Lebanese women in order to bring about uniformity and equality in private life, without discrimination. She expressed the hope that when the next periodic report was examined, significant progress would have been made on that issue. Moreover, she recommended that a press conference should be held in Lebanon to disseminate the substance of the consideration of the report.

34. **Ms. Tan** said that she wished to know which religious groups had the highest number of interfaith marriages and what services were available to women or couples in such marriages who had been rejected by their own communities. The minimum marriage age appeared to be 18 for males of all sects, with the exception of Shiite and Catholic males, and the minimum marriage age was lower for females in all sects than for males; the minimum marriage age should be 18 for all under the Convention.

35. With regard to choice of spouse, she pointed out that most interfaith marriages were not in fact considered valid and asked whether efforts were being made to harmonize the differing marriage laws and validate interfaith marriages.

36. She sought clarification as to the recourse available to women to request maintenance in excess of the amount of the dowry restituted to them in case of divorce, should that amount be insufficient to maintain their living standards.

37. She wished to know whether all religious groups accepted the parental authority of the father and whether the Government engaged in dialogue with different groups in order to encourage a gender-balanced approach to parenting. Data on cases where some religious courts had considered the welfare of children and had awarded women custody would be useful.

38. **Ms. Halperin-Kaddari** observed that even in the absence of a unified code, which was the optimal solution and required by the Convention, the means were available to demand the adoption of secular laws on such issues as child custody and property relations, as the civil law determined which matters were under the jurisdiction of religious courts. She sought clarification as to whether property was under the jurisdiction of religious courts, noting that the regime of separate property, which appeared to prevail, was not a religious matter. It contravened article 16 of the Convention and General Recommendation No. 21, which required that marital property should be joint and distributed on divorce, and must be dealt with immediately.

39. It appeared that no specific protection from domestic violence was offered to women in Lebanon. Article 503 of the Penal Code, which permitted marital rape, must be eliminated immediately.

40. **Ms. Jamhuri** (Lebanon) said that there was no difference between men and women with regard to property ownership, as Lebanese women enjoyed the right to own and dispose of property. However, inheritance was governed by the sharia for Muslims and by the State for non-Muslims. The State legislation on inheritance was based on the principle of equality between men and women and was under the jurisdiction of the civil courts. The inheritance rights of Muslim women were complementary to their rights to own property.

41. The adoption of a unified personal status code that ensured equality and full rights for women was indeed necessary, even on a trial basis. Partial solutions were also possible, as evidenced by the fact that some civil courts had rejected sharia law and ruled in the interests of children in some custody cases. However, such precedents did not provide a full or final solution. Her delegation reminded the Committee that the report did not encompass all situations, although it had sought to include situations in which discrimination existed.

42. The minimum age for marriage was governed by civil statutes. Although the Government could intervene, such action did not resolve the issue.

43. Parental guardianship was governed both by sharia and by civil legislation and there had been some promising judicial precedents at the national level, as the rulings of judicial bodies must be submitted to civil courts for approval. Civil judges were required to negotiate with the parties concerned in order to reach their decisions, which must ensure the well-being of the child, and their rulings on guardianship had precedence over all others.

44. **Ms. Ara Begum** asked whether Lebanon had plans for a specific law on domestic violence. She also asked about the intention of the Lebanese government with regard to implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and the Convention relating to the Status of Refugees. She reiterated her question on the fundamental rights of refugee women and, also, asked how the law on taxation was being addressed.

45. **Ms. Gaspard** said that women were subjected to a wide array of acts of violence. The Lebanese Penal Code criminalized homosexuality and, although progress had been made in respect of men because of

the debate on HIV/AIDS, she asked whether homosexual women or women presumed to be homosexual were targets of violence and whether Lebanon would provide for non-discrimination against women on the basis of sexual orientation.

46. **Ms. Chutikul** reiterated her wish to know whether the Central Statistics Administration had taken steps to create a gender database. Moreover, she proposed that, in order to dispel confusion on the subject, a definition of trafficking should be written in the law and guidelines for the identification of victims should be developed for the purpose of police training, as the police dealt with the victims of trafficking.

47. **Ms. Belmihoub-Zerdani** observed that, since it was possible to register the civil marriages of Lebanese citizens contracted abroad, the Lebanese legislature could allow such marriages to be contracted in Lebanon. She emphasized the need for Lebanon to withdraw its reservations to the Convention.

48. In view of the Committee's fruitful discussions with NGOs, she reminded the delegation that such organizations were an important tool for progress. She also proposed that Lebanon, as a founding member of the League of Arab States, could bring women from other States together within the League to work on recommendations that would benefit the status of women.

