

Lebanon

Joint submission to the CEDAW Committee

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Abbreviations

ATT	Arms Trade Treaty
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
FPM	Free Patriotic Movement
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ILO	International Labour Organization
LGBTIQ+	Lesbian-Gay-Bisexual-Transgender-Intersex-Queer +
MDWs	Migrant Domestic Workers
NAP	National Action Plan
SALW	Small Arms and Light Weapons
SIPRI	Stockholm International Peace Research Institute
UPR	Universal Periodic Review
UPRII	Second cycle of the UPR

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I. Introduction

This submission is primarily based on a joint submission made to the Universal Periodic Review in July 2020.

II. Implementation and ratification of international human rights instruments

Many discriminatory provisions against women and girls remain in the legislation and no concrete steps have been adopted to repeal them. While Lebanon has submitted a number of its reports to UN treaty bodies, it has not implemented many of their recommendations, e.g. in relation to reforming the Personal Status laws and abolishing the *kafala* system.¹ In addition, it has yet to ratify several human rights treaties, such as the Optional Protocols to CEDAW and to the ICESCR as well as the ICPMW.²

Questions

- Please provide updated information on further steps taken to lift reservations to CEDAW,³ review current legislation and amend all discriminatory provisions against women so as to bring it in line with CEDAW.

¹Committee on the Elimination of Discrimination against Women, *Concluding observations on the combined fourth and fifth periodic reports of Lebanon*, CEDAW/C/LBN/CO/4-5, 24 November 2015 paragraphs: 20, 28(b), 46(a) and 38(c), available at:

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>;

Committee on the Elimination of Racial Discrimination, *Concluding observations on the combined eighteenth to twenty-second periodic reports of Lebanon*, CERD/C/LBN/CO/18-22, 5 October 2015, paragraph: 42(a).

Committee on Economic, Social and Cultural Rights, *Concluding observations on the second periodic report of Lebanon*, E/C.12/LBN/CO/2, 24 October 2016, paragraphs 36(c), available at:

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>

² Other examples of treaties that Lebanon has not ratified include the Convention for the Protection of All Persons from Enforced Disappearance, the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and the Convention on the Rights of Persons with Disabilities.

³ 132.10. Review current legislation and amend as necessary all discriminatory provisions against women and lift all reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Germany); Lebanon only noted this recommendation.

- Does Lebanon envisage developing a comprehensive national human rights plan to implement outstanding recommendations by human rights bodies, including by the CEDAW Committee?

III. Hate speech, xenophobia and the suppression of dissent

Concerns about hate speech, stereotyping and the expression of intolerance, prejudice and stigmatization, the lack of comprehensive anti-discrimination legislation and effective remedies, have been voiced by treaty bodies.⁴

Hate speech has spread in recent years due to a growing racist political rhetoric adopted by several political parties and blocs. The Free Patriotic Movement (FPM) – whose leaders have openly incited hatred against Syrian and Palestinian refugees and migrant workers – has played a leading role in normalizing hate speech against women in public discourse. For example, in 2017 Gebran Bassil, General Secretary of FPM and former Foreign Affairs Minister, boasted about being “racist in our Lebanese identity.”⁵ He has also opposed measures aimed at allowing Lebanese women to pass their nationality to their children if they are married to nationals from neighbouring countries. In 2019, Bassil coined the term ‘Lebanity’ (اللبنانية), which he considers “to be the highest [form of] belonging, over everything else”⁶ and also spoke about the existence of a ‘Superior Lebanese Gene.’⁷ Such rhetoric has been linked to acts of violence against Syrian and Palestinian refugee communities.

⁴ Human Rights Committee Concluding Observations on the third report of Lebanon, UN index: CCPR/C/LBN/CO/3, 2 May 2018, paragraphs 38 and 40, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/LBN/CO/3&Lang=En; Committee on the Elimination of Racial Discrimination, Concluding observations on the combined eighteenth to twenty-second periodic reports of Lebanon UN index CERD/C/LBN/CO/18-22, 5 October 2016, paragraphs:11-14, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/LBN/CO/18-22&Lang=En

⁵ Tweet by Gebran Bassil, October 2017, available at: https://twitter.com/Gebran_Bassil/status/916943012655230978

⁶ OpenDemocracy *There is a rotten stench coming from Lebanon*, June 2019, available at: <https://www.opendemocracy.net/en/north-africa-west-asia/there-rotten-stench-coming-lebanon/>

⁷ *In his Machiavellian designs, Bassil is using racist discourse*. The Arab Weekly, June 2019, available at: <https://thearabweekly.com/his-machiavellian-designs-bassil-using-racist-discourse>.

Yet, almost all major political parties contribute to creating an environment for racist, xenophobic and homophobic discourse and behaviours. These shape particularly the way Lebanese communities interact with refugees and migrant workers, who are blamed for high rates of unemployment, crime, pollution and the housing crisis.⁸ This abuse is gendered and racial; women refugees and migrant workers subjected to abuse or exploitation fuelled by racism are disproportionately impacted by the lack of protection, access to justice and redress.⁹ The normalization of such behaviour results in it becoming systematic, and the failure to legislate and implement laws redressing abuses results in little to no chance of pursuing justice and reparations.

While there are no existing legal texts prohibiting hate crimes, Art. 317 of Lebanon's Penal Code (1947) criminalises acts of discrimination.¹⁰ In August 2019, seven Lebanese NGOs filed a lawsuit against a number of public figures under Art. 317 for acts of racism and hate speech. The complaint was rejected on the grounds that only the General Prosecutor is entitled to initiate such a complaint on behalf of society. To date, no general prosecutor has acted on prosecuting or investigating the above-mentioned crimes. Instead some powerful figures, particularly FPM members, have launched dozens of lawsuits against activists and journalists who have expressed any sort of dissent or criticism of their political performance, including the rhetoric of hate and racism.¹¹ The case of Nidal Ayoub, a prominent feminist activist who is openly critical of hate speech and a defender of refugees and migrant

⁸ *Syrian refugees in Lebanon: fighting xenophobia with the help of data and statistics*, L'orient Le Jour (June 2019) available at: <https://www.orientlejour.com/article/1176545/syrian-refugees-in-lebanon-fighting-xenophobia-with-the-help-of-data-and-statistics.html>

⁹ *Lebanon, refugee women from Syria face heightened risk of exploitation and sexual harassment*, Amnesty International, 2016, available at: <https://www.amnesty.org/en/latest/news/2016/02/lebanon-refugee-women-from-syria-face-heightened-risk-of-exploitation-and-sexual-harassment/> and *Their Home Is My Prison: Exploitation of Migrant Domestic Workers in Lebanon*, Amnesty International, 2019, available at: <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>

¹⁰ "Any act, any writing or speech aiming to or resulting in exciting confessional or racist feelings or to provoke conflicts between different communities of the population is punishable by imprisonment from one year to three years, and to a fine of 100,000 to 800,000 LP, as well as the prohibition of exercising the rights mentioned in paragraphs (2) and (4) of Art. 65 [Civil rights] The court may order the publication of the judgment" (unofficial translation).

¹¹ *There Is a Price to Pay: The Criminalization of Peaceful Speech in Lebanon*, Human Rights Watch, 15 November 2019, available at: <https://www.hrw.org/report/2019/11/15/there-price-pay/criminalization-peaceful-speech-lebanon>

workers' rights, is a clear illustration of how women activists have been targeted in this way.¹²

Questions

- What steps have been taken to define and prohibit discrimination, including racial discrimination, and xenophobia in the legislation in a way that holds perpetrators to account and ensures remedies for victims?
- Does Lebanon plan to amend Art. 317 of the Penal Code to explicitly prohibit and sanction hate speech including against women, refugees and asylum seekers, migrants, and the LGBTIQ+ community?
- What steps have been taken to ensure prompt and thorough investigation of reports of hate speech, bring perpetrators to justice and provide adequate reparations to victims, as recommended by CERD?¹³
- What steps have been taken towards prohibiting and sanctioning expressions of insults, ridicule or slander of persons or groups or justification of hatred or contempt on the grounds of race, colour, descent or national or ethnic origin, when it clearly amounts to incitement to hatred or discrimination ¹⁴?

¹² Nidal Ayoub, a prominent feminist activist and journalist, was known for leading anti-governmental chants during the 2019 October Revolution. A pro-establishment Hezbollah-backed journalist, Hussein Mortada, fabricated a video of Nidal accusing her of being backed by US and Israeli Intelligence. She explained how his reckless actions exposed her to dangers with her photos being virally shared on social media and tainting her reputation, receiving messages of death threats as well as physical and sexual abuse threats received online. As a result, she filed a defamation lawsuit against him because of the harm his false accusations caused her. Mortada was not called in for investigation. As a form of retaliation, he filed a complaint against Nidal and accused her of slander, defamation and blasphemy, as well as charges related to insulting the president and undermining the "prestige of the state." She was then summoned by the Cybercrimes Bureau, although she was the one filing a complaint against him first. With powerful figures holding the grip over instrumentalising defamation laws, Nidal's case and numerous others indicate how politically-motivated prosecution applies the laws selectively and puts into question the impartiality and independence of the police and the judiciary.

¹³ See also recommendation by Committee on the Elimination of Racial Discrimination, Concluding observations on the combined eighteenth to twenty-second periodic reports of Lebanon (2016), paragraph 11, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD/C/LBN/CO/18-22&Lang=En

¹⁴ *Ibid.*

IV. Gendered impacts of small arms proliferation

Lebanon's military expenditure as a share of its GDP ranks amongst the highest in the world. Out of the 149 countries for which SIPRI has military spending data,¹⁵ in 2019, it ranked in the top 10 countries globally that allocated 4% or more of their GDP to the military, having spent 4.2% of its GDP on the military.¹⁶ Lebanon received a UPRII recommendation to “take the necessary measures to effectively regulate the acquisition and possession of firearms”, which was regrettably only noted.¹⁷ Lebanon is a major importer of small arms and light weapons (SALW). In 2017, it was ranked 9th globally in numbers of firearms possessed by civilians with an estimated total number of 1,927,000 arms and an average of 31.9 firearms per 100 residents.¹⁸

The increase in the number of acquisitions of licensed and non-licensed small arms reinforces the patriarchal structure of the society and of the political system, which exposes women and girls to more risks of violence and exacerbates discrimination and violence against them. While there are no official sources to identify the gender of perpetrators of armed violence and no official statistics and gender disaggregated data on arms acquisition, several articles around femicides identify male family members as the main perpetrators.¹⁹ The significant increase from 750,000 to 1,927,000 firearms²⁰ between 2007 and 2017 is of particular concern as it reflects an ongoing and increasing acquisition of SALW in

¹⁵ A country's military expenditure as a share of GDP — also known as the military burden — is the simplest measure of the relative economic burden the military places on that country (SIPRI definition)

¹⁶ SIPRI Fact Sheet (April 2020), *Trends in world military expenditure, 2019*, available at: https://www.sipri.org/sites/default/files/2020-04/fs_2020_04_milex_0_0.pdf

¹⁷ Recommendation 132.100 made by Uruguay. Source of Lebanon's position: A/HRC/31/5/Add.1 - Para. 132

¹⁸ Small Arms Survey (2018), available at: www.smallarmssurvey.org/fileadmin/docs/Weapons_and_Markets/Tools/Firearms_holdings/SAS-BP-Civilian-held-firearms-annexe.pdf

¹⁹ See *لبنان...رخص الموت على قارة الطريق* (Lebanon...death licenses on the streets), Al Bayan, November 2018, available at: <https://www.albayan.ae/one-world/political-issues/2018-11-17-1.3411341>; *عن السلاح: لبنان: جرائم القتل تنتفشى... وأغلب ضحاياها نساء* (On the loose weapons in Lebanese homes), Janubia, April 2014, available at: <https://bit.ly/37Mf500>; *«العنف الأسري: لبنان: جرائم القتل تنتفشى... وأغلب ضحاياها نساء»* (Lebanon, homicides are spreading and most victims are women suffering from domestic violence), Al Sharq Al Awasat, January 2018, available at: <https://bit.ly/2YLKzSg>

²⁰ *Lebanon — Gun Facts, Figures and the Law*, Gun Policy.org, June 2020, available at: <https://www.gunpolicy.org/firearms/region/lebanon>

violation of the Weapons and Ammunition Law 1959 that prevents citizens from acquiring and carrying arms unless approved by the state.²¹

SALW, mainly firearms, are used as a means of protection and also during social celebrations.²² According to the Permanent Peace Movement,²³ 90 people were killed in 2017 alone due to stray bullets fired during these celebrations.²⁴ Between 2011 and 2017, the overall number of homicides almost doubled, rising from 67 to 124.²⁵ The possession of guns in Lebanon is linked with stereotypical notions of masculinity such as power, privilege, and prestige. The hegemonic, toxic and militarised type of masculinity is further heightened by the expectation of violence to stand as “an inherent part of masculinity,”²⁶ which perpetuates a widespread gun culture. In his May 2018 Agenda for Disarmament, the UN Secretary-General recognised that “concerns relating to arms have clear gender dimensions.”²⁷ Studies have shown that the presence of guns in the domestic spheres is generally associated with an increased risk of “accidents, murder, and suicide for family

²¹ Legislative Decree 137 of 12 June 1959 (Weapons and Ammunition Law)

²² *Tackling Lebanon's gun culture*, The New Arab, July 2017, available at:

<https://www.alaraby.co.uk/english/Comment/2017/7/24/Tackling-Lebanons-gun-culture>

²³ Permanent Peace Movement (PPM) is an independent Lebanese NGO founded in 1989 at the height of the Lebanese Civil war by a group of young university students unified by their common vision of the future and their aversion to war. They considered that the peaceful means for conflict resolution are the most useful of all, and once exhausted, one should resort to non-violent means and never to violence. Please see: <http://www.ppm-lebanon.org/en/media/list/2/about-us>

²⁴ *Activists in Lebanon are taking on the country's stray bullet problem*, Global Voices, (2018), available at:

<https://globalvoices.org/2018/11/29/activists-in-lebanon-are-taking-on-the-countrys-stray-bullet-problem/>

²⁵ *Occurrences' crimes, hidden violence cycles in Lebanon*, Arij, 2018, available at: <https://arij.net/investigation/ل-مخفية-في-ل-جرائم-المناسبات-حلقات-عنف-مخفية-في-لبنان>. (Weapons proliferation issues, lack of control, loopholes in the Weapons and Ammunition Law, pressing social composition, political interference in the judiciary, and multiple competing security agencies ... appear here to be separate circles in a chain that each of them does not necessarily lead to a criminal offense, but they create a general criminal climate in which a person may feel excessively strong - offset by indolence in accountability - facilitates assault on others, leading to their death.

(“مسائل انتشار السلاح والتراخي في ضبطه، الثغرات في قانون الأسلحة والذخائر، التركيبة الاجتماعية الضاغطة، التدخل السياسي في القضاء، الأجهزة الأمنية المتعددة وتنافسها... تظهر هنا كحلقات في سلسلة لا تؤدي كل واحدة منها بالضرورة إلى ارتكاب فعل جرمي، لكنها تخلق مناخًا جنائيًا عامًا يشعر فيه الشخص (بفائض من القوة - يقابله تراخي في المحاسبة- يسهل اعتدائه على الآخر، وصولاً إلى قتله.”)

²⁶ *Ibid.*

²⁷ UN Secretary-General António Guterres, ‘Securing Our Common Future – An Agenda for Disarmament’, Office for Disarmament Affairs, 2018, page 39, https://front.un-arm.org/documents/SG+disarmament+agenda_1.pdf

members, and they play a significant role in the intimidation and long-term abuse of female partners.”²⁸

Collecting and accessing data on violence against women (VAW), including caused by armed violence, constitutes a significant challenge; they are not adequately collected or made available publicly, and are often obtained by local NGOs through informal ways from the police. In a report submitted to the Human Rights Committee in 2020, Lebanon indicates that the Ministry of Justice is working on developing a system to “automate the activity of courts and court registrars [...] to enable precise numbers to be extracted in real time regarding [...] cases of violence of all kinds, including VAW.”²⁹ It is important to note that data collection for cases of gender-based violence (GBV) should be comprehensive and not confined to court registrars, but instead be collected by all relevant agencies.

Lebanon has taken some steps on the question of gender and arms through the ratification of the Arms Trade Treaty (ATT)³⁰ and the adoption of its first UNSCR1325 National Action Plan (NAP) for the period 2019-2022. The ATT notably seeks to prevent arms-related GBV through its article 7(4), which obligates any exporting states parties to include the risk of GBV being committed, or facilitated, by a prospective arms transfer.³¹ For a country like Lebanon, which is an importer, it is obligated under ATT article 8 to “take measures to ensure that appropriate and relevant information is provided, upon request, pursuant to its national laws, to the exporting State Party, to assist the exporting State Party in conducting its national export assessment under Article 7.” If an exporter raised concern about GBV levels within the country in connection to weapons, Lebanon should demonstrate what it is doing to mitigate those concerns to prevent and address GBV.

²⁸ *Small Arms Survey. Guns and Intimate Partner Violence (2013)*, available at: <http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/2013/en/Small-Arms-Survey-2013-Chapter-2-EN.pdf>

²⁹ Human Rights Committee, Information received from Lebanon on follow-up to the concluding observations on its third periodic report, UN index: CCPR/C/LBN/FCO, 3 May 2020, available at: <https://undocs.org/CCPR/C/LBN/FCO/3>

³⁰ 9 May 2019

³¹ The text of the Arms Trade Treaty is available at: https://thearmstradetreaty.org/hyper-images/file/ATT_English/ATT_English.pdf?templateId=137253

The NAP identifies prevention of conflict as its second strategic priority to ensure that women play an active role in the prevention of conflict and in decreasing tensions at the national local levels. Under this strategic priority, output 1.3 aims at preventing the spread of small firearms through “reviewing and amending all gun laws related to importing weapons and issuing permits to limit the spread of small weapons.”³² This output, however, does not involve any clear elaboration on how the amendment processes will be implemented especially in relation to arms import and issuance of permits.³³ Moreover, even though the NAP envisages an allocated budget to facilitate its implementation,³⁴ the funding shortfall remains very significant as 79.7%³⁵ of the budget remains unsecured. It is uncertain how the NAP commitments will be met.

Lebanon’s report to the CEDAW Committee includes a list of different laws that have been amended or repealed and those still under consideration by the relevant parliamentary committees. A significant majority of key laws, amendments, and repeals that are need remain “under consideration” and have been so for several years. This is still problematic because as a result of the political turmoil no progress has happened on this front for many years, something that also reflects how women and girls’ protection priorities are side-lined under the pretext that there are more pressing political issues to be handled.

Questions

- What steps have been taken to amend Legislative Decree 137 of 12 June 1959 (Weapons and Ammunition Law) to bring it in line with the ATT and to take into consideration a gender perspective?

³² *Lebanon National Action Plan on United Nations Security Council Resolution 1325 (2019 – 2022)*, available at: <https://arabstates.unwomen.org/en/digital-library/publications/2019/10/lebanon-nap>. See also <https://www.peacewomen.org/action-plan/national-action-plan-lebanon>

³³ *Ibid.*

³⁴ *Lebanon Government adopts national action plan on resolution 1325 on women, peace and security*, UNSCOL, September 2019, available at: <https://unscol.unmissions.org/lebanon-government-adopts-national-action-plan-resolution-1325-women-peace-and-security>

³⁵ Only \$3’720’672 is secured out of the \$18’329’616 budgeted for the NAP (including the capacity building budget for NCLW and partner).

- When will Lebanon take the necessary measures to implement the UN Program on Small Arms and Light Weapons³⁶ and revise the national legislation on this matter?
- What steps have been taken to establish more control over internal distribution, availability and smuggling of arms and ammunition, in line with commitments under the UN Programme of Action on Small Arms and Light Weapons?
- What plans does Lebanon have to involve civil society in the development and implementation of disarmament and arms control programmes? How will Lebanon ensure the inclusion of women's organisations and to ensure that such programmes are gender-responsive?
- Does the government plan to publish full, transparent, accessible and frequently updated data on the number of arms imported and those existing in the country?
- What immediate measures have been taken to end impunity, including through prosecution, for any person who possesses illegally, distributes or engages in illicit sales and brokering of weapons? Which measures have been established to remedy victims?
- Please provide updated information on steps taken or planned to amend all relevant laws, including Law No. 293 on the Protection of Women and Other Family Members from Domestic Violence and Articles 505 and 518 of the Criminal Code, to comply with international human rights law and to provide effective protection against all forms of domestic violence and abuse?³⁷
- What measures have been taken to ensure the systematic and regular collection of data about domestic violence by all relevant governmental agencies?

³⁶ In 2001, UN member states adopted the Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects (UNPoA, UN Programme of Action or UN Programme of Action on Small Arms and Light Weapons). The UNPoA is considered the foundational normative agreement for all international small arms control efforts. It's politically-binding global commitments provide a basis and mandate for states to further develop and implement practical measures to curb the illicit trade in small arms and light weapons at all levels. For more information, see:

<https://www.reachingcriticalwill.org/resources/fact-sheets/critical-issues/5450-small-arms-and-light-weapons-salw> See also *Preventing Gender-Based Violence Through Arms Control: Tools and Guidelines to Implement the Arms Trade Treaty and UN Programme of Action*, available at: <https://www.wilpf.org/portfolio-items/25979/>

³⁷ Committee on the Elimination of All Forms of Discrimination Against Women, General Recommendation 19, 1992, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/GEC/3731&Lang=en

V. Women's participation in the political life

During UPRII, Lebanon received and supported a recommendation to “implement the necessary policies to encourage women to participate in political and public life.”³⁸ In its latest review of Lebanon, the CEDAW Committee expressed concerns about “the gross underrepresentation of women in public and political life and the lack of capacity-building for political party and labour union representatives with regard to women’s rights” and the absence of minimum quota for women’s representation.³⁹

In the 2018 parliamentary elections, only 6 women were elected as members of parliament despite 113 running for the elections. At the executive level, the 2020 Cabinet comprised the biggest female presence in Lebanon’s history, consisting of a mere 6 women ministers out of the 20 Ministers. Lebanon appointed the first woman to the position of Minister of Interior in 2019, and to that of Minister of Defence in 2020.⁴⁰ It has also increased efforts to include more women in the armed forces⁴¹ and to give them a role on the front-line.⁴² These measures contribute to a “feminisation” of the army and the security and defence sectors, but do not address the root causes of the discrimination and violence that women in Lebanon face. The government needs to move away from selective implementation of the Women, Peace and Security Agenda and focus instead on putting in place effective measures in law and practice to end discrimination against women and girls, safeguard their equal rights, and ensure their full and effective participation in public life.

³⁸ Recommendation 132.161 made by Mexico. Source of position: A/HRC/31/5/Add.1

³⁹ Committee on the Elimination of All Forms of Discrimination Against Women, *Concluding observations on the combined fourth and fifth periodic reports of Lebanon*, CEDAW/C/LBN/CO/4-5, 24 November 2015, paragraph 31 and 32, available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/LBN/CO/4-5&Lang=En

⁴⁰ *Lebanon appoints first female defence minister in Arab World*, Middle East Monitor, January 2020, available at: <https://www.middleeastmonitor.com/20200122-lebanon-appoints-first-female-defence-minister-in-arab-world/>

⁴¹ *Females in the Ranks, Diwan - Carnegie Middle East Center*, June 2019, available at: <https://carnegie-mec.org/diwan/79306>

⁴² *The Lebanese female air force pilots breaking barriers*, BBC, March 2019, available at: <https://www.bbc.com/news/world-middle-east-47482777>

Women candidates face numerous obstacles hindering them from accessing their full and equal political rights, including financial and fundraising challenges, their portrayal in the media, and violence, harassment and discrimination. Regarding funding, women candidates interviewed for a 2020 UN Women study⁴³ reported that financial limitations were one of the main obstacles that women candidates faced in the previous elections. Access to financial resources is very important for managing the campaign and gaining voters.⁴⁴

Although women generally hold prominent decision-making roles within political parties, those political parties simply seem “uninterested in nominating women to Parliament in particular.”⁴⁵ Since all mainstream political parties failed to nominate significant numbers of female candidates, and as the majority of the 113 female candidates ran independently, only 6 won seats in the parliament,⁴⁶ making the political representation of women in public office much lower than many other countries in the region.⁴⁷

Women candidates also face discrimination by the media. They have enjoyed less access to the media than their male counterparts. This decreases their exposure to potential electors and negatively affects their results. In the 2018 elections, 14% of candidates were women. Yet, they only had 5% of press coverage and 15.8% of overall TV coverage.⁴⁸ In addition,

⁴³ *Pursuing Equality in Rights and Representations: Women's Experiences Running for Parliament in Lebanon's 2018 Elections*, UN Women, 2020, available at: <https://arabstates.unwomen.org/en/digital-library/publications/2020/02/pursuing-equality-in-representation-in-lebanon-2018-elections>

⁴⁴ *Ibid.*, p.16.

⁴⁵ *Ibid.*

⁴⁶ *The six Lebanese women voted into parliament*, The New Arab, May 2018, available at: <https://english.alaraby.co.uk/english/news/2018/5/8/the-six-lebanese-women-voted-into-parliament>

⁴⁷ While, according to the UN Women statistics “Women's representation in the current Jordanian Parliament is 20 out of 120 legislators or 15.4%, according to the results of the elections on September 20, 2016. The same source noted that Jordanian women won 10 seats out of 65 in the Senate elections on September 27, 2016.” Still according to the same source, in Turkey, women won 68 out of the 217 parliament seats in the 2014 elections, meaning women's participation reached 31.3%.” Statistics about several countries including Algeria with 119 seats for women in the parliament out of 462 in the 2017 elections, Tunisia with 68 out of 217 seats in the 2014 elections (33.1%), Saudi Arabia with 30 out of 151 seats (19.9%), Iraq with 83 out of 325 seats in the 2014 elections (25.3%) and Libya with 30 out of 188 seats in the 2014 elections (16%), source *Women Are Their Own Enemy... R.I.P. to the Women's Quota*, Rosette Fadel, An-Nahar, 23/02/2018, available at:

⁴⁸ *Women in the 2018 legislative elections in Lebanon: Monitoring the media during the campaign period from a gender perspective*, Maharat, available at: <http://maharatfoundation.org/media/1461/maharat-document-elections-2018finale.pdf>

running for elections for women is a dangerous endeavour. For instance, 78% of women candidates for the legislative elections of 2018 experienced threats, character targeting, online abuse, ridicule and harassment; beatings and property damage; sexual harassment, threats, assaults and rumours of a sexual nature.⁴⁹

Questions

- Describe plans to urgently reform the electoral law in order to:
 - Introduce quotas of at least 40% for women candidates on electoral lists, in the parliament and within the Council of Ministers;
 - Compel political parties to adopt internal measures to reserve funding for women candidates;
 - Ensure gender-balanced media coverage during the electoral campaigns.⁵⁰
- When will Lebanon adopt a law on VAW, including violence in the context of political and public life to criminalize any act of VAW in politics? What steps has the government taken to raise awareness among the wider public on this topic?
- What plans does the government have to include VAW in politics in the mandate and competence of the Electoral Monitoring Body, so that it can monitor violence perpetrated against all women active in politics and adopt an efficient complaint mechanism?

VI. Environmental issues

The environment in Lebanon is deteriorating. Climate change caused massive fires in October 2019 and these fires contributed to sparking the revolution. Air pollution, lack of solid waste and wastewater management and the absence of sewage treatment are problems that adversely affect the health of individuals residing in the country. In fact, with

⁴⁹ “Pursuing Equality in Rights and Representations: Women’s Experiences Running for Parliament in Lebanon’s 2018 Elections” UN Women, p.16, available at: <https://arabstates.unwomen.org/en/digital-library/publications/2020/02/pursuing-equality-in-representation-in-lebanon-2018-elections>

⁵⁰ During UPRII, Italy made the following recommendation: “Adopt a national action plan to encourage women’s participation in political and public life” (UPR recommendation 132.160), which was supported by Lebanon.

the absence of adequate solid waste management, Lebanon will continue to suffer from severe water pollution, especially in the Mediterranean basin.

Wastewater management

Only 11 wastewater treatment plants exist in the country and just under 4% of raw wastewater was treated in 2010. The untreated wastewater is discharged into valleys, rivers, and the Mediterranean Sea.⁵¹ It is unclear how much progress has been achieved since 2010.

Human Rights Watch (HRW) reports that the waste management is a decades-long crisis, and has displayed a pattern of “poor government planning and management; overuse of landfills, open dumping, and burning; a reliance on the private sector and international donors; and a lack of transparency.”⁵² This has also come along with a significant financial burden on the economy, signalling financial mismanagement and raising alarm over political decisions motivated by corruption and by vested financial interests of the political elite. The Waste Management Coalition in Lebanon noted that the country spends USD154.5 to manage every ton of solid waste,⁵³ which is extremely high compared to other countries.⁵⁴

⁵¹ Council for Development and Reconstruction, 2018 Progress Report, available at: http://www.cdr.gov.lb/eng/progress_reports/pr102018/PReng.pdf, p 102

⁵² “As If You’re Inhaling Your Death”: The Health Risks of Burning Waste in Lebanon, Human Rights Watch (2017), available at: <https://www.hrw.org/report/2017/12/01/if-youre-inhaling-your-death/health-risks-burning-waste-lebanon>

⁵³ *Lebanon: Huge Cost of Inaction in Trash Crisis - Urgently Find Sustainable, Rights-Respecting Strategy*, Human Rights Watch, June 2020, available at: <https://www.hrw.org/news/2020/06/09/lebanon-huge-cost-inaction-trash-crisis>

⁵⁴ For example, Algeria, Jordan, and Syria spend 7.22 million USD, 22.8 million USD, and 21.55 million USD, respectively. Lebanon spends on average around 420 million USD per year on solid waste management, while countries like Jordan and Tunisia spend between 48 million and 54 million USD per year. See *Lebanon: Huge Cost of Inaction in Trash Crisis - Urgently Find Sustainable, Rights-Respecting Strategy*, Human Rights Watch, June 2020, available at: <https://www.hrw.org/news/2020/06/09/lebanon-huge-cost-inaction-trash-crisis>

Reports about the state of solid waste and wastewater situation⁵⁵ indicate that there were several attempts to establish a functional solid waste management system.⁵⁶ However, these have not been successful as politicians have fought among themselves for this lucrative portfolio.⁵⁷ Furthermore, although Lebanon adopted its first law on solid waste management in September 2018, its implementation has been stalled.⁵⁸

Open dumps prevail in many villages and towns across the country. HRW has documented cases of burning open dumps adjacent to schools and one case of a burning dump site near a hospital.⁵⁹ There is evidence that solid waste open burning disproportionately takes place in lower income areas.⁶⁰ People living around dump sites reported health problems.⁶¹ One study has shown that babies born to women living near landfilling sites suffer from congenital abnormalities such as non-chromosomal birth defects, nervous system birth defects, hypospadias, epispadias, and low birth weight.⁶²

⁵⁵ *Lebanon Country Environmental Analysis*, World Bank, 2011, see: https://www.pseau.org/outils/ouvrages/world_bank_republic_of_lebanon_country_environmental_analysis_2011.pdf

⁵⁶ *Four Years After Garbage Crisis, Lebanon Grappling with Rubbish Stalemate*, October 2019, available at: https://fanack.com/lebanon/history-past-to-present/rubbish-revolution/lebanon-grappling-with-rubbish-stalemate/?gclid=EAlalQobChMlp9q5mrqV6QIVxl2yCh1hsAHjEAAYASAAEgKRZfD_BwE

⁵⁷ *Assessment of Solid Waste Management Practices in Lebanon in 2015*, see: <http://www.moe.gov.lb/getattachment/ddd7eb2d-ccc2-4e7d-af0a-ea39562544c2/Assessment-of-Solid-Waste-Management-Practices-in-Lebanon-2015-Final-Report.September-2017.aspx>

⁵⁸ *Lebanon: Huge Cost of Inaction in Trash Crisis - Urgently Find Sustainable, Rights-Respecting Strategy*, Human Rights Watch, June 2020, available at:

<https://www.hrw.org/news/2020/06/09/lebanon-huge-cost-inaction-trash-crisis>

⁵⁹ *Lebanon: Huge Cost of Inaction in Trash Crisis - Urgently Find Sustainable, Rights-Respecting Strategy*, Human Rights Watch, June 2020, available at:

<https://www.hrw.org/news/2020/06/09/lebanon-huge-cost-inaction-trash-crisis>

⁶⁰ *Ibid.*

⁶¹ Examples include chronic obstructive pulmonary disease, coughing, throat irritation, skin conditions, and asthma

⁶² *Evidence Summary Approaching the Waste Crisis in Lebanon: Consequences and Insights into Solutions*, K2P, American University of Beirut, 2015, p.2, available at:

https://www.aub.edu.lb/k2p/Documents/K2P%20Evidence%20Summary%20Waste%20Management_Final_%20Dec%202014%202015.pdf

Bisri dam controversy

The Bisri Dam project started in 2015 after the 617 million USD budget was allocated by the World Bank.⁶³ While Lebanese authorities proposed this project on the grounds that it will supply water for Greater Beirut and Mount Lebanon, environmental experts and activists have warned about the detrimental ecological dangers if this project is implemented and that it is “doomed to failure and it will only increase the government’s debt.”⁶⁴

A nation-wide campaign entitled *Save the Bisri Valley*⁶⁵ was set up to fight the implementation of the dam project. Given the potential adverse impacts of the project, lack of proper infrastructure and a decent monitoring process, the project’s exorbitant costs⁶⁶ raise concerns over corruption and leave room “for an illegitimate private gain of authorities.”⁶⁷

In April 2020, The World Bank decided to freeze the funding for the *Bisri Dam* project to launch a dialogue with citizens and civil society groups opposing the project.⁶⁸ The Bank has also proposed that the Lebanese government propose suggestions on how the funds could be redirected to support “emerging needs” of the people during the national lockdown.⁶⁹ Since then and until the date of submission of this report, no further steps have been taken.

⁶³ *Lebanon Water Supply Augmentation Project (Bisri Dam)*, World Bank website, available at: <https://www.worldbank.org/en/programs/bisri-dam>

⁶⁴ *Bisri Dam: An ongoing controversy*, Annahar (January 2020), available at: <https://en.annahar.com/article/1098856-bisri-dam-an-ongoing-controversy>

⁶⁵ *Stopping the Bisri Dam: From Local to National Contestation*, Arab Reform Initiative, April 2020, available at: <https://www.arab-reform.net/publication/stopping-the-bisri-dam-from-local-to-national-contestation/>

⁶⁶ 320 million USD has been allocated for the dam’s construction, 220 million USD for contractors’ costs, 66 million USD for contingencies, 10 million USD for engineering, 20 million USD for the construction of a transmission line, 15 million USD for the construction of a hydropower plant, and 150 million USD for the expropriation of properties around the project. Another 4 million USD has also been set for overseeing and managing the project. Refer to *The Bisri Dam Project in Lebanon is a “Ticking Atomic Bomb”* available at: <https://beirut-today.com/2019/07/16/bisri-dam/>

⁶⁷ *Ibid.*

⁶⁸ *Lebanon Water Supply Augmentation Project (Bisri Dam Project)*, Statement by the World Bank, 16 April 2020, available at: <https://www.worldbank.org/en/news/statement/2020/04/16/lebanon-water-supply-augmentation-project-bisri-dam-project>

⁶⁹ *Ibid.*

Forest degradation

Forests are an important resource for Lebanon's families. In October 2019 more than 100 fires raged across the country burning around 3,000 acres of forest area and leading to severe loss in forest cover, double the yearly average amount of forested land.⁷⁰ The fires destroyed green cover and reached residential areas, displacing hundreds of families and injuring at least 180 people.⁷¹ The government received heavy criticism for failing to fight the fires and protect people and ecosystems, not least because of the lack of political will to set up a ministry for disasters and emergencies.

In its General Recommendation 37, the CEDAW Committee highlighted that “women, girls, men and boys are affected differently by climate change and disasters, with many women and girls experiencing greater risks, burdens and impacts.”⁷² In its 2016 Gender Strategy for Lebanon, the United Nations Development Programme (UNDP) recalled the crucial importance of gender in environmental issues and Lebanon's commitment to the Beijing Platform of Action, which clearly refers to the obligation to include women in environmental policies.⁷³

⁷⁰ *Lebanon is on Fire*, New York Times, October 2019, available at:

<https://www.nytimes.com/2019/10/19/opinion/international-world/lebanon-is-on-fire.html>

⁷¹ *Wildfires spread across Lebanon as government is accused of neglect*, The New Arab, October 2019, available at:

<https://english.alaraby.co.uk/english/news/2019/10/15/wildfires-spread-across-lebanon-as-government-accused-of-neglect>

⁷² CEDAW Committee, General Recommendation 37 on Gender-related dimensions of disaster risk reduction in the context of climate change, UN Index; CEDAW/C/GC/37, paragraph 2. The text further states: “In many contexts, gender inequalities limit the control that women and girls have over decisions governing their lives as well as their access to resources such as food, water, agricultural inputs, land, credit, energy, technologies, education, health, adequate housing, social protection and employment. As a result of these inequalities, women and girls are more likely to be exposed to disaster induced risks and losses related to their livelihoods and they are less able to adapt to changes in climatic conditions. While climate change mitigation and adaptation programmes may provide new employment and livelihood opportunities in sectors such as agricultural production, sustainable urban development and clean energies, failure to address the structural barriers faced by women in accessing their rights will increase gender-based inequalities and intersectional forms of discrimination.”, paragraph, available at:

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_37_8642_E.pdf

⁷³ *Gender strategy for Lebanon*, UNDP, 2016, available at:

<http://www.undp.org/content/dam/lebanon/docs/Operations/LegalFramework/UNDP%20Lebanon%20Gender%20Strategy%20-%20FINAL%202016.pdf>

Questions

- What measures have been taken to establish clear policies and plans to tackle the environmental crisis for the benefit of public health and safety, and not in the interests of the political class in power? These should include solid waste and wastewater management plans and strategies that are inclusive of the views of civil society and scientists and consider human rights and gender considerations.
- What plans has the government to establish a clear strategy for fighting corruption in the environmental sector⁷⁴?
- What steps have been taken to assess the damages caused by the environmental crises and to provide timely and adequate healthcare and reparations for those who have been affected?
- What steps have been taken to abort the Bisri dam project and adopt sustainable water management solutions?
- When and how will Lebanon establish mechanisms to assess gendered impacts of environmental policies and ensure the full and meaningful participation of affected communities, including women?
- What urgent measures will be taken to immediately protect forests, implement sustainable grazing areas and reforestation plans?

⁷⁴ This should include: transparency of bids, budgets, loans and donations related to resolving the environmental crisis; including civil society, experts and researchers and local population in the planning, monitoring and implementation of this strategy

VII. Migrant domestic workers

In UPR II, Lebanon received several recommendations relating to migrant workers but regrettably supported only some of them.⁷⁵

There are over 250,000 migrant domestic workers (MDWs) in the country who usually travel to work in private households.⁷⁶ The vast majority of these workers are women and they predominantly come from Ethiopia, followed by the Philippines, Bangladesh, Sri Lanka and Ghana, respectively.⁷⁷ All MDWs are excluded from the Lebanese Labour Law⁷⁸ and subjected to legal discrimination as the Labour Law explicitly denies them labour protections enjoyed by other workers such as a minimum wage, overtime pay, compensation for unfair dismissal, social security and parental leave.⁷⁹

MDWs are instead governed by the infamous migration sponsorship system *kafala*. This restrictive system is based on employer-specific sponsorship; it means that the worker's legal residency is tied to the employer, and gives employers legal power to control MDWs. For example, *kafala* does not permit workers to change or quit jobs without the sponsor's permission, even in cases of abuse. Concerns over the *kafala* system have been expressed

⁷⁵ Lebanon received 20 recommendations related to Migrant Domestic Workers during UPR II. It only supported 9 of them, namely: 132.143: Identify, protect and support victims of trafficking and forced labour (Australia); 132.145: Continue intensifying the efforts aimed at combating trafficking in person and guarantee the protection of victims (Jordan); 132.146: Pursue and enhance efforts to combat human trafficking as well as raising awareness as to the threat posed by this scourge and protect its victims (Qatar); 132.144: Continue efforts on achieving gender equality and fighting against human trafficking (Greece); 132.148: Continue efforts to strengthen equality between men and women and in combating trafficking in persons (Russian Federation); 132.204: Strengthen efforts to improve the well-being of women migrant workers in Lebanon and their rights (Sri Lanka); 132.198: Improve the legal situation of migrant workers (Austria); 132.199: Further strengthen the promotion and protection of rights of foreign workers (Bangladesh); 132.205: Improve the situation of the foreign workers including female domestic workers as they constitute a vulnerable group (Senegal); Source of position: A/HRC/31/5/Add.1 - Para. 132

⁷⁶ *End Kafala: Justice for Migrant Domestic Workers in Lebanon*, Amnesty International, 2019, available at: <https://www.amnesty.org/en/latest/campaigns/2019/04/lebanon-migrant-domestic-workers-their-house-is-our-prison/>

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Their Home Is My Prison: Exploitation of Migrant Domestic Workers in Lebanon*, Amnesty International, 2019, available at: <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>, p.13.

by the Committee against Torture, the CEDAW Committee, the Human Rights Committee, CESCR, the Special Rapporteur on contemporary forms of slavery,⁸⁰ in addition to being the subject of UPR recommendations, which Lebanon regrettably only noted.

The main legal document that outlines the rights and obligations of domestic workers and their employers is a unified standard contract introduced by the Ministry of Labour in 2009, which workers often sign in Arabic without even understanding the content. Lebanon's report to the CEDAW Committee indicates as a step forward the fact the unified contract has been translated;⁸¹ however, it remains unclear into which languages this translation has been made. Despite the translation, the migrant domestic worker is still required to sign the contract written in Arabic.⁸² Moreover, the Ministry of Labour has not made it compulsory on public notaries to provide MDWs with the translated version. Furthermore, even if a translation has been made, there is no guarantee that public notaries actually have it. This is also illustrated in a report by Amnesty International: "Amnesty International called five public notaries in the capital, Beirut, by way of checking with a small sample of such professionals whether they were aware of the new initiative; two confirmed they were using contracts translated into languages other than Arabic, while the other three said they had not received such documents."⁸³

The issue of translation of the unified contract should not, however, distract from the main concern that the unified contract falls short of safeguarding MDWs from exploitation. The kafala should be abolished and not reformed. While this contract outlines very basic rights for MDWs,⁸⁴ it still falls short of safeguarding their protection from exploitation and multiple

⁸⁰ *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Country visit to Lebanon, A/HRC/21/41/Add.1, 4 July 2012.*

⁸¹ Sixth periodic report submitted by Lebanon under article 18 of the Convention, due in 2019, CEDAW/C/LBN/6, 25 March 2020, paragraph 103.

⁸² *Ibid*

⁸³ <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>

⁸⁴ For example, this contract prevents the employer from forcing the worker to work outside the home; restricts the maximum number of working hours to 10 hours/day with at least 8 continuous hours of rest at night; entitles the worker to a 24-hour weekly rest period, paid sick leave and six days of annual leave; requires the employer to pay the full salary at the end of each month, to purchase health insurance for the worker and to allow her to receive calls and to cover the cost of one phone call to family overseas per month.

forms of abuse.⁸⁵ Rights groups in Lebanon, particularly the Anti-Racism Movement (ARM), have raised concerns that by not being legally recognised as work, domestic work – predominantly perceived as a woman’s work – implies that “it is also not valued as a form of labour by the state.”⁸⁶

It is common for MDWs to be confined to their employer’s houses and prevented from going out, in some cases for years. MDWs are also subjected to racism and degrading comments, insults and physical and sexual abuse. Information suggests that MDWs in Lebanon “are dying at a rate of two per week,” a significant number of which are due to unnatural causes, particularly suicides or escape attempts.⁸⁷ In many cases, following a MDW’s death, there is no proper investigation and abusive employers are therefore not held to account.

The protracted economic crisis in Lebanon led to a severe economic meltdown in the second half of 2019. This has had repercussions across the country, impacting on some more than others and particularly after the COVID-19 lockdown measures.⁸⁸ MDWs are affected disproportionately; their financial stability is jeopardised, and the lockdown measures have exacerbated the pre-existing exploitative working conditions for many of them,⁸⁹ as illustrated below.

The devaluation of the Lebanese Lira and scarcity of USD led to many MDWs no longer receiving their monthly salaries in USD. Provided that employers were still able to pay them,

⁸⁵ <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>

⁸⁶ Migrant Domestic Workers’ Community Organizing within the Lebanese Socio-Legal Context: A Feminist Participatory Action Research, Anti-Racism Movement, in collaboration with the Global Alliance Against Traffic in Women (GAATW), 2018/19, available at: https://gaatw.org/publications/Safe_and_Fair_FPAR/FPAR_Report_ARM.pdf

⁸⁷ IRIN, *Slave labour? Death rate doubles for migrant domestic workers in Lebanon*, 15 May 2017, available at: <https://www.refworld.org/docid/591af0358.html>

⁸⁸ For example, the Anti-Racism Movement (ARM) reported that 61% of those who have to pay rent are unable to pay it, 58% have lost their jobs since the beginning of the economic crisis in 2019, and 51% have limited to no access to food. see, *The impact of the economic crisis and coronavirus lockdown on migrant workers*, April 2016, available at: <https://www.armlebanon.org/content/impact-economic-crisis-and-coronavirus-lockdown-migrant-workers>.

⁸⁹ *Thousands of Ethiopian domestic workers are stranded in Lebanon by the coronavirus crisis*, Quartz Africa, May 2020, available at: <https://qz.com/africa/1859690/ethiopian-domestic-workers-stranded-in-lebanon-by-covid-19/>

MDWs started receiving their salaries in Lebanese Lira but for the equivalent at the official exchange rate and not the market rate; that meant that salaries are now worth much less.⁹⁰ There were several reports of sponsors no longer able to pay their workers and thus resorting to illegal measures to deal with this problem. For example, several posts on Facebook have been by employers attempting to “sell” the MDW so that somebody else would take over sponsorship.⁹¹

The current Minister of Labour has been critical of these acts as “violations of the Human Rights Charter,” pledging that they “shall not pass without punishment”, and warning abusive employers of legal prosecution since those acts “fall within the framework of human trafficking.”⁹² The Ministry set up a specific hotline for complaints by MDWs in 2015, committed to improve the working conditions,⁹³ and also recently launched national consultations on the reform of the *kafala* system in partnership with the International Labour Organisation in March 2020.⁹⁴ Despite these positive measures, Lebanon is still falling short on abolishing the *kafala* system, failing to safeguard equal rights for MDWs and to provide them with adequate protection from abuse and exploitation.

Questions

- What steps has been taken to abolish as a matter of urgency the *kafala* system, as recommended by the Special Rapporteur on contemporary forms of slavery and UN human rights treaty bodies⁹⁵?

⁹⁰ For example, 100 USD at the market rate has reached the value of 420 000 LBP in April 2020, but it is still equivalent to around 150 000 Lebanese Lira at the official rate.

⁹¹ “عاملة منزلية للبيع”! In Lebanon, a “domestic worker for sale”!, April 2020, available at: <https://www.imlebanon.org/2020/04/22/maid-lebanon-for-sale5/>

⁹² *Labor Minister Censures Abuse Of Domestic Workers, Pledges to Punish Perpetrators*, National News Agency, 28 April 2020, available at: <http://nna-leb.gov.lb/en/show-news/114855/Labor-Minister-censures-abuse-of-domestic-workers-pledges-to-punish-perpetrators>

⁹³ *Their Home Is My Prison: Exploitation of Migrant Domestic Workers in Lebanon*, Amnesty International, 2019, available at: <https://www.amnesty.org/download/Documents/MDE1800222019ENGLISH.pdf>

⁹⁴ *National consultations on the reform of the Kafala system in partnership with the International Labor Organization*, International Labor Organization, 9 March 2020, available at: https://www.ilo.org/beirut/media-centre/news/WCMS_737986/lang--en/index.htm

⁹⁵ The Committee against Torture, the CEDAW Committee, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights.

- What steps have been taken to develop a specific legislation for the protection of MDWs' rights in line with international human rights standards, enforce it and monitor its implementation? As a minimum, the law should criminalise domestic servitude, set a salary threshold not lower than the minimum national salary, guarantee the right to keep identification documents, and abolish any live-in requirements.⁹⁶
- What measures have been taken to ensure that MDWs have full access to fair, timely, affordable, effective, gender-responsive justice services and mechanisms?
- Describe plans to amend the Labour Law to include MDWs as well as to allow MDWs to create and join unions.
- Does Lebanon plan to ratify ILO Domestic Workers Convention (No. 189), and the ICPMW?

VIII. Women's economic and social rights

Lebanon ranks as the world's third most indebted country after Japan and Greece⁹⁷ and faces an increasingly deteriorating situation over the past few years. In light of poverty rates now expected to reach 50% and people's increasing inability to afford food and housing,⁹⁸ it is essential to address the ways in which the dire socio-economic situation is disproportionately impacting women and compounding existing forms of discrimination against women in the economic and social spheres.

⁹⁶ See *Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Gulnara Shahinian - Addendum - Mission to Lebanon* (2012), A/HRC/21/41, available at: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/21/41/Add.1

⁹⁷ Lebanon has one of the world's highest debt-to-GDP ratios in the world of 152%. See *How did Lebanon become the third most indebted nation?*, BBC, October 2019, available at: <https://www.bbc.com/news/world-middle-east-50183895>,

⁹⁸ *IMF Should Prioritize Human Rights in Lebanon Loan Negotiations: Economic Reform Shouldn't Come at Expense of People in Poverty*, Human Rights Watch, May 2020, available at: <https://www.hrw.org/news/2020/05/22/imf-should-prioritize-human-rights-lebanon-loan-negotiations>

Women's employment, informal work and unpaid care work

Levels of unemployment in 2018-2019 reached their highest since 2004, increasing from 7.9% to 11.4%, respectively.⁹⁹ While some progress has been made to increase women's participation in the labour force,¹⁰⁰ structural inequalities that women face within the labour market remain flagrant as highlighted below. These official statistics do not take into account unpaid domestic labour and care work, the vast majority of which is undertaken by women, and is indicative of how women's labour remains invisible and undervalued in Lebanon's mainstream economic structures despite women undertaking childcare responsibilities three times more than men.¹⁰¹ Lebanon's report refers to a National Action Plan on Women's Economic Empowerment launched in January 2019 noting the aimed to achieve adding 5 percentage points to women's labour participation.¹⁰² This does not actually address multidimensional impacts of austerity measures, nor does it tackle the problematic issue of the care economy and women's participation in the informal sector.

More than half of women were married by the age of 25 – 29 range, which is also the exact range when the peak of women's participation in the labour force starts decreasing. This reflects patriarchal social and cultural norms in Lebanon, and the state's failure to provide options for those less able to care for themselves. There is an overt interconnectedness between women's withdrawal from the labour market, and the social expectations for them to fulfil their reproductive responsibilities and domestic care work more broadly as wives, child bearers, mothers, and even caregivers for the elderly in the family.

Workers within the informal economy find themselves in particularly precarious positions as their work is neither protected nor regulated by the Labour Law, lacking both social

⁹⁹ Lebanese Republic Central Administration of Statistics (CAS) published in 2020. *Labour Force and Household Living Conditions Survey 2018-2019*, available at: <http://www.cas.gov.lb/images/Publications/Labour%20Force%20and%20Household%20Living%20Conditions%20Survey%202018-2019.pdf>

¹⁰⁰ From 20.4% in 2004 to 29.3% in 2018/19 corresponding to an annual increase of about 1%.

Source is same as above.

¹⁰¹ For every 303 minutes women in Lebanon spend on childcare, men contribute 111 minutes. *Care Work and Care Jobs for the Future of Decent Work*, ILO, 2018, available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_633135.pdf.

¹⁰² Sixth periodic report submitted by Lebanon under article 18 of the Convention, due in 2019, CEDAW/C/LBN/6, 25 March 2020, paragraph 100.

protection and other benefits.¹⁰³ This comes with particular gender-specific harms because women are more likely to work in the informal economy. As reported by the Arab NGO Network for Development (ANND) “women informal workers in small, unregistered enterprises and non-remunerated labour, make up approximately 57% of the total female labour force [in Lebanon]”.¹⁰⁴ In particular, women providing care and domestic work within their own families or as hired domestic workers become more likely to lack social protection and other benefits, such as access to healthcare and pensions. This negatively affects the quality of their lives and their ability to access healthcare; it also reinforces women’s dependence on the longer run since they will either not have any income or be dependent on their husbands and other male relatives as they grow older.

As for women’s right to property ownership and administration, Article 7 of the Constitution gives equal rights to men and women (married or unmarried) to conclude contracts and own and administer property. However, land is often registered under the male family member’s name in a way to keep wealth in the family. In addition, patriarchal social norms usually favour transfer of property to male heirs and give men within the family the privilege to make decisions relating to property even if it is owned by women, which makes them face structural challenges in acquiring land tenure and administering property.

Gendered impacts of the economic crisis and of austerity measures

Historically, social policies in Lebanon contributed to a dynamic of exclusion in which the upper and middle classes were well served by a subsidised private sector.¹⁰⁵ Now, the country stands as one of the most unequal countries in the world, with 55% of the national income concentrated in the top 10% of earners¹⁰⁶ and 44% of residents not benefitting from

¹⁰³ *Gender Dimension of Informal Labour*, H Adly, ANND, 2016, available at: www.annd.org/cd/arabwatch2016/pdf/english/6.pdf.

¹⁰⁴ *Ibid.*

¹⁰⁵ *Poverty Targeting is not the Solution for Much Needed Social Policy*, Lebanese Center for Policy Studies, March 2020, available at: <http://lcps-lebanon.org/featuredArticle.php?id=280>

¹⁰⁶ *IMF Should Prioritize Human Rights in Lebanon Loan Negotiations: Economic Reform Shouldn’t Come at Expense of People in Poverty*, Human Rights Watch, May 2020, available at: <https://www.hrw.org/news/2020/05/22/imf-should-prioritize-human-rights-lebanon-loan-negotiations>

any form of social protection.¹⁰⁷ Generally speaking, the prevalence of privatisation across different services adversely impacts the advancement of women's human rights, generally because women's reduced economic and political power means they are often less likely to afford privatised services.¹⁰⁸ In addition to the precarious conditions that unemployment and lack of social protection create, the state and the society tend to rely even more on women's unpaid care work "to make up for the lack of or reductions in public services"¹⁰⁹ that the state has duties to provide.

The government has proposed a set of austerity measures in its recently adopted Financial Recovery Plan¹¹⁰ that will also be used to request financial support from International Financial Institutions (IFIs) and donors, namely the International Monetary Fund (IMF). This will mean cuts to the 2020 budget leaving no fiscal room for much needed investments in the public sector. Some of the austerity measures involve increased privatisation and reduced government spending, including on social protection benefits and essential services such as health and educational programs, and this comes in clear contrast with CESCR's recommendations (2016) to Lebanon.¹¹¹ Meanwhile, Lebanon still ranks among the top countries for military spending with 4.2% of GDP allocated to it in 2019.¹¹²

¹⁰⁷ Lebanese Republic Central Administration of Statistics (CAS) published in 2020. Labour Force and Household Living Conditions Survey 2018-2019, available at: <https://tinyurl.com/y8uvfjz7>

¹⁰⁸ *Privatisation and Women's Human Rights*, Public Services International, 2019, available at: https://world-psi.org/uncsw/wordpress/wp-content/uploads/2019/03/FactSheetCSW63_Privatisation.pdf

¹⁰⁹ *Ibid.*

¹¹⁰ The Plan was adopted on April 30, 2020

¹¹¹ The CESCR, for example, recommended in 2016 that Lebanon "take measures, including through negotiation with creditors, to reduce the weight of debt servicing on the public budget to a level that enables it to ensure the fulfilment of its core obligations to its population. It also recommends that the State party take into account its obligations under the Covenant in its dialogue with the International Monetary Fund, and draws the attention of the State party in this regard to its statement of 24 June 2016 on public debt, austerity measures and the Covenant (E/C.12/2016/1). Moreover, the Committee recommends that the State party put into place a clear legal and institutional framework to ensure transparency and accountability in loan negotiation, contracting and debt management". Concluding observations on the second periodic report of Lebanon, E/C.12/LBN/CO/2, 24 October 2016, paragraph 13, available at:

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E/C.12/LBN/CO/2&Lang=En

¹¹² See: *Military expenditure by country as percentage of gross domestic product, 1988-2019*, SIPRI 2020, available at:

<https://www.sipri.org/sites/default/files/Data%20for%20all%20countries%20from%201988-2019%20as%20a%20share%20of%20GDP.pdf>; and *World military expenditure grows to \$1.8 trillion in*

Several UN human rights bodies have underlined that austerity-driven measures, their associated spending cuts, economic crises more broadly, combined with discriminatory legal frameworks and social norms, negatively and disproportionately affect women¹¹³ and lead to a feminisation of poverty. It is hence a major gap that the Financial Recovery Plan fails to address women's priorities and needs and integrate a gender-perspective. It does not address the protracted nature of the economic crisis, nor does it provide a long-term roadmap for comprehensive reforms that safeguard socio-economic rights. This reflects the exclusive and arbitrary process of putting together this Plan, for which there was no consultation with CSOs and women's rights groups. No women experts or politicians attended the official meeting at which the President announced the Plan, despite the Cabinet comprising 30% women ministers.

Questions

- What measures have been taken to significantly reduce military spending and increase investment of resources in socio-economic infrastructures essential to protect and promote rights to health, education, and work and advance gender equality and justice?

2018, SIPRI, April 2019, available at:

<https://www.sipri.org/media/press-release/2019/world-military-expenditure-grows-18-trillion-2018>

¹¹³ *Impact of economic reforms and austerity measures on women's human rights*, report by the Independent Expert on the effects of foreign debt on human rights, A/73/179, 18 July 2018, paragraphs 24-56, available at:

<https://www.ohchr.org/EN/Issues/Development/IEDebt/Pages/ImpactEconomicReformPoliciesWomen.aspx>; *Guiding principles on human rights impact assessments of economic reforms*, paragraphs 8.1-8.4, A/HRC/40/57, Independent Expert on the effects of foreign debt on human rights, 19

December 2018, available at:

<https://www.ohchr.org/EN/Issues/Development/IEDebt/Pages/DebtAndImpactAssessments.aspx>

Public debt, austerity measures and the International Covenant on Economic, Social and Cultural Rights, Statement by the Committee on Economic, Social and Cultural Rights, para. 2, E/C.12/2016/1, 22 July 2016, available at: [https://tbinternet.ohchr.org/_layouts/treatybodyexternal/](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2f2016%2f1&Lang=en)

[Download.aspx?symbolno=E%2fC.12%2f2016%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2f2016%2f1&Lang=en); Report of the Working Group on the issue of discrimination against women in law and in practice, which addresses discrimination against women in economic and social life, with a focus on economic crisis,

A/HRC/26/39, 1 April 2014, paragraphs 26-31, available at <https://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/Annualreports.aspx>

- What steps has Lebanon taken to ensure the meaningful consultation and participation of women's rights organisations, CSOs, and feminist independent experts in all discussions around economic reforms and recovery?
- Please provide information on steps taken to assess and redress the impacts of the 2019 economic meltdown, including on the enjoyment of economic and social rights, as well as to introduce strategies to rectify the negative effects on the population, in particular on women and marginalised groups in society.
- Describe plans to invest in affordable public services so that women are relieved from the burden of unpaid care work, including through creating nurseries, providing universal access to healthcare, and increasing affordable care for the elderly.¹¹⁴
- Describe Lebanon's plans to set targets and develop strategies aimed at increasing the number of women in the workforce, and ensure that labour conditions comply with international standards.
- Describe Lebanon's plans to conduct human rights impact assessments and gender analyses of all conditionalities linked to lending agreements with International Financial Institutions or other lending institutions and to ensure that where negative effects are detected, it invests in effective mitigating and redressing programs.

IX. Beirut explosion

In addition to the humanitarian crisis linked to war in its neighbouring country Syria, the COVID-19 pandemic, the severe economic recession and the political instability that has shaken the country throughout the past year,¹¹⁵ Lebanon suffered a devastating explosion in its capital on 4 August 2020. The catastrophic event, which further worsened the already vulnerable state of the country, had a harsh impact on women and girls.

According to the International Rescue Committee (IRC), an estimate of 150,000 women and girls have been displaced as a result of the explosion, while thousands are still living in

¹¹⁴ See above and *The Blindness of Political Economy: How Austerity Affects Women* by Viviane Akiki in Kohl Journal available at: <https://kohljournal.press/How-Austerity-Affects-Women>

¹¹⁵

https://www.washingtonpost.com/world/middle_east/the-lights-go-out-on-lebanons-economy-as-financial-collapse-accelerates/2020/07/19/3acfc33e-bb97-11ea-97c1-6cf116ffe26c_story.html

damaged houses.¹¹⁶ Women's lives were already severely impacted by the collapse of the economy, with an analysis suggesting that around 30,000 women had lost their jobs before the Beirut blast.¹¹⁷ The explosion will further aggravate these numbers.

Moreover, the deterioration of care and social services due to the explosion disproportionately impacted women and girls. The destruction of social infrastructures and the restrictions to freedom of movement imposed for the COVID-19 pandemic, put women and girls in further vulnerable situations, and increase their risk to be subjected to sexual violence, exploitation and abuse – a trend that usually spikes during conflict and crisis situations.

Recently, a group of feminist activists and women's rights organisations in Lebanon, put together a Charter of Demands¹¹⁸ highlighting these and other issues, stressing the urgency for an assessment of women and girls' needs in the country, and condemning the patriarchal nature of the its government, as well as corruption, for the still underrepresentation of women in politics, public life, and unequal personal status law. The charter thus calls for the full inclusion of women in all aspects of the country's recovery, as part of the implementation of the NAP1325 endorsed by the government, and highlights the importance of systematic and institutional coordination with feminist civil society groups and activists.

The charter also underlines the necessity of a needs assessment that includes disaggregated data by sex, age, disability and nationality, and that consults and reflects the diversity of women and girls throughout the country. It urges a national discussion regarding rehabilitation, compensation and other relief resources that include and amplify the voices of all women, girls and marginalised groups, and that ensures their representation in all leadership and decision-making bodies formed in the context of this emergency.

¹¹⁶ International Rescue Committee, *Beirut:150,000 women and girls displaced following blast*, 14 August 2020, available at:

<https://www.rescue.org/press-release/beirut-150000-women-and-girls-displaced-following-blast>

¹¹⁷ *Ibid.*

¹¹⁸ Available both in French and in English here:

<https://arabstates.unwomen.org/en/digital-library/publications/2020/08/charter-of-demands-lebanon#view>

More urgently, with 50% of hospitals in Beirut out of service, the charter calls for the government to provide food security, shelter and sustainable livelihoods for all women and girls affected by the Beirut blast, considerate of their differentiated needs. This should include efforts to implement temporary measures to secure access to health care and sexual and reproductive health services to women and girls. It is important to highlight that, in addition to the damage of the explosion, the accumulation of stress due to the economic crisis and the COVID-19 pandemic, is taking a toll on women's mental health. The government must put in place mechanisms for mental health and psychological care for women, especially those that were directly affected.

Questions

- What steps has the government taken to establish mechanisms to conduct a gender impact assessment of the damages, needs and priorities of all women and girls, so that an inclusive and appropriate response to the crisis is put in place?
- What steps have been taken to establish temporary measures to ensure that, despite the collapse of hospitals and care services, sexual and reproductive health services for women and girls are not jeopardized?
- What steps has the government taken to strengthen national reporting and protection mechanisms focused in incidents of sexual and gender-based violence, including sexual exploitation and abuse? What measures will be implemented to remove obstacles to access to justice and legal aid for victims?
- Describe plans to ensure that women and girls are meaningfully included and represented in all leadership and decision-making bodies in place in the context of this emergency.