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Women and Economic Power in Lebanon:

The legal framework and challenges to women's economic empowerment

By

Delphine Torres Tailfer

CRTD-A

Beirut, October 2010

CRTD.A – REEWP
National Knowledge Sharing Seminar
Beirut, 13 and 14 July 2012

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List of Abbreviations

CAS	Central Administration for Statistics
CAWTAR	Center for Arab Women Training and Research
EU	European Union
ESCWA	Economic and Social Commission for Western Asia
FAO	Food and Agriculture Organization of the United Nations
GDP	Gross Domestic Product
ILO ROA	International Labor Organization, Regional Office for the Arab States
ICT:	Information and Communication Technology
ILO	International Labor Organization
MDG	Millennium Development Goals
MOSA	Ministry of Social Affairs
NEO	National Employment Office
NSSF	National Social Security Fund
OHCHR	Office of the United Nations High Commission for Human Rights

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POGAR	Program on Governance in the Arab Region
UNDP	United Nations Development Program
UNECE	United Nations Economic Commission for Europe
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM:	United Nations Fund for Women
UNRISD:	United Nations Research Institute for Social Development
UNRWA	Relief and Works Agency for Palestine Refugees in the Near East

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Abstract

The Lebanese economy has been surprisingly resilient in the face of many years of war and civil conflict that has plagued the country in its recent past. Today, post-war Lebanon, while still politically fragile, has a growing, vibrant economy mostly based on banking, trade, finance and tourism. However, due to the lack of long-term vision to redistribute wealth and invest in local productive capacity, the country suffers from high inflation and unemployment, and numerous growing poverty hotspots and vulnerable groups which hamper the country in its economic, social and political development course.

Lebanese women have a marginal role in the Lebanese economy. This is rather perplexing since the economy is growing and Lebanese women, as group, are highly educated compared to women from the Middle East region. Yet women face limited employment opportunities and when employed, they work in lower paid jobs, mostly in the informal economy with little or no social protection. They also suffer from d a host of gender biases in the job market such as in hiring, leave and promotion. They lack social services like daycare services, medical insurance and maternity leaves and laws to protect them from violence and sexual harassment in the workplace.

This paper seeks to explain why women remain marginal in the Lebanese economy. It conducts a thorough review of literature to shed light on the economic, social and legal context to identify barriers to their full participation. The paper finds that social, economic, and legal institutions stand in the way of women's economic empowerment by perpetuating inequality between men and women on the one hand and discriminating against women on the other. The paper argues that for gender justice to occur, significant reforms will need to be *enacted* and *implemented* to address discrimination against women and reduce the gender gap for there to have a long term positive effect on women and economy. Among the reforms recommended, the paper argues for a comprehensive national policy for women's employment that contains positive, proactive and implementable measures to guarantee employment to women and support them to lead happy, meaningful and productive lives.

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Preface

The conflicts which have marked Lebanon's tumultuous history have had economic and social repercussions, with serious consequences falling disproportionally on its women. Yet conflict has also endowed Lebanese women with resilience and strength for action. Always active, but rarely rewarded, Lebanese women continue to fight for their rights in a difficult cultural and institutional environment, where much of their economic contributions comes at a high cost to them and remains elusive in the informal economy. Social institutions such as laws, customs, norms, traditions and codes of conduct define their economic and social roles, as do culture, religion, confessional/sectarian systems, politics and patriarchy, which are inherently linked to each other to form a unique Lebanese social fabric. For the most part, this social fabric does not reflect Lebanon's constitutional principle of gender equality. Many laws, regulations and behavior, remain discriminatory and efforts to correct this injustice often go unheeded and forgotten in a country still emerging from long years of war. Discrimination against women prevents them from fully engaging in economic and political life. Lebanon ranks 116th out of 134 countries by the World Economic Forum in terms of gender inequality.[1] In 2010, women occupied only 3.1% of the seats in Parliament, that is to say 4 elected women out of a total of 128 parliamentarians.[2]

It is now recognized that gender inequality is one of the greatest obstacles to human development[3] and that investments in strengthening women's economic power strongly correlate to the overall economic development of a country.[4]

In providing an overview of Lebanon's economy and the role women play in it, this review sheds light on the various institutional barriers that women face to access and benefit from the labor market The paper analyses the legal, social and economic institutions that contribute to gender inequities in Lebanon in order to help redress them. It reviews national legislation to help assess the extent of discrimination and propose amendments to the law to reverse it. The

[1] Daily Star, '*Empowered women could play important role in leading economic recovery-report'* 3october 2010, Beirut.
[2] Inter-Parliamentary Union http://www.ipu.org/french/home.htm
[3] The 2005 Arab Human Development report: '*Towards the rise of Women in the Arab World'*, UNDP ROAS.
[4] Inès Alberdi, UNIFEM, Briefing on the Women's empowerment principles: Equality means business, 29 April 2010 and OECD, 2007, Gender equality can boost economic growth. Prof. Luka T. Katsely *Measuring and fostering the progress of societies.* Istanbul, June 2007.

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review of government policies and both Lebanese and international civil society projects to strengthen women's economic situation are exposed to help assess the scope of these programs and their impact on the status of women. Finally, the paper concludes with some policy recommendations to help support gender justice and equality.

1.0 Economic and Social Characteristics of a Composite Society

1.1 Understanding the Lebanese economy

Lebanon is classified by the World Bank as a high intermediate income country of $US 6,500 GDP per capita in 2008.[5] In the absence of a formal census, its current population is estimated at just over 4.1 million inhabitants, including 2.1 million women,[6] representing 50.36% of the population. It includes a very large diaspora, between 12 and 15 million people,[7] which is one of the largest in the world, relative to the resident population of the country. The Lebanese diaspora maintains strong links with its country of origin. In 2009, it generated foreign exchange inflows to Lebanon equivalent to 20% of GDP.[8]

Over eighty percent the total Lebanese population is concentrated in urban areas with 50% in the capital, Beirut, and its surroundings. Economic and regional disparities are important in Lebanon, with poverty localized in some isolated rural areas as well as city surroundings,

[5] World Bank, Country brief, Lebanon, 2009 http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/LEBANONEXTN/0,,menuPK:294913~pagePK:141132~piPK:141107~theSitePK:294904,00.html
[6] World Bank http://wbl.worldbank.org/ExploreEconomies/Lebanon) and Genderstats 2008World Bank
[7] Wikipedia, August 2010.
[8] World Bank data, Country brief Lebanon, 2009.

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where 8% of households live under the poverty threshold determined in 2005 at $US 2.4 per capita.[9]

After independence in 1943, Lebanon became an enviable economic development model for the Middle East, with considerable economic growth, large investments and unequalled social development indicators.[10] But after the civil war began in 1975 and continued for 15 years, it devastated the country, destroyed infrastructure, displaced large numbers of people and weakened its institutions. The average revenue per capita decreased by two-thirds during this period, and social, health and education services collapsed. In 2006, a war with Israel resulted in more death and destruction. The war damaged the country's infrastructure in the amount of approximately 3.5 billion dollars.[11] The GDP growth fell to 0.6% in 2006 because of the war whereas it was 7.1% in 2004.[12] These heavy losses generated a wave of international assistance programs agreed upon at the Stockholm Conference, followed by the Paris III Donor's Conference in January 2007, which granted $US 7.6 billion in aid, conditional on the implementation of a series of reforms and privatization programs. It should be noted that Paris III contained no specific consideration for women.

The government launched a comprehensive economic reform plan to privatize state assets and restructure public expenditure for higher effectiveness and limit long-term structural deficit caused by public debt. The May 2008 Doha agreements and the formation of a new government in November 2009 helped establish political stability and restored confidence in the financial and tourism sectors through which GDP growth was maintained.[13]

The country has recorded significant growth since 2007, in spite of the world financial crisis to which Lebanon has been mostly resilient. Lebanon is characterized by a cash economy,[14] heavily dependent on imports and a vibrant commerce based on banking, trade, finance and tourism services,[15] which employ approximately 70% of all working women.[16] The overall

[9] Ibid.
[10] Ibid.
[11] Euromonitor, World Economic Factbook 2009
[12] Bank of Lebanon data
[13] SAGA Economic Context Study, CRTD.A 2010 – Draft unpublished document for limited circulation
[14] Georges Corm, '*Sortir les pays arabes de l'économie de rente ?*' Summary of Georges Corm Conference at the Cercle des Economistes Arabes à Paris on 26 mars 2010. Available at: http://www.georgescorm.com/personal/index.php?lang=fr
[15] DGTPE and www.missioneco.org/liban

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unemployment rate remains high at 15% and 28% of the unemployed are women.[17] The service sector far outweighs others in its contribution to GDP (70%), followed by industry 23% and agriculture at 7% (The World Bank, 2009). Agriculture employs 12% of the Lebanese workforce, ranking it last among Lebanon's economic sectors. Women participate significantly in agriculture but mostly as invisible labor.

The public sector provides 16% of all jobs in Lebanon[18] and employs 13.7% of active women.[19] It is characterized by deficiencies in the telecommunications and transportation sectors and a deficit in electricity, which weighs heavy in the budget of the State. All these elements, in addition to heavy administrative bureaucracy, constitute barriers to the country's economic development.

The country's income is composed of public revenue, private income, foreign aid and the benefits accrued from the international oil market, all of which is volatile, and along with the current rule of law, stand in the way of long-term social, economic, technological and democratic development, feeding into the country's political instability. According to Corm (2010), "The amplification and extension of the cash economy is a negative trend if the annuity, an essential component of the functioning of any economy, is not managed and used for the benefit of the community and social, technical, and scientific progress." [20]

The massive influx of foreign capital in recent years has helped maintain steady domestic economic growth, but this has had an inflationary impact on prices, resulting in 10.7% inflation in 2008[21] and high unemployment, especially of the young, educated segments of society. The cost of living and local production have sharply risen as a result. Because of this imbalance, the Lebanese economy compares unfavorably with other emerging economies devoid of such cash sources but still experiencing accelerated development. Policies have not addressed wealth distribution issues, promoting innovation, science and technology in the

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[16] UNDP Household living conditions 2007
[17] UNDP Living Conditions of Households 2007
[18] The Lebanese emigration and its impact on economy and development, ILO, Program of International Migration, MA Samra, 2010. Geneva. Available at: www.ilo.org/**public**/english/protection/migrant/download/.../imp105f.pdf
[19] Data CNAF 1999 in '*Bilan sur la participation économique des femmes au Liban.*' Available at : www.lamicrofinance.org/.../18038_file_**PARTICIPATION**_ECON_FEM_**LIBAN**.pdf
[20] Ibid
[21] World Bank, Country Brief Lebanon, 2009

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private and public sectors and improving the country's export capacity of capital goods and consumer products.[22]

Lebanon's cash economy has a social impact too, especially on women who often lead vulnerable lives in this fragile economy. There are less skilled jobs to be found in tradable goods and services (agriculture, industry and value added services) while jobs producing non-tradable goods (construction, local trade and services with low added value) have increased, but depend mostly on an unskilled immigrant workforce, who face difficult working conditions, often with little or no social security and low wages.

Thus, the economy fails to create enough jobs to help absorb new women and men graduates into the Lebanese economy. To cope, graduates emigrate to find employment abroad, which in turn feeds into the vicious cycle that plagues Lebanon: expatriation, remittances fueling private and public consumption which causes inflation with purchasing power declining and encouraging more graduates to emigrate.[23]

The impact of emigration is heavily debated in Lebanon.[24] Some see it negatively, with the brain drain reducing the number of skilled and innovative people in the country, while others argue that such emigration is positive, bringing in cash to the national economy, especially to the household level through remittances,[25] with much of the cash going to support the education of other family members. However, it does have an inflationary effect which slows economic growth in the long term, as income per capita rises.

Lebanon's development model is focused on maximizing sources of financial revenue, rather than on employment. Programs to redistribute wealth, aiming at social equality have not been

[22] Georges Corm. '*Sortir les pays arabes de l'économie de rente?*' Summary of Georges Corm Conference at the Cercle des Economistes Arabes à Paris on 26 mars 2010. Available at: http://www.georgescorm.com/personal/index.php?lang=fr

[23] Mr. Charbel Nahas : *Le 'Yes, we can' de Nahas, un appel vibrant à une révision de la politique économique. L'Orient le jour 27May 2010* available on: http://mplbelgique.wordpress.com/2010/05/27/debat-le-%C2%AB-yes-we-can-%C2%BB-de-nahas-UN-appel-vibrant-a-UNe-revision-de-la-politique-economique/

[24] Charbel Nahas, '*La théorie du « Brain gain »'*, Le Commerce du Levant, March and April 2009, Beirut.

[25] Ibid. Charles Nahas.

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promoted sufficiently. The model used has been to increase levels of consumption and financial investments in property, locally and abroad.[26]

The cash economy in Lebanon has implications for women. While male graduates seek better paid jobs abroad, women graduates face unemployment locally, or lower paid jobs[27], mostly in the informal economy, in spite of their relatively high levels of training and skills. As more of the Lebanese population becomes professional skilled, less are available or willing to meet the demand for jobs in sectors such as construction, agriculture, domestic work, which are poorly paid menial jobs. The rising number of women migrant domestic workers is linked to the growing number of educated Lebanese women entering the skilled workforce. The ILO is currently assessing the impact of migrant domestic workers on the participation of Lebanese women in the labor market.

To become less dependent on the cash economy, the government will be required to come up with innovative mechanisms to breaks the circle of unemployment, emigration, poor economic performance, increasing social injustice and the persistence of large pockets of poverty and illiteracy,[28] with their consequences falling disproportionally on women. These will be discussed in further detail later.

1.2 The socio-cultural context

Lebanon is mostly a traditional patriarchal culture which is the main driver regulating social relations and lifestyles, including the role of women. Traditionally, women are limited to the family sphere, responsible for the household, the upbringing of children and caring for the elderly. Social norms limit many women from pursuing professional careers or engaging in activities outside of the house to generate income. Men are systematically considered household heads even though women are constantly making economic and social decisions and taking actions to ensure their family's welfare.

Some families, including some women, prefer to stay at home rather than fulfill career aspirations.[29] Women are often torn between their responsibilities at home and seeking

[26] Georges Corm, Ibid.

[27] Choghig Kasparian, 'L'émigration des jeunes libanais et leurs projets d'avenir', USJ, Beirut, 2009

[28] Ibid.

[29] Lawyer and President of the Working Women League of Lebanon. 'Comment se présentent les conditions de travail de la femme? available on : http://www.rdl.com.lb/1999/3705/dossier.html

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employment outside. Often, they end up forfeiting their professional and social development to appease their families and look after them. It does not help that government policy does not facilitate their economic empowerment.[30]

Despite these constraints, most Lebanese women receive an education comparable or even higher to that of men, with significant progress made since the implementation of the educational plan of 1994, which called for the eradication of illiteracy and equal access to free quality education without gender discrimination **(Figure 1).**

Figure 1: Evolution of illiteracy among women in Lebanon between 1980-2007

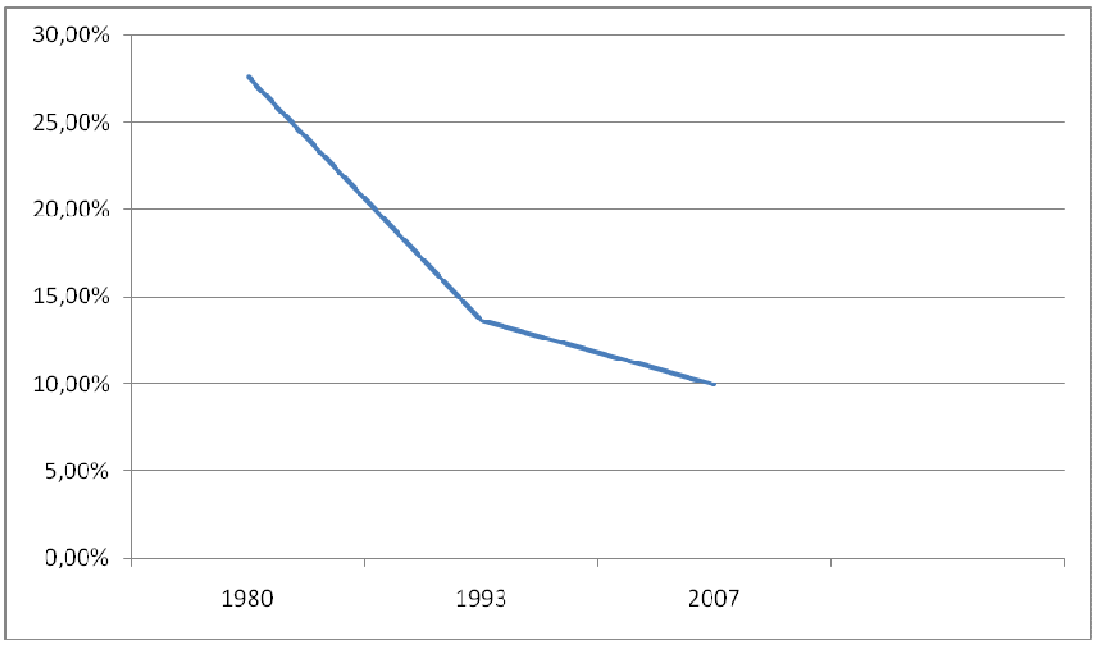
[30] Debate between naturalism and culturalism in, Elisabeth Badinter : Le conflit, la femme et la mère, Paris, Flammarion, February 2010

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Source: UNDP Living Household Conditions 2007

While illiteracy has significantly declined, twice as many girls as boys remain illiterate at age 10: 5.6% of all boys compared to 10% girls. It should be noted that illiteracy affects more men than women between 10 and 35 years of age, and then the trend reverses again to the disadvantage of women[31] **(Figure 2)**. Illiteracy also affects women more severely in rural areas. It concerns 5.5% of women in Beirut, 8.5% in the Northeast and 14.6% in the Bekaa' Valley.[32] Illiteracy is more prominent for poor women. Approximately 33% the total number of illiterate women are poor.[33] About 27% of poor women and 76% of extremely poor women have not gone beyond elementary school compared to 31.2% of men. Only 14% of poor

[31] PNUD 2007 Living Conditions of Households
[32] Report from the CEDAW follow-up committee, Beirut, 2007
[33] Educational attainment of individuals 10 years and more by gender and by poverty status, 2004 PNUD Household Living conditions

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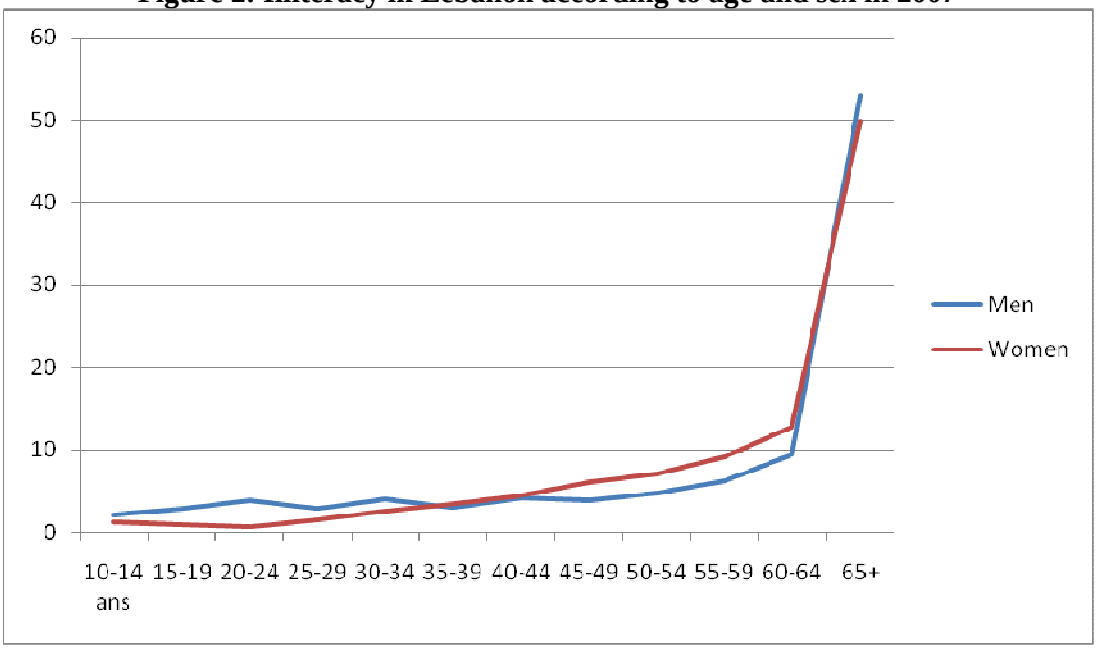
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women reach university level and only 8.9% of women and 7% of men with university degrees belong to the poorest segments of society.[34]

Figure 2: Illiteracy in Lebanon according to age and sex in 2007



Source : UNDP 2007 Household Living conditions

With the exception of primary school, there are more girls in secondary school and universities than there are boys **(Figure 3)**. According to UNESCO, the enrollment rate of children in primary schools reached 90.6% of children in 2007, stressing the need for more work to implement the 1998 law on compulsory school education. There is currently a problem of increasing school dropout because of the deteriorating quality of education.[35] In primary education, girls are less likely to quit school than boys (2.2% dropout rate for girls

[34] Ibid

[35] UNESCO's contribution to CEDAW progress.

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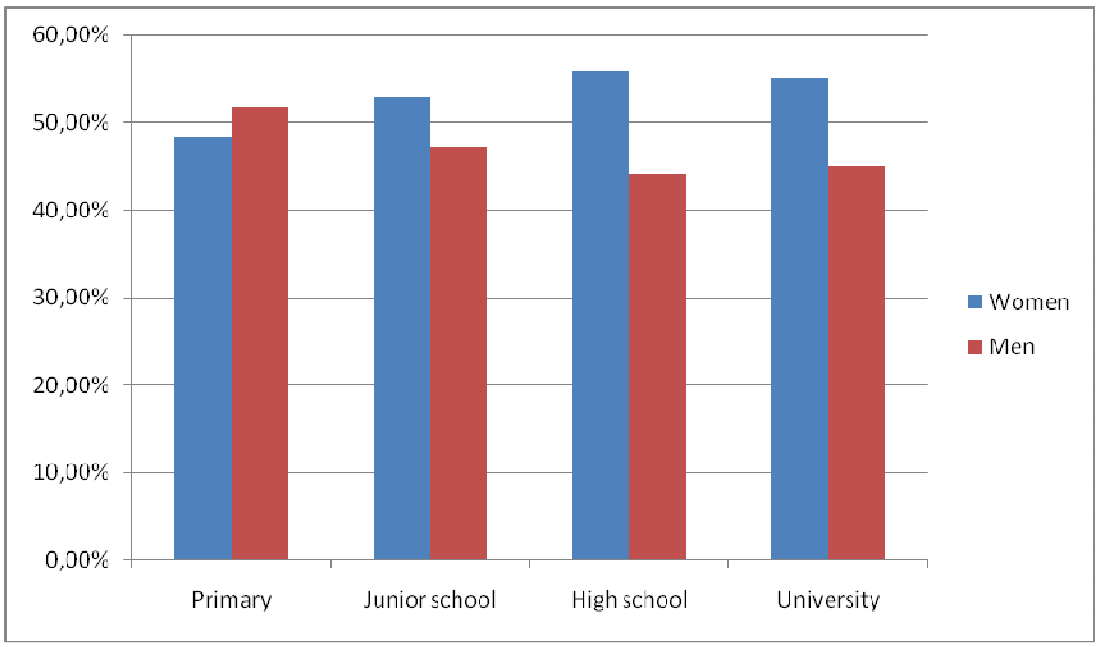
compared to 5.1% for boys). This trend continues at the junior and high school levels.[36] Boys are more likely to quit school to help support their families or pursue their education abroad. Technical and vocational training are divided by gender: teaching, social studies and nursing area domain for girls while boys specialize in electronics, mechanics, ICT, plumbing, carpentry etc. More boys tend to specialize in hotel management, languages and design than girls,[37] though the number of women in these technical and vocational programs is increasing, currently representing 41.3% of the total number of students in this field. In higher education, women dominate: 54.46% of all advanced degrees are earned by women.[38]

Figure 3: Distribution of students by gender

[36] Report from the CEDAW follow-up committee, Beirut, 2007
[37] Ibid
[38] Pedagogical Center for Research and Development, statistics series 2000-2007

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Source : Unesco Statistics Institute 2007 and Pedagogical Center for Research and Development Statistics series 2000-2007.

However, these are aggregate figures. When they are disaggregated, women tend to pursue humanities (34.9%), management and services degrees (28.9%) including medical and paramedical training, while men with similar qualifications tend to specialize in engineering and technology (32.5%)[39]. The number of women engineering students is half that of men but women are more numerous in agricultural sciences and interior design. Medical studies attract men and women equally, but women are more likely to specialize in pharmacy, dentistry, veterinary science and nursing. Women students in botany, physics and chemistry are twice as many as men. There are far more women than men in the education field which translates into

[39] Kasparian Choghig, 2010. *'L'émigration des jeunes libanais hautement qualifiés'*, Robert Schumann Center for Advanced Studies.

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many more women teachers in primary and secondary education than men. Yet options for subjects for women to pursue have considerably widened in recent years.[40]

Beyond a good education, the Lebanese are renowned for their human capital and entrepreneurial skills. However, Lebanon has traditionally faced high emigration and a significant brain drain flow because the Lebanese market cannot absorb all the skilled workers it produces. Though highly educated, many women are still unable to access management positions and unemployment affects more women than men.[41] Women have capitalized on their training to access the labor market. However, compared to less-educated men, women find it hard to find employment. Employers often request from women degree qualifications than they do from men to fulfill the same position.[42]

In Lebanon, private education dominates. Only a third of all students are enrolled in public school. The remaining two-thirds are enrolled in private confessional schools. This generates disparities in terms of quality of education received. The absence of a national curriculum means that programs are multiple and based on principles that reflect the values of each religion. Often, these principles are opposed to gender equality and support patriarchal values. School textbooks often portray women in domestic or traditional social settings which impact the perception of children and eventually limit women's access to the job market.

2.0 Women and Vulnerability

There are many types of vulnerability that women endure in Lebanon: poverty, wartime, violence and sexual harassment, disablement, immigrant and refugee statuses. Often, women belong to several of these categories at the same time. The law falls short in protecting them and they have very few assets and social capital to overcome their situation.

2.1 Women and poverty

[40] Report from the CEDAW follow-up Committee, Beirut, 2007
[41] World Bank. Gender and Development in the Middle East and North Africa. Women in the Public Sphere. 2004.
[42] UNDP, Program on Governance in the Arab Region.

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There is no accurate gender-disaggregated data on poverty in Lebanon. Women-headed households are defined by the United Nations as women responsible for their family, major contributors to the household budget, in charge of making decisions and responsible for the economic management of the home. A joint study by MOSA and UNFPA in 2007[43] on household poverty indicates that women-headed households account for 14.4% of all Lebanese households, which represents 10.3% of the total population. 16% of all households in the South and 21.9% of homes in Beirut were headed by women.[44] The poverty rate for women-headed households is not significantly different from those headed by men. However, the risk of extreme poverty is greater for widows with children, which account for 71.4% of all women-headed households in the country. Poverty is more pronounced outside Beirut and is more acute for women-headed households in Southern Lebanon.[45] The proportion of women widows with more than three children is five times higher among the poor than the national population and eight times higher than in better off populations.[46] The increase in the number of female-headed households following the 2006 conflict aggravated their vulnerability and resulted in fewer girls attending schooling, making it even more difficult for them to entry into the labor market upon completion.

Most women who head households have lower education levels and are between 40 and 50 years old. They are married to an economically inactive spouse or divorced, separated or widowed. Only 18.4% of them have jobs, often as hairdressers, housekeepers, seamstresses, embroiderers or saleswomen. The main reason why other women heads of family are not formally 'working' is because they are characterized as home-makers, not earning an income.

The income of female-heads of households is on average 78% of men and only 60.5% of them that are single have medical insurance.[47] These women suffer multiple types of economic and social discriminations, especially divorced women. They live in poor housing conditions because of financial difficulties and often face problems raising their children and providing

[43] 'Female Headship in Lebanon, Vulnerability assessment of female heads of households : the July 2006 war on Lebanon' UNFPA, MOSA, June 2007
[44] 'Female Headship in Lebanon, Vulnerability assessment of female heads of households : the July 2006 war on Lebanon' UNFPA, MOSA, June 2007
[45] UNDP, '*Poverty, Growth and Income Distribution in Lebanon', Table A.3.17.a.*, 2008, Beirut, available on: http://www.UNdp.org.lb/commUNication/publications/index.cfm.
[46] UNDP, *Poverty, Growth and Income Distribution in Lebanon* (Beirut: UNDP, 2008), available on: http://www.UNdp.org.lb/commUNication/publications/index.cfm.
[47] Ibid



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them with good health and education services. 35.9% of them are illiterate. They are prone to anxiety and insecurity as unmarried women. They face the disapproving gaze of Lebanese society which reinforces their vulnerability and social isolation.[48]

The livelihoods of women heads of households were aggravated by the war of July 2006. Their homes were destroyed, forcing them to relocate to other parts of the country. They also lost their jobs, which accelerated their impoverishment, and they lack other assets. Women heads of households need financial assistance and psychological and professional counseling. Vocational training can help them market their agricultural and artisanal goods and subsidized daycare can help them secure employment.

Before 2006, no policies were in place that targeted women-headed households specifically. They belonged to other categories of vulnerable groups and were receiving support in this regard only. After the war, the reconstruction and reform plan introduced by the Paris III Donor's Conference included social sector reform to assist all vulnerable populations, *particularly* female headed households whose *unique* vulnerabilities were finally recognized.

A register of women heads of households in all regions of the country has since been established by NGOs, UNFPA and UNHCR, to help to meet their needs in a timely and coordinated manner. However, this register is not kept updated, which in turn is not helping to access and provide all of them with badly needed services.

2.2 Women in wartime

During wartime, many families were forced to leave their homes to seek refuge outside combat zones. In the absence of men, women assumed all family responsibilities, including the responsibility for children and elderly people. They faced the loss of livelihood and income, status, family and social network support.[49] Many women became aware of the legal inequalities and the gender discrimination they face and fought to assert their rights during wartime, which also revealed to Lebanese women their competences and resilient capacities.[50] In times of war, violence against women escalates as a result of lawlessness, displacement and armed clashes. Education, upbringing and psychological and socio-cultural walls that protect

[48] Ibid
[49] Arab report on Human development 2009, 'The human security challenges in Arab countries', UNDP.
[50] Interview with Mrs. Mona Offeich.



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women from violence tend to drop during conflict, leaving women and children more vulnerable. In these situations, men often compensate for their own insecurity and loss of dominance by intensifying violence against women.[51] In June 2008, the United Nations Security Council unanimously adopted resolution 1820 demanding that: "All parties to armed conflicts end immediately and cease completely all acts of sexual violence against civilians".

2.3 Women victims of violence

In Lebanon, most women still live under a traditional patriarchal system and suffer from legalized discrimination and deeply-rooted traditions that subordinate them to men, which, in turn, exposes them to all forms of violence.[52] Women are victims of multiple forms of violence, visible when it is physical violence, or more subtle when it comes to psychological violence exercised in the family domain or at the workplace. Violence against women during wartime is even more severe, as social and legal structures disintegrate.

The absence of a legal framework to systematically penalize perpetrators of violence and the cultural acceptance of some forms of domestic violence in Lebanon leaves women helpless and unable to take legal action. To address this legal gap, a bill on domestic violence was prepared by a committee of lawyers. The text was adopted by the Cabinet on April 6, 2010 and is under consideration by Parliament. Details of the provisions of this draft are discussed later.

Domestic violence

Public discussion about violence against women is considered taboo and no official government statistics exist to define the problem. According to a 2002 survey carried out by the UNFPA, out of 1419 women surveyed, 33% reported experiencing at least one form of violence (verbal, physical or sexual). According to KAFA, a Lebanese organization dedicated to ending violence against women: "Domestic violence in Lebanon affects all social classes, all religions and all regions. But few women dare to speak of it."[53] In Lebanon, family matters are considered private. In the end, women's silence serves the interests of the perpetrators. The lack of legislation protecting women against all forms of violence, coupled with their

[51] Ibid.
[52] Arab report on human development 2009 UNDP
[53] Kafa receives near 200 new cases of women victim of violence every year.



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economic subjugation, allow such practices to be perpetuated in total impunity. According to KAFA, domestic violence is the most common form of violence experienced by women in Lebanon. It is estimated that three-quarters of Lebanese women have suffered marital or family physical violence during their life.[54] Marital rape is not condemned in Lebanon as practiced in the domestic sphere. The few cases of domestic violence which are filed in police records do not detail the crime or identify the perpetrator and victim. Hospitals are also reluctant to record domestic violence incidences and refer to them as domestic "accidents" without further detail.

Honor crimes

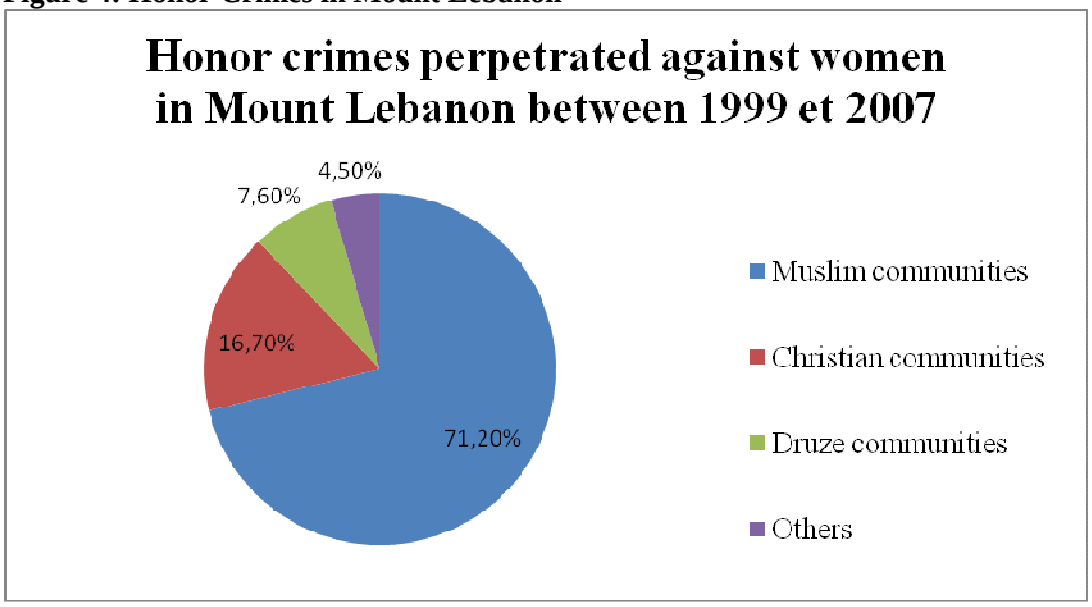
Honor crimes are perpetrated in greater number in Mount Lebanon[55] as is shown in **Figure 4,** with higher incidences occurring in Muslim communities than in Christian and Druze communities. However, exact numbers are difficult to ascertain because in most cases, no claim is made to the police and silence remains the rule.[56] Occasionally, if rape leads to pregnancy, women can be penalized with a death sentence.

[54] International News Compilations and Iridnews 8 April 2010
[55] 'Les Kataëbs pour l'abolition du crime d'honneur', L'Orient le Jour, 4 September 2010.
[56] Arab report on human development 2009 UNDP



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Figure 4: Honor Crimes in Mount Lebanon



Source : 'Kataëb in favor of honor crimes abolishment', L'Orient le Jour, 4 September 2010.

The weight of tradition as well as social and religious culture is such that some women do not fully perceive domestic violence as condemnable behavior. Disapproval and rejection of domestic violence is strongly dependent on education. Interestingly, the educational attainment of men does not influence their attitudes and perceptions about domestic violence, yet the more women are educated, the less likely they are to tolerate violence against them. A study conducted by IFES and IWPR[57] about honor crimes shows that 26% of men compared to 14% of women are against making it a crime.

[57] '*Women's freedom of movement, and freedom from harassment and violence. The Status of Women in the Middle East and North Africa Focus on Lebanon*' International Foundation for Electoral Systems (IFES) and The Institute for Women's Policy Research (IWPR) Funded by the International Development Canadian Agency, (ACDI)

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Sexual harassment

Over a third of women (35%) reported being the target of rude, vulgar and harassing comments and gestures by men and nearly one in four (22%) were hit or pinched in public.[58] At the workplace, 4% of women reported being harassed on an almost daily basis.[59] Despite campaigns against such indiscretions, victims are reluctant to report harassment, which in turn feeds into this behavior and discourages women from working, or from being happy and content at work.

2.4 Immigrants

Immigrants represent 18% of the population of Lebanon.[60] The vast majority of them serve the construction, agriculture, manufacturing and services sectors. Immigrant women constitute the majority of domestic workers. They come mostly from the Philippines, Sri Lanka, Ethiopia and Eritrea. Data on immigrant domestic workers is hard to collect. What data is available is often contradictory because many of them are illegal residents and difficult to capture in official statistics. They are estimated to be about 200,000 in 2010.[61]

Migrant workers are not subject to the Labour Code[62] but rather to the Code of Obligations and Contracts, which provides them neither protection nor social security. They are considered foreigners and must obtain residency permits and find an employer, often through an employment agency, who will sponsor them and provide them accommodation, food and medical insurance. This system puts them under the mercy of their employers, who severely restrict their freedom of movement, including their ability to change jobs. Forced to live at their workplace, domestic workers are vulnerable to abuse, which are difficult to detect since it occurs in private space. Without any safeguards, employees are often exploited and denied their basic human rights. They work long hours and poorly paid. Others are often not paid, and their identity papers are confiscated. Many are subject to physical and sexual abuse by their employers, all this occurring in an unfriendly legal climate. This has provoked

[58] Ibid
[59] Ibid
[60] World Bank 2008
[61] http://www.dailystar.com.lb/article.asp?edition_id=1&categ_id=1&article_id=116326#axzz0wzHdjrBK)
[62] Article 7 of the Labour Code excludes them from its scope.



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indignation in and outside Lebanon.[63] According to Human Rights Watch, some migrant domestic workers die while working.[64] Eight deaths were reported in October 2009. Most of these deaths were classified as suicides or accidental while trying to flee from the employer. Authorities are reluctant to investigate and almost always place blame on the immigrant. Immigrant workers are arbitrarily arrested and put in prison, even if they are the victim. CARITAS Lebanon assists exploited immigrant victims and provides them with legal and medical assistance.

Sometimes, immigrant workers decide to stay in Lebanon after their initial contract expires to work independently of their original employers. Their employer signs a release, freeing him/her from his/her obligations. They become illegal in Lebanon unless a person or agency vouches for them or if their work permits are still valid. A study from CRTD-A on Sri Lankan domestic workers who remained in Lebanon to work as 'freelance',[65] shows their main motivation for this type of work is financial. Their incomes as freelancers are higher, which compensates for the loss of accommodation and it allows them to continue to support their families back home. Through this work, they earn their economic and social independence. Their freelance status allows them to contact their family in Sri Lanka whenever they wish, as opposed to being severely restricted to do so as contract employees.

The Ministries of Labor, Interior, Justice, Social Affairs and Foreign Affairs have formed, with the ILO, a steering committee to prepare and adopt a unified work contract to regulate and improve the working conditions of migrant domestic workers. This contract has been in force since February 2009.[66] While it does not set minimum wages or penalties for unscrupulous employers, it is an important breakthrough in protecting the rights of migrant domestic workers.

2.5 Refugees

[63] Article 'Bonnes à vendre' *Le Monde* 10 October 2007 and Human Rights Watch Report 14 November 2007 on Middle East and Lebanon. Dépêche AFP 28 January 2010 at http://www.abs-cbnnews.com/pinoy-migration/01/28/10/lebanons-foreign-domestic-workers-fight-back-abuse

[64] http://www.hrw.org/en/news/2010/05/21/protecting-lebanon-s-domestic-workers

[65] Domestic workers free lancing in Lebanon: The case of the Sri Lankan, CRTD-A, June 2009.

[66] See Contract in annex.

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Lebanon has not ratified the Geneva Convention of 1951 related to the Status of Refugees nor its 1967 Protocol, and does not offer specific legislation for refugees and asylum seekers. Over 70% of refugees registered with UNHCR have no legal status in Lebanon and can be arrested or imprisoned at any time.

Women refugees in Lebanon live in extremely vulnerable conditions because they suffer a combination of gender, socio-economic and refugee discrimination. Their lack of legal status deprives them of civil and socio-economic rights, medical assistance and legal protection from violence, which adds to their vulnerability. The government does not distinguish between refugees and emigrants. All foreigners without legal status are subject to arrest and detention for illegal entry and residence on Lebanese territory. 70% of refugee women, without legal recognition, live a semi-clandestine life, and are subject to different forms of exploitation. They seek work in the informal sector. There is no government policy or institution to protect refugee women against discrimination and violence.[67] Lebanon is home to three main groups of refugees: Palestinians, Iraqis and Kurds.

Palestinian refugees

According to UNRWA, 425,640 Palestinian refugees[68] including 209,622 women[69] live in Lebanon in deplorable social and economic conditions in 12 overcrowded camps,[70] since the government has imposed strict regulations to limit camp size. Despite the May 13, 1948 Decree recognizing Palestinian refugees fleeing war in Palestine,[71] the Lebanese government

[67] United Nations Beirut Country Team, Consideration 2 January 2008
[68] UNRWA data on 1st January 2010 http://www.UNrwa.org/etemplate.php?id=253)
[69] UNRWA, 16 August 2010
[70] 90 300 persons per km²
[71] Decree N°11770/1948 of 13 May 1948: 'Anyone who has found refuge in Lebanon due to the conflict in Palestine is considered a refugee regardless of nationality, initial place of residence and economic situation.'

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considers Palestinian refugees the responsibility of the international community. They are denied civil rights and are given limited access to employment and property.[72] The employment of Palestinian refugees is ruled by the Labour Code of 1946, which treats them as foreigners. They do not enjoy the special provisions of the Geneva Convention and are treated as economic migrants. They must obtain work permits for certain professions[73] and are subject to the principle of reciprocity which stipulates that foreign nationals have the right to work in Lebanon provided that Lebanese people enjoy the same right in that country. While in theory this measure is fair, in practice it excludes all stateless Palestinian refugees, since a Palestinian state is not internationally recognized. This principle excludes Palestinians from most professions and limits their access to work. The Lebanese law also stipulates that Palestinian refugees must comply with all obligations imposed on foreigners regarding social security and do not qualify for compensation because of the reciprocity principle. The stringent conditions imposed on the Palestinian refugees to access work forces them to accept low-paying and insecure employment that does not correspond to their qualifications. They face a tight job market which sustains their precarious economic situation.[74]

Palestinian women also suffer from these restrictions but are more penalized than men. Only 13% of Palestinian women refugees work while 63% of Palestinian men are economically active in the camps. Professionally active Palestinian women are highly educated. Women work mainly with UNRWA and NGOs in Palestinian refugee camps as teachers, nurses, social workers and as administrative/management employees. There is a wide gender gap among Palestinian refugees: women are better educated and have more stable jobs than men, though a smaller proportion of women are employed, while men are more likely find employment, although at more menial and less stable jobs. Palestinian men, who on the whole have a lower level of education than women, find employment in the informal job market in sectors such as construction, agriculture, trade, hotels and restaurants. Despite the informal nature of these

[72]The 2001 law on property does not explicitly exclude Palestinian refugees from the property but denies the right to property to any person with no nationality of a recognized state. According to this law, unlike other foreigners, Palestinian refugees have no right to buy property on Lebanese territory. Those who previously to 2001 law owned a piece of land have no right to pass their property to their children. The parliament justified these restrictions by protecting the right of Palestinians to return. They have limited access to state services and rely on UNRWA and Palestinian and international NGOs to access basic services.

[73] Art. 2 of Decree N°17561 of 18/09/1964 on foreigners' work regulations

[74] In 2005, out of 100 000 foreign workers with a work permit, only 278 were Palestinian refugees.

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jobs and the low wages they earn, other foreign workers[75] compete for these same jobs with Palestinian refugees.

In July 2010, the Minister of Labour proposed that those Palestinian refugees subject to the provisions of the Labour Code but not to those of the National Social Security Fund (NSSF)[76] be allowed to obtain tax-exempt work permits and benefit from administrative services of the Ministry of Labour.[77]Parliament voted in favor of this proposal on August 18th, 2010, and an amendment to Article 59 of the Labour Code eliminated the requirement of reciprocity which was the main obstacle that prevented Palestinian refugees to work legally in Lebanon.

Under Article 59, Palestinian refugees[78] are still considered foreigners by the Labour Code and may seek employment in all professions except for those reserved for the Lebanese such as law, medicine, engineering and employment in the police force. Refugees are now exempt from taxes on work permits[79] Parliament also voted to change Article 9 of the Social Security Code. Palestinian workers can now register with Social Security without reciprocity, but they can receive no other type of compensation (like health and maternity leave) except for service compensation. Parliament's position is that health insurance and maternity leave should be the responsibility of UNRWA. A special fund will be provided at the National Social Security Fund (NSSF) to receive employees' end of service contributions.[80] This reform will make a big difference to Palestinian women: it will help them access higher paying jobs in the formal economy.

Palestinian women refugees married to Lebanese citizens are allowed to take Lebanese nationality and pass it on to their children. In contrast, Palestinian men married to Lebanese women cannot receive Lebanese nationality because of discriminatory provisions of the law on the transmission of nationality.[81] Thus, Palestinian men remain stateless. The recent

[75] From Syria, Sri Lanka, Philippines, Ethiopia and Bangladesh.
[76] Mr. Boutros Harb, Minister of Labour July 2010
[77] 28 July 2010. http://www.lecommercedulevant.com/node/16183
[78] The law applies to refugees from 1948 registered with UNRWA as well as to those registered with the Refugees Affairs Section of the Interior Ministry
[79] Taxes are about 1500 dollars.
[80] iloubnan.info 18 August 2010 http://www.iloubnan.info/Politique/actualite/id/49649/titre/Nouvelle-loi-sur-le-travail-des-Palestiniens-au-Liban-:-UN-compromis,-pas-UNe-r%C3%A9volution
[81] The Lebanese law provides that only Lebanese men, father or spouse, can transmit the nationality, (see Chapter II B)



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enforcement of the May 31, 2010[82] decree which gives children and foreign husbands of Lebanese women the right of residence for three years--following one year of marriage--, referred to as 'convenience residence permit', will improve their status temporarily until their residence issue is resolved on a more permanent basis.

Iraqi refugees

Since 2003, about 50,000 Iraqi refugees live in Lebanon. They constitute the second largest community of refugees after the Palestinians. 30% of these refugees are women.[83] UNHCR recognizes all Iraqis seeking asylum in Lebanon as such on a prima facie base. However, given that Lebanon has not ratified the 1951 Convention related to the Status of Refugees, Lebanese authorities do not grant legal status to Iraqi refugees and threatens them with arrest for residing illegally. In September 2009, 80 registered refugees were detained on the grounds that they had no valid residence permit.

The Lebanese government provides some limited services to Iraqi refugees and occasionally[84] provides them with amnesty to help them regularize their presence in Lebanon. It has not established any procedures to legalize their status on a more permanent basis. Iraqi asylum seekers are regularly sent back to Iraq. UNHCR is working with Caritas to provide these refugees with the necessary administrative and financial support during their settlement in Lebanon.

Iraqi children refugees have access to public and private education systems. According to UNHCR, about 1,000 Iraqi children were enrolled in school in 2009 through tuition grants. Iraqi refugees are entitled to the primary health care system of Lebanon and UNHCR provides, through various NGOs, secondary health care. Although they have no right to work, most Iraqi refugees of working age have engaged in professional activity. In 2005, 38% of

[82]Decree N° 4186 of 31 May 2010
[83] Human rights report 2009. US Department of State
[84] General Security's decision from February 2008. New extension of time granted from February to June 2009



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Iraqi women refugees and 91% of the men had an economic activity.[85] Many refugees work in the informal sector. Their illegal status limits their access to health care, education, social welfare services as well as employment and put women in a high vulnerability situation, without a supportive social network to assist them.

Kurdish refugees

Kurdish refugees are mostly descendants of refugees who fled Turkey and Syria during the First World War. They were denied the right to Lebanese nationality to maintain the confessional balance of the country. Out of the 75,000 Kurds now living in Lebanon, between 1,000 and 1,500[86] are stateless, despite the fact that their families have been in Lebanon for several decades. In 1994, the government issued a naturalization decree which has had limited impact because of the complexity and high cost of the procedure. Some Kurdish refugees have a 'tentative/prototype identity card', which does not specifies their date and place of birth. Like other refugees, Kurdish women live under social, economic and legal duress.

All women refugees, regardless of their origin, suffer from poor social protection. Women refugees are particularly vulnerable to violence in the domestic and public spheres. They are at high risk of being trafficked and are often forced to resort to prostitution to survive. These risks are higher for women head of households because they work outside the home. The absence of legal protective provisions for asylum seekers in Lebanon enhances the suffering of refugee women. Their protection is left to the often underfunded and powerless United Nations agencies and civil society. Refugee women rarely complain about abuse or seek t at hospitalization when needed for fear of imprisonment for being illegal residents.[87] Refugee women and girls are vulnerable and marginalized, with poor access to education, employment, health, housing and protection against violence. As long as their legal status is unclear, their struggle will continue.

3.0 Women in the Lebanese Economy

[85] Danish Refugee Council and UNHCR 2005
[86] Human rights report 2009 US Department of State
[87] United Nations Country Team Lebanon, Consideration of the Third periodic report of Lebanon 22 January 2008

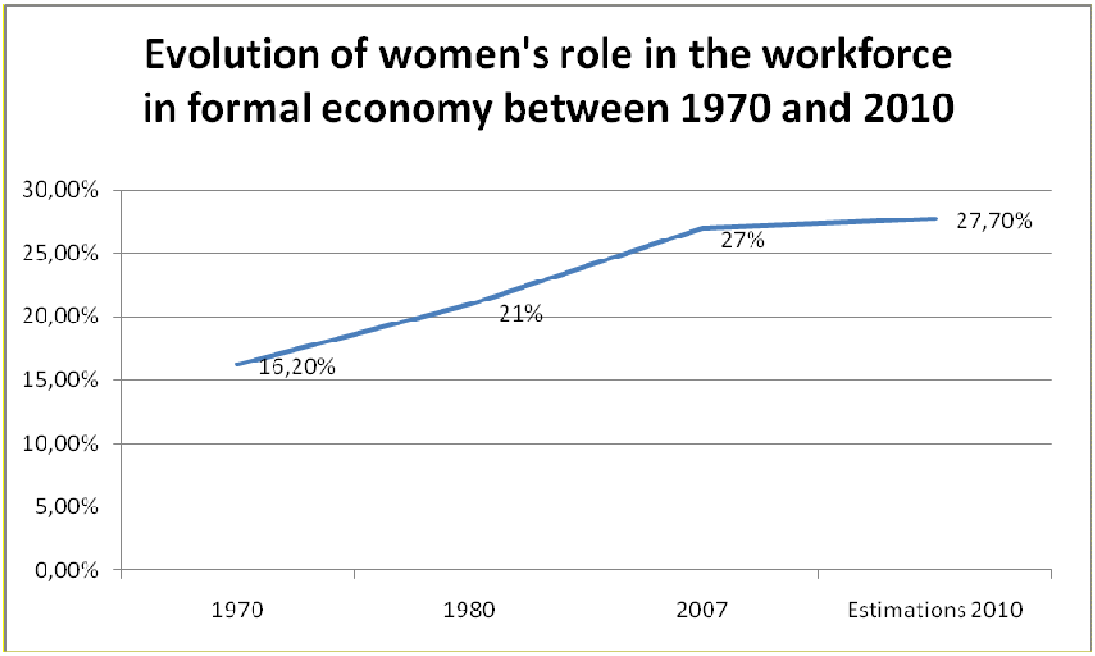


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3.1 Women in the workforce

Women's contribution to the workforce has increased considerably since the seventies, despite long years of war and successive conflicts that have plagued Lebanon **(Figure 5).**

Figure 5: Evolution of Women's roles in the workforce in the formal economy 1970-2010



Source: Yacoub, 2008. Lebanon Statistics on informal economy and employment.

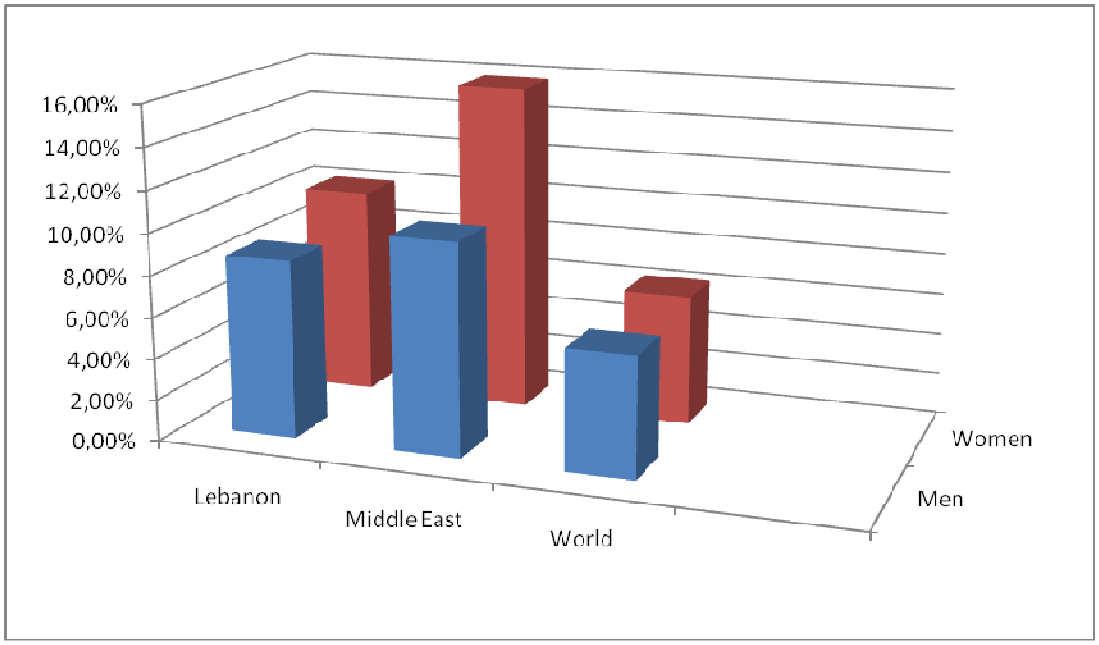
Yet Lebanese women remain significantly under-represented in the labor market, with Lebanon ranking as one of countries with the lowest rates of female employment in the world,[88] though compared to the region, they fair better **(Figure 6).**

[88] Freedom house: Women's rights in the Middle East and North Africa 2010. Lebanon. Economic rights and equal opportunities 2010 http://freedomhouse.org/printer_friendly.cfm?page=384&key=258&parent=24&report=86)

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Figure 6: Unemployment according to gender and regions in 2007



Source :ILO Labousta.org et http://www.observatoire-parite.gouv.fr/portail/comparaisons_internationales.htm

40% of working women are employed compared to 80% of men.[89] Compared to men, women continue to occupy lower positions. 24% of working women are engaged in professions like medicine, law, business and government, but only few of them reach senior management positions. For example, 90% of bank employees are women but there are no women bank managers in Lebanon.[90]

[89] The Status of women in the Middle East and in North Africa: a grassroots research and advocacy approach. IFEES 2010

[90] ILO contribution to CEDAW report, 2007.

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Lebanese women have been quite successful at business, and the higher their education achievement, the better their employment and economic opportunities. Approximately 1.5% of working women are employers themselves. About 8% of working women work for their own business.[91]

Working women tend to be young and single. Women are most economically active between the ages of 20 and 29. Their contribution declines as they marry and become mothers, which is when employers prefer to hire men.[92] The average age of female employees is 31 years compared to 35 years for men. 68% of female employees are single and 29% are married while the figures for men are 47% and 51% respectively.

The public sector employs almost the same proportion of women and men, 14.7% and 16.1% respectively. The general trend has been an increase of job opportunities for women in the private sector **(Figure 7),** though men are still usually preferred. The 2006 war reduced employment opportunities for women, particularly in the private sector, because of restrictions on movement, personal danger and economic losses caused by the war.[93]

There is a mismatch between the needs of the labor market on the one hand and the fields which women specialize in on the other. This problem is compounded by the lack of vocational and technological training adapted and offered to women.[94]

Figure 7: Labor force distribution between public and private sectors

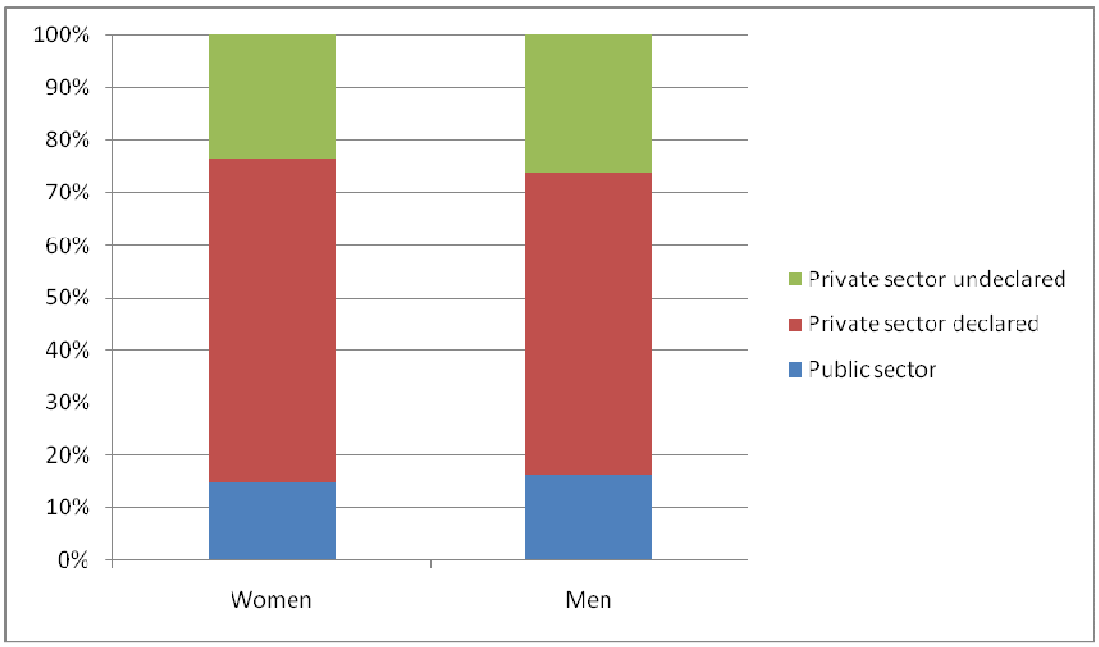
[91] Labourstа.ilo.org
[92] Sugita 2008 ILO Country Brief Lebanon
[93] Ibid.
[94] Choghig Kasparian, 'L'émigration des jeUNes libanais et leurs projets d'avenir', USJ, 2009, Beirut.

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Source: PNUD 2007 Household Living Conditions.

The unemployment rate in Lebanon is high compared to the rest of the world. Unemployment rates for women are higher than they are for men. Unemployment affects men and women more between the ages of 20 and 30 years,[95] with a peak occurring between 20 and 24 years, which correspond to the time when young people have completed their studies and are entering the first market for the first time[96] **(Figure 8).** Women new to the job market are particularly affected by unemployment. This gap in supply and demand for jobs encourages emigration abroad.

Figure 8: Distribution of employment in Lebanon by age and gender workforce percentage

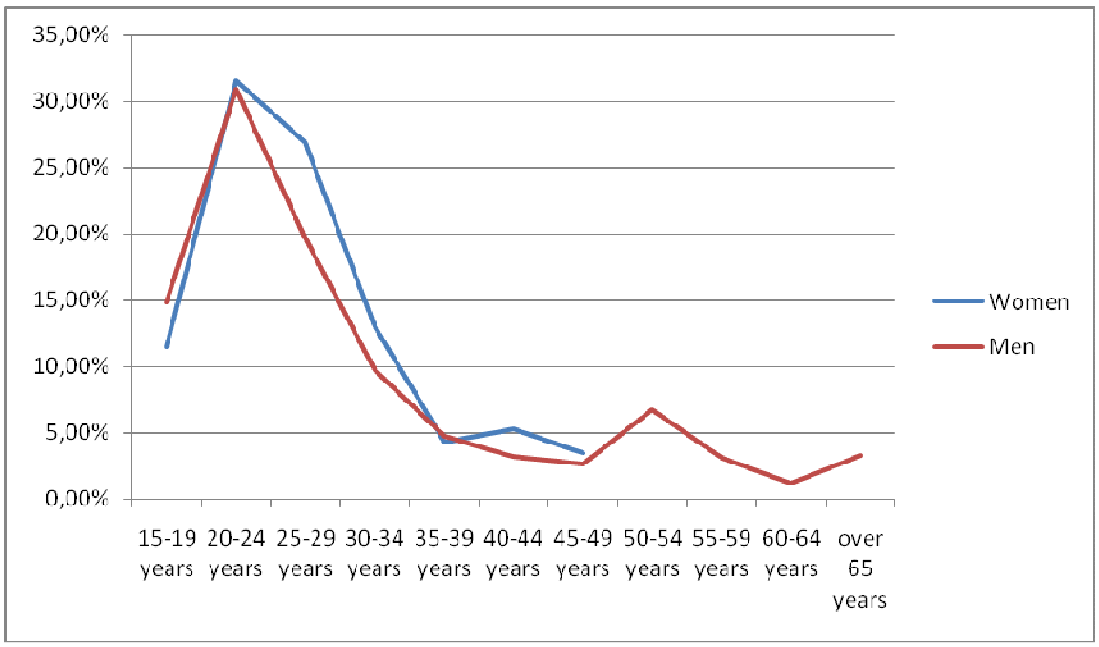
[95] Ibid.
[96] The emigration of high qualified young Lebanese. Choghig Kasparian, Robert Schumann Center for Advanced Studies, 2010.

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Source: UNDP 2007 Household Living Conditions

However, women graduates are less tempted by emigration than their male counterparts[97] and women with lower education levels and those without degrees do not seek emigration **(Figure 9).**[98]

Figure 9: Evolution of the Lebanese resident and emigrated Labour force and number of working University graduates between 1997 and 2007. (In thousands)

[97] The emigration of high qualified young Lebanese people. Choghig Kasparian, Robert Schumann Center for Advanced Studies, 2010

[98] Les femmes, l'enseignement, la formation et le travail au Liban : Revue de la littérature et recommandations. Jacques Kabbanji, Beirut, April 2010.

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	Total Population			University graduates		
	Men	Women	Total	Men	Women	Total
Resident workforce in 1997	976	246	1222	123	65	188
Resident workforce in 2007	1110	401	1512	246	181	425
Number of emigrated persons between 1998 and 2007	189	38	226	82	27	109
Emigration rate between 1998 and 2007 in % of the total 2007 workforce	14.50%	8.6%	13%	25%	12.98%	20.41%

Source: Choghig Kasparian 2010. 'The emigration of high qualified young Lebanese people' Robert Schumann Center for Advanced studies.

Unemployment rates have increased outside Beirut with the highest rate recorded in Mount Lebanon.[99] Unemployed women are mostly single (88.6%) and young.[100] Unemployment affects more women from poor households. A quarter of women from poor families are unemployed.[101] The commerce and services sectors provide most jobs for women but are sensitive to the political situation in the country.

3.2 Women's contribution by sector

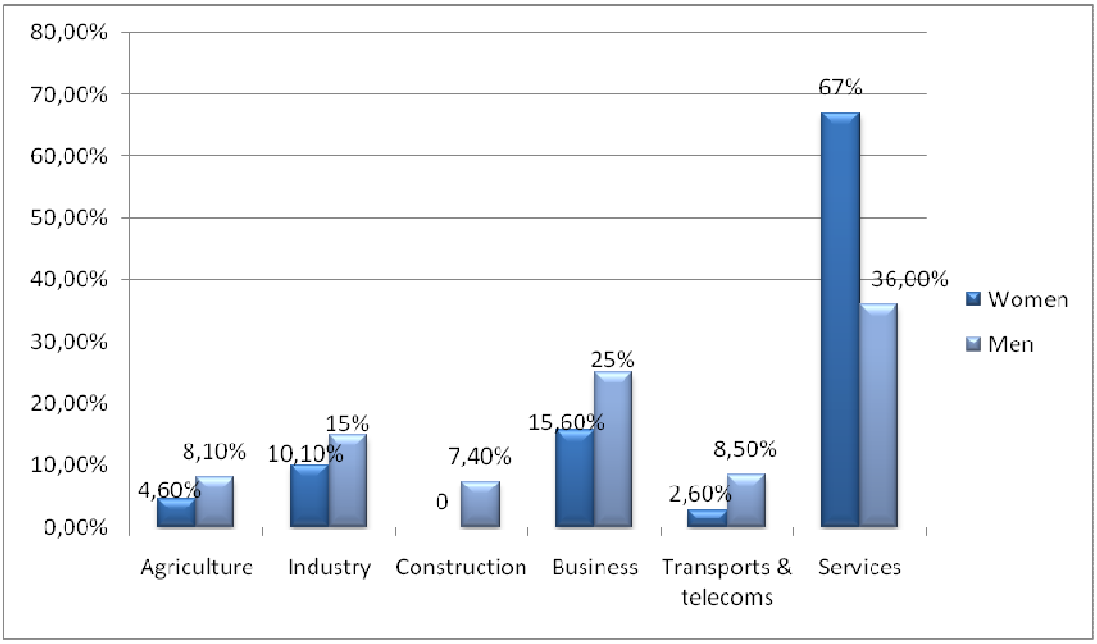
As is evident in Figure 10, employed women work in much larger numbers in services than men do in this sector and the service sector employs many more women than any of the other sectors of the economy **(Figure 11).**

[99] ILO Labousta
[100] UNDP Household living conditions 2007
[101] UNDP, 2008 Country study : Poverty, growth and income distribution in Lebanon

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Figure 10: Labor force by economic sector, in percentage of labor force by gender



Source :UNDP 2007 Household Living Conditions

Services

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The service sector is the largest and most vibrant economic sector in Lebanon. Alone, it accounts for two thirds of the GDP and enjoys a growth rate of 3.3% per year.[102] Over 40% of working women under 50 years are engaged in this sector. Women's employment in services is reinforced by the 'brain drain' of young male graduates to neighboring Arab countries which has a demand for them and pays considerably better wages. The service sector includes trade, tourism, restaurants, banks and ICT. The services offered are mostly low value-added services, which contribute comparatively little to strengthening local knowledge. The growth of this sector is at the expense of the agriculture and manufacturing sectors. However, services are very sensitive to political and security situation.[103]

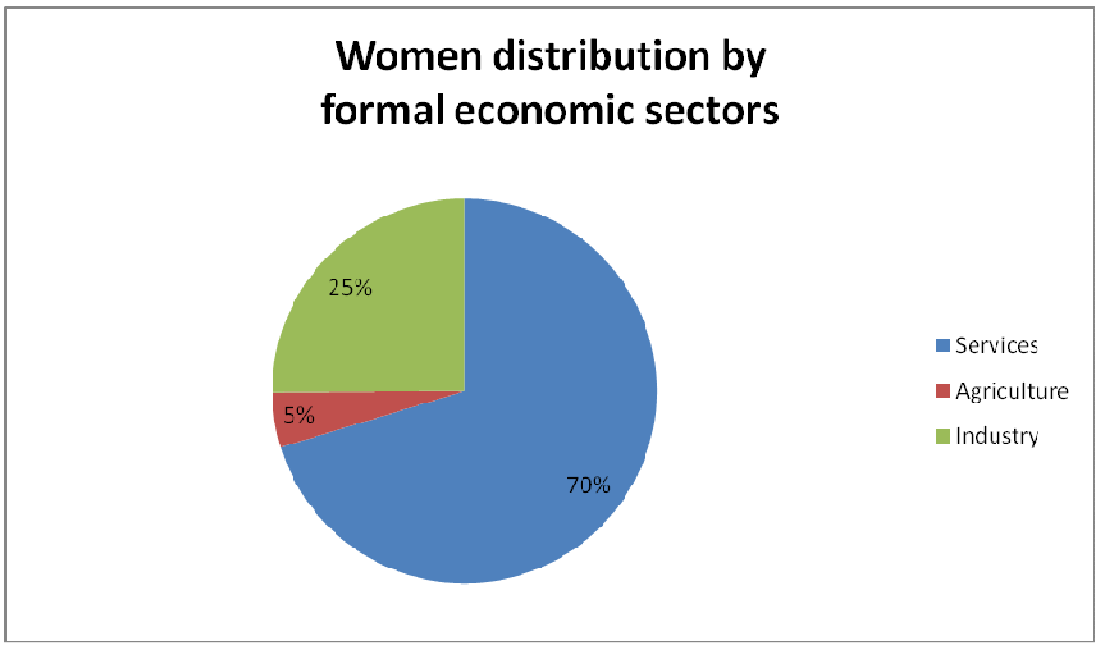
Trade alone captures 25% of the male workforce compared to 15.6% of the female workforce; this gap widens in Beirut with 29.5% of men employed in trade compared to only 13.5% of women.

Communications and information technology ICT) is competitive in Lebanon because of the available skills and entrepreneurship in this domain. This sector benefits from the openness and cultural diversity of the country but also from the keen interest in technological innovation. Women have more difficulties penetrating this market because of they are less able to access technical training and their limited mobility.[104]

Figure 11: Women Distribution by formal economic sectors

[102] World Bank, Lebanon at a glance. 2009
[103] Role of women in economic life program. Analysis of the economic situation of women in Lebanon. E.U. Euromed, British Council
[104] See the UNIFEM study on the women status in the sector of information and communication technologies http://www.UNifem.org.jo/pages/articledetails.aspx?aid=1292

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Source: UNDP Living Household Conditions 2007

Industry

The industrial sector contributes up to 41% to GDP and is growing yearly by an average of about 2.4%.[105] It employs 25% of active women, approximately 60% of whom are over 50 years, 35% are between 40 and 50 years and 23% are between 18 and 30 years.[106]

Industries are usually small and privately owned. There are few policies to promote industry with long-term loans. One European project helps to modernize and develop the industrial

[105] World Bank, Lebanon at a glance. 2009
[106] World Bank. Gender based differences among entrepreneurs and workers in Lebanon, April 2009

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sector by offering credit to small and medium enterprises contingent upon employing women.[107]

In the food industry sector, 12.4% of employees are women[108] and 46% of them work in the tobacco industry. Many women work on a seasonal basis, but also as family labor without salary. The precarious working conditions combined with low (or no) salary exposes women to a perpetual cycle of poverty.[109]

The construction sector is characterized by the almost complete absence of women[110] and the predominance of an immigrant male workforce. This sector is booming, as evidenced by the increasing number of building permits granted and the increase in cement shipments since 2010.[111] About 225,000 Syrians work in construction in Lebanon. Most reside and work in Lebanon illegally, living on-site or in cramped conditions and fearing arrest and abuse by some people who are hostile to their presence in the country.[112] The construction and the agriculture sectors are served by the largest number of poor workers.[113]

Agriculture

This sector represents 6.9% of GDP and is growing at a yearly rate of about 0.9%.[114] Agriculture has been neglected for many years by the State. It employs 7.2% of the total workforce, 4.6% of the female workforce and about 10% of active men.[115] However, it should be noted that labor statistics does not capture the unpaid work performed by women or men.

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[107] Role of women in economic life program. Analysis of the economic situation of women in Lebanon. E.U.Euromed, British Council
[108] Information from the 1998 Ministry of Industry's census
[109] Raymond W. Kassatly, The Food industry in Lebanon: Challenges and opportunities. A comparative study between the food industry and the rural women cooperatives (RWCs) Gender-differences in the Manufacturing Sector, CRTD.A, 2010, Beirut.
[110] UNDP Household Living Conditions 2007, only 95 women identified in the construction sector. They are probably more but they work informally and are not counted.
[111] Le Commerce du Levant, '*Permis de construire :+52.2% de superficie fin août 2010*' .available on : http://www.lecommercedulevant.com/node/17228 and '*Livraisons de ciment : +7,5 % pour les sept premiers mois de 2010*' http://www.lecommercedulevant.com/node/17189
[112] Irin. '*La situation déplorable des travailleurs syriens.*'available on: http://www.irinnews.org/fr/ReportFrench.aspx?ReportId=83919
[113] UNDP, 2008, Country Study: Poverty, growth and income distribution in Lebanon.
[114] World Bank: Lebanon at a glance. 2009
[115] UNDP 2007 Household Living Conditions

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Rural areas, where 12% of the population resides, are mostly marginalized and impoverished.[116] No specific development project has been designed to target specifically the issue of improving women's employment in agriculture.[117]

Women represent 34% of the total permanent family workforce[118] in agriculture as unpaid labor. They often work up to fourteen hours a day[119], including domestic work, without recognition and social or legal protection. Their responsibilities include planting, weeding, harvesting, food processing, livestock rearing and selling. They produce mostly staple crops for household consumption and small-scale cash crops for the market, while men are responsible for crops that are grown at a larger scale and require mechanization. Women work manually or with rudimentary equipment.[120] They provide considerable labor to the tobacco crop.[121] They also collect wood for energy and nearly 40% of remote rural areas require women to fetch water from source or wells.[122] Many women are hired to perform seasonal agricultural work, particularly during harvest time, receiving low salaries.

Women who are formally employed in agriculture do not fall under the Labour Code. Rather, they are subject to the Code of Obligations and Contracts, which does not provide them with enough protection.[123] They receive low wages, no social benefits and they face difficulties in accessing justice, health care,[124] land ownership, education, credit facilities and community services. They must also struggle to assert their rights to inherit land. [125]

The contribution of women to agriculture is decreasing. Their role remains unrecognized despite their wide participation in this sector. While the Rural Development Strategy

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[116] Role of women in economic life program. Analysis of the economic situation of women in Lebanon. E.U. Euromed, British Council

[117] Committee on Elimination of Discrimination against Women 691st & 692nd Meetings 12/07/2005

[118] Ministry of Agriculture's data, 1999 in Jacques Kabbanji, '*Les femmes, l'enseignement, la formation et le travail au Liban*', April 2010, Beirut.

[119] ESCWA, Gender in agriculture and agro-processing in Lebanon, 2001. Beirut.

[120] Roula Abi Chebel, 'Participation féminine et inégalités de genre dans l'agriculture libanaise. Case of Akkar, Série Master of science n°71, Institut Agronomique Méditerranéen de Montpellier, 2004.

[121] Ibid. ESCWA

[122] NCLW, "The national CEDAW report", 1998, www.nclw.org.lb/resource.htm

[123] See : Section II B)

[124] Absent or poorly maintained sewers systems and difficult access to clean water for many women increase considerably sanitary risks.

[125] CEDAW Committee Experts' report from 8 April 2008 http://genre.francophonie.org/spip.php?article318



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developed by the Government in 1983 through the Council for Development and Reconstruction planned to address the needs of rural women, none of these plans have been addressed.[126] The Government is currently working with FAO to carry out a full agricultural survey[127] including opportunities for women to improve their situation.[128] It is hoped that the results will offer concrete measures to improve the situation of women in the agricultural sector.

According to a study carried out by Abi Chebel in the Akkar region, women do not separate between income-generating and non-income generating work. The logic that governs their activities is primarily the survival and well-being of the family. Male farmers use similar reasoning. For them, women are first and foremost mothers and wives, with only minor roles to play in agricultural production even though they spend long hours performing agricultural tasks. Men are attached to their status as the main decision-maker although some recognize the importance of women's contributions to work and decision making at the family and field level.[129]

Women landowners represent 7% of all landowners,[130] but hold only 3.5% of arable land. Very often, they do not manage their property themselves because of culture compels them to entrust their property to a male relative.[131] Land ownership is highly fragmented into small land parcels and the cadastre is outdated as the land registration process is costly and difficult.[132] Women usually gain access to land through inheritance, though there is no law that prohibits women from buying land. It is more difficult for women to obtain a bank loan as the process is complicated and highly bureaucratic.

Membership in rural cooperatives empowers women to improve their production and marketing capacities, especially if fair trade and quality standards are addressed.

[126] Reporting on the Follow-Up of the Implementation of the World Food Summit Plan of Action 2004
[127] SAGA Economic Context Study, CRTD.A 2010 – Draft unpublished document for limited circulation
[128] Meeting with Mrs. Mona Assaf, Ministry of Agriculture. October 2010.
[129] Roula Abi Chebel, 'Participation féminine et inégalités de genre dans l'agriculture libanaise. Cas de Akkar, Série Master of science n°71, Institut Agronomique Méditerranéen de Montpellier, 2004.
[130] Ministry of Agriculture 1999.
[131] Karine Badr, '*Rural women and agriculture in the MENA*', CIHEAM briefing notes, N°66, 17 May 2010.
[132] Ibid. Roula Abi Chebel.

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Cooperatives also help women reduce production costs, improve economies of scale[133] and mitigate conflicts. They help offset the absence of formal social security by collective action. There are 151 women agricultural cooperatives[134] in Lebanon which gives them voice and recognition.[135] As members, they also receive better wages which in turn provides them with more self-esteem, as well as more bargaining power. In the absence of any support from the State, rural women count on NGOs to help them establish and run cooperatives. 'Fair Trade Lebanon' is an example of an NGO which has established a network of 13 women cooperatives that benefit 350 people. Women members receive training on standards and hygiene compliances for export.[136]

3.3 Women in the informal economy

According to the 2002 International Labor Conference on the informal economy, the term 'informal economy' refers to "all economic activities realized by workers or economic entities theoretically or practically not encompassed by formal dispositions".[137] Informal work is characterized by a legal void, a relation between employee and employer which escapes legislation and does not abide to any legal framework. It also comprises non-paid work, including household work and care, which most Lebanese women assume and is not captured in employment data. It contrasts drastically with the classic definition of work, which, from a micro-economic point of view, is any income-generating activity performed by people. From a macro-economic point of view, work is defined as any activity that contributes to economic production, measured by GDP. Neither of these definitions take into account childcare, house work, care for the elderly or non-paid family labor in agriculture, since these do not generate direct income. The definition of work by its intentionality[138] is much more exhaustive and includes the combination of paid and unpaid activities in or outside the family sphere.

[133] SAGA Economic Context Study, CRTD.A 2010 – Draft unpublished document for limited circulation
[134] CRTD-A, Namlieh.
[135] Nancy Fraser, '*Redistribution, recognition and participation: towards an integrated concept of justice'*, New School for Social Research, United States, research supported by Unesco and Stanford University.
[136] La Journée mondiale de la femme rurale célébrée au Liban, L'Orient le Jour, 19 October 2010.
[137]Gender and Rights in the informal economies of Arab States. Observations on the Lebanese Case. Randa Aractingi with Nadim Ghorra
[138] Robyens, 2000 in Sugita, S. 2007. *A Final Social Care Assessment in Lebanon.* ILO ROAS, Beirut

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According to this definition, work is: "all activity, remunerated or not, done with the intention of providing goods or services to another person or oneself ».[139]

The ILO sets the maximum threshold of 5 employees to define an informal enterprise.[140] 90% of Lebanese businesses belong to the informal sector and are micro-enterprises, with less than 5 employees.[141] 93.2% of them are one person enterprises.[142] The informal economy is hard to quantify given that it involves a non-declared working relation between employees and employers and excludes administrative authorities.

The majority of economically active persons in Lebanon (61%), work in the informal economy, as self-employed or as employees.[143] Employed workers in the informal economy exist in all sectors and usually work without a contract. Pay is often low and late coming. Employees do not receive social benefits like medical or unemployment insurance and employment can often be temporary.[144]

There is little incentive for entrepreneurs to formalize their activities because administrative fees, taxes and transaction costs are high, irrespective of the size of the business. In addition, registration procedures are time consuming, tedious and plagued with corruption. It is easier, quicker and cheaper for Lebanese entrepreneurs to set up an informal business,[145] especially that they are not required to provide social security. The financial sector offers no specific credit lines to these businesses, and the law is poorly enforced by inspectors who are prone to corruption. To solve the problem of the invisible economy escaping control, the State is now providing simplified reporting procedures and substantial tax incentives to help formalize businesses.

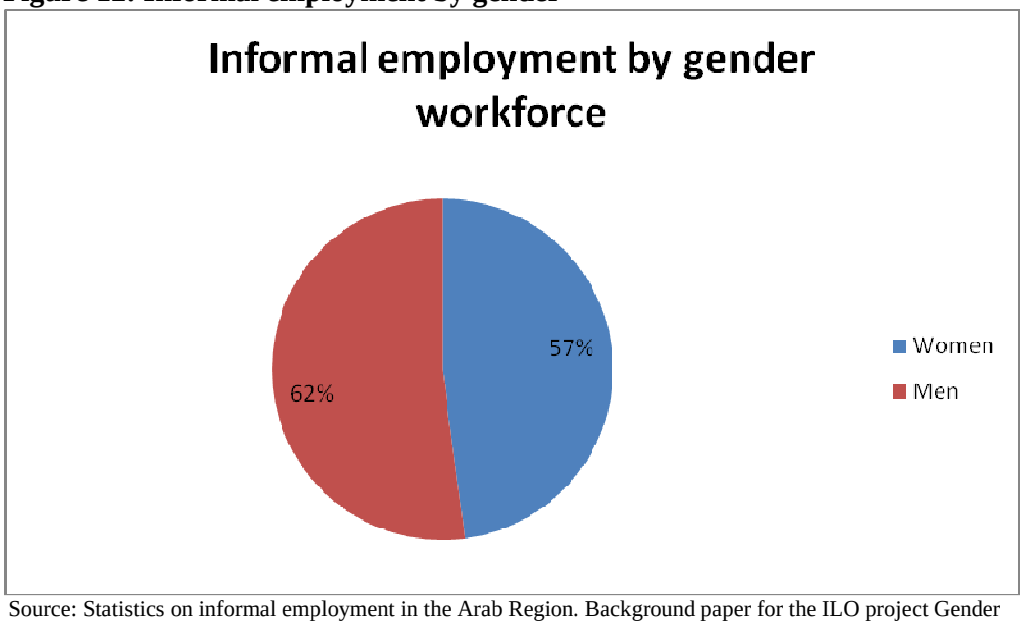
[139] Sugita S. Ibid 2007
[140] Recommended threshold by the Delhi group of Women in the Informal Economy. ILO contribution to CEDAW report 19 November 2007
[141] World Bank, MNA Knowledge and learning Fast brief : Gender-based differences among entrepreneurs and workers in Lebanon, 29 April 2009
[142] Results of the 2004 and 2005 "Census of buildings, dwellings and establishments" according to the ILCS Delhi Group's definitions.
[143] Yaacoub, N. 2008, *Lebanon Statistics on Informal Economy and Employment.* ILO ROAS, Beirut.
[144] Gender and Rights in the informal economies of Arab States. Observations on the Lebanese Case. Randa Aractingi with Nadim Ghorra
[145] ILO ROAS, 2008a



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Over half of working women are informally employed in Lebanon (57%), compared to 62% of working men.[146] In absolute numbers, men are likely to work in the formal sector **(Figure 12).**[147]

Figure 12: Informal employment by gender



Source: Statistics on informal employment in the Arab Region. Background paper for the ILO project Gender and Rights in the Informal Economies of Arab States, 2007.

[146] Charmes, Jacques. Statistics on informal employment in the Arab Region. Background paper for the ILO project Gender and Rights in the Informal Economies of Arab States, 2007

[147] ILO contribution to CEDAW report. 19 November 2007



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Women employed in the informal economy are more exposed to all types of hazards, associated with unsafe and poor working conditions, violence and increased exposure to HIV/AIDS and other illnesses.[148] The gender wage gap in the informal economy equals and often exceeds that of the formal economy. Persistent inequalities between men and women continue.[149]

Women also engage long hours performing marginal work, which is also informal work not governed by law. Its products are not intended for the market. It is work defined by its intentionality. It is most often characterized by the lack of remuneration and social benefits and by a generally low level of training. It includes, among other things, domestic work, assistance and providing care for the elderly and children supporting children's education. It comprises the invisible part of informal work. Women almost exclusively perform marginal work in Lebanon, [150] as children and as adults, setting the stage for the traditional gender division of labor in this domain. Most 'active' and 'non active' women view household and family responsibilities as priority, regardless of their professional status.[151]

Conflicts and wars in Lebanon combined with demographic changes (falling birth rates and longer life spans), have altered the traditional family unit, particularly in terms of caring for family members. As more women pursue economic activity outside the home, they have less time available for marginal work. This, in turn has increased the demand for outside care of young children, the elderly and assistance with homework.[152] Such services are expensive. When they can afford it, working women hire housekeepers for these purposes.

By delegating marginal work to others who get paid, marginal work changes status from informal unpaid work to formal paid work framed by a labor contract and involving wages

[148]Chant Sylvia and Pedwell Carolyn. 'Women, gender equality and informal economy: evaluation of the ILO research and proposals on what to do.' London School of Economics, ILO 2008.
[149] Chant Sylvia, 2007. «Addressing Gender Inequalities in Cities of the South: What Role for the Millennium Development Goals?» document prepared for the UNU-WIDER project's seminar "Beyond the Tipping Point: Development in an Urban World", London School of Economics, 18-20 October 2007.
[150] Abramo Lais and Valenzuela Maria Elena, 2006 "*Employability and gender equality in Latin America, in Lais Abramo* (ed.), Decent work and gender equality in Latin America.
[151] ILO ROAS, Policy Brief 1 'Social care needs and service provisions in Arab States: Bringing care work into focus in Lebanon, Beirut.
[152] Seiko Sugita, 2007 *Final Social Care assessment.* ILO ROAS, Beirut

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and formal regulation. The border between formal employment and marginal work really depends on the person who executes it rather than the nature of the work itself.

Research and data on women's invisible work are virtually inexistent in Lebanon. This indicates that it may not be valued as an economic contribution in its own right.[153] Marginal work is not captured in the GDP and care providers are invisible in all other economic indicators.[154] A systematic study is needed to better understand marginal work, including informal work conducted by rural women. This research could capture the time spent by women in performing domestic work and the nature of the work performed to estimate the monetary value of this work and assess its contribution to the economy.

Capturing women's participation in the economy is currently measured by the unemployment and employment rates of women in the workforce, defined by the sum of those working and those who are unemployed but want to work. This approach is lacking because it neglects the marginal work performed women.

The United Nations uses a standardized system of national accounts (SNA), developed in 1947, to determine the boundary between economic and non-economic activity in order to quantify economically active populations.[155] However, it does not take into account unpaid domestic nor volunteer work. It ignores the human cost, time and intention of human activity, and ignores domestic work in the measurement of economic progress.[156]

Whether people who perform domestic work should be included in the labor force category and used to measure employment rates is still being debated.[157] Indeed, the economic measures used to capture marginal work are complicated because the definition of activities remains unclear. The ILO defines domestic work as: "work consisting in addressing and meeting the physical, psychological, emotional needs and related to the development of one or more persons.[158] Only when this work is exercised in the public sphere as paid health or

[153]Raymond W. Kassatly, ibid.
[154] UNRISD, '*Pourquoi les soins sont importants pour le développement social*'. Research and policy brief 9, Genève, May 2010 available on : http://www.UNrisd.org/UNrisd/website/document.nsf/(httpPublications)/925EC592F5035635C125771900516D8A?OpenDocument
[155] ILO 2010 Women in markets: Measuring progress and identifying challenges
[156] Source: UN Platform for Action Committee (UNPAC) http://www.UNpac.ca/economy/econmeas.html.
[157] ILO 2010 Women in Labour Market: measuring progress and identifying challenges.
[158] ILO 2010 Women in Labour Market: Measuring progress and identifying challenges.

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childcare services in a formal framework, that it has a cost and an established economic value. However, when it is performed in the private sphere, it is not recognized and rewarded. No economic value is given to the work associated with caring of the elderly and rearing children, even though these constitute an integral part of the country's social fabric.[159],[160]

What economic value is society ready to give as recognition of this work? And will the value be the same for the child-rearing, elderly care and household work?[161] Research shows that if a monetary value was assigned to these activities, they would represent between 10 and 39% of countries' GDP[162], which is an enormous contribution to economies and welfare systems,[163] and significantly reduces the financial burden of the state to provide this care.[164]

Some countries are adopting a system to measure and evaluate the value of unpaid domestic work with the intention of capturing its contributions to GDP and compensating women for the work they perform in these areas. [165]

3.4 Women entrepreneurs

There are no legal restrictions that limit women to set up their own businesses and engage in income-generating activities. Women head about 18% of all companies in Lebanon. More women-headed businesses are found in Beirut, Mount Lebanon and in especially the South, where 25% of companies have a female executive.[166] The high rate of female executives in the South is attributed to many years of Israeli occupation, where men have died or have been

[159] UNRISD Ibid.
[160] ILO: Gender equality at the heart of decent work, Report VI, International Conference, 98th Session, Genève, June 2009
[161] On this issue: Amartya Sen: "Inequality, Unemployment and Contemporary Europe", in International Review (Geneva, ILO, 1997), Vol. 136, No. 2; as quoted in A.S. Young: "Employment statistics as social statistics: Some challenges", EUROSTAT Conference : Des Statistiques Modernes pour des Sociétés Modernes, Luxembourg, 6-7 December 2007
[162] UNRISD Ibid.
[163] WIDE, ibid.
[164] ILO: Gender equality at the heart of decent work, Report VI, International Conference, 98th session, Geneva, June 2009.
[165] Seiko Sugita, 2007 *Final Social Care assessment.* ILO ROAS, Beirut
[166] Enterprises in Lebanon: A post conflict impact assessment 2006-2007: one year after. ILO, UNDP, SIDA



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imprisoned. In the South, there is also a higher percentage of female-headed households and 4.9% of the female entrepreneurs are widows who head family businesses.[167]

The number of businesses owned by women is on the rise. Women in the lowest income group often run micro-businesses. Not all who own a business actually manage it. Often, tradition dictates that management is entrusted to a male relative. Women hold about 8% of small and medium size enterprises[168] which are often less profitable, such as handicrafts, food processing units and trade in domestic consumption goods.[169] However, recently, they are found in increasing numbers in areas that were previously exclusively reserved for men, like engineering and industry.

Women and men have different management styles. Women treat their female employees better than men employers and are more concerned with their needs.[170] They offer more opportunities to grow to their female colleagues: 44% of steering committees businesses run by women are composed of women, compared to only 23% in companies run by men.

Often, women run business have better working conditions:

- 50% of women-run businesses offer family health insurance compared to 37% of firms run by men.[171]
- Only 0.5% of leave applications made by women have been denied in women-run businesses, while 6% of women were refused annual leave in man-run companies.[172]
- 80% of women were granted maternity leave in women-run companies compared to 72% in men-run companies.
- 47% of the workforce employed by women-run companies is composed of women compared to 34% in firms managed by men.[173]

[167] Social and Municipal Development : Poverty targeting system, CRI, 2002
[168] Enterprises in Lebanon: A post conflict impact assessment 2006-2007: one year after. ILO, UNDP, SIDA
[169] Randa Husseini. 'Promoting Women Entrepreneurs in Lebanon: the experience of UNIFEM' in Gender and Development Vol.5, No.1, February 1997
[170] Marie-José Daoud, *'Les femmes au travail: Des discriminations toujours importantes au Liban'*, Le Commerce du Levant, September 2009, Beirut.
[171] World Bank, MNA Knowledge and learning Fast brief : Gender-based differences among entrepreneurs and workers in Lebanon, 29 April 2009
[172] Le Commerce du Levant, September 2009
[173] World Bank, ibid.

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- Among entrepreneurs, the percentage of divorced women is 5 times higher than that of divorced men.[174]

Women entrepreneurs are less likely to declare their businesses than their male counterparts. The biggest challenge for women entrepreneurs is to obtain credit to help finance their businesses. The financial sector, largely composed of men, is often reluctant to provide women with credit. Less than half of the women who have applied for credit received a loan compared to 64% of men.[175]

Women entrepreneurs are young (75.8% are under 44 years compared to 56.4% men[176]), married (75.3%) and have obtained higher levels of education than men (31.4% of them have a university degree compared to 20.3% men) and 16.2% of them have a technical education, while only 8.9% of men have completed a technical degree.[177]

Women entrepreneurs are socially well accepted. Many of the micro-projects they manage are often based at home. This gives them flexibility and allows them to fulfill their traditional roles while generating income. While this entails a heavy workload, they are protected from the harassment they risk when they work elsewhere. They often receive financial and other type of help from their family.

The 'Banet Taxi' company is a good example of such an enterprise. It is a taxi service run by women for women. It doubled its revenue in one year and the number of clients is increasing.[178]

3.5 Social Protection

The social security system was established in Lebanon at a time when the proportion of women in the labor market was low. The system was based on the traditional family model in

[174] Gender and Rights in the Informal economies of Arab States. Observations on the Lebanese Case. Randa Aractingi with Nadim Ghorra
[175] Enterprises in Lebanon: A post conflict