49. **Ms. Halperin-Kaddari** reiterated her question about the separation of assets upon divorce, noting that the separation of property was not in conformity with General Recommendation No. 21. Further, in view of the fact that in Lebanon, there were no legal relationships outside the framework of the institution of marriage, she requested information on the rights of women cohabiting outside marriage with respect to property and custody.

50. **Ms. Schöpp-Schilling** asked whether the National Commission for Lebanese Women had discussed with the Government any amendment to article 534 of the Penal Code, which criminalized homosexuality. With regard to the status, authority and powers of the National Commission, it should continue with its advisory function but, during the present period of reconstruction, there was also a need to establish a central national machinery within the Government itself.

51. **Ms. Dairiam** said that the Women's Empowerment Project (WEPASS) implemented in compliance with Security Council resolution 1325 (2000) was commendable. She asked whether women's committees acted only as intermediaries between municipalities and service delivery, or whether the representation of women within municipalities and in decision-making positions in post-conflict peacebuilding and in the management of service delivery was encouraged.

52. **Mr. Flinterman** asked how Lebanon implemented its responsibility towards UNRWA and towards Palestinian women for the full implementation of the Convention. He asked for comments from the delegation on the practice of issuing 6-month visas to women artists, who were often engaged in prostitution.

53. **The Chairperson**, speaking as a member of the Committee, asked what specific steps the Government was taking to harmonize its national legislation with the Convention and give it full force. It was important, for example, to raise the minimum age of marriage to 18 for both boys and girls in accordance with the Convention as well as the Convention on the Rights of the Child. Yet, there had been no sign that the Government was incorporating such international norms at the national level. Further explanation of how it planned to overcome the contradictions between national and international law was needed.

54. **Ms. Jamhuri** (Lebanon) said that there was no specific law at present covering domestic violence but the Government was working on drafting such legislation. Efforts were also being made by NGOs, in collaboration with state institutions, to eliminate domestic violence. The Beirut Bar Association, for example, had set up a women's committee to address the issue. Studies had also been conducted by the Government to review the provisions of the Penal Code concerning domestic violence and make recommendations. The National Commission for Lebanese Women was making every effort to ensure follow up of those recommendations and move the process forward.

55. Article 534 of the Penal Code criminalized "unnatural sexual intercourse", which was punishable by up to one year of imprisonment. A commission of the parliamentary Administration and Justice Committee, however, had recommended the repeal of the article.

56. The Central Statistics Administration broke down its data by gender. It was working with the United Nations Development Fund for Women (UNIFEM) to expand its database to enhance its gender-disaggregated information. New indicators were being included in the data collection to ensure that the issues raised by the Committee were covered and could be properly addressed.

57. The list of issues and the questions from the Committee suggested the need for further explanation of the concept of trafficking in Lebanon. The Government was currently reviewing the relevant legislation and would make its results available in the spring of 2008.

58. The State recognized civil marriage contracted abroad and granted the courts jurisdiction to hear disputes if at least one of the spouses was a Lebanese national. Such disputes were also subject to the law of the country where the marriage was contracted.

59. In the event of divorce, each spouse took only what belonged to him or her and neither had any share in the property of the other. During the marriage, the husband had no say in how the wife spent her own money. The marriage was based on the separation rather than the sharing of property and assets.

60. Personal status laws covered only the marital relationship. However, the law did not penalize cohabitation. Unmarried couples did not enjoy any vested rights. In the event of the death of a partner, for example, the surviving partner did not enjoy any inheritance rights.

61. The Government considered the National Commission for Lebanese Women to be an important body in the light of the current political situation in Lebanon. It was not clear that changing its status would make it more effective given that situation. Under the current circumstances, it would risk becoming politicized if it were turned into a government body.

62. **Ms. Kiwan** (Lebanon) said that the WEPASS project targeting areas in Lebanon which had been bombed had focused on raising awareness among women about violence against them and protection measures. The Government was cooperating with local grassroots organizations to train women to participate in social and economic life and to enter decision-making positions. Funds were allocated for women to

establish small income-generating enterprises, especially women living in remote areas.

63. **Ms. Jamhuri** (Lebanon) said that her Government was greatly concerned over the plight of Palestinians. When the Lebanese Army had been attacked and its soldiers massacred, the Government had taken steps to protect women and children living in the Palestinian camps, and the Army had paid a very heavy price for that protection.

64. Concerning the reservations to the Convention, every Lebanese citizen was subject to the laws, regulations and courts of his or her own religious community. Under the Constitution, every denomination had the right to establish its own personal status law. Therefore, all denominations were equal before the law. Harmonizing such laws with international instruments therefore posed a dilemma. Her delegation hoped to work towards the adoption of a unified personal status code; however, any such change would be gradual.

The meeting rose at 5.20 p.m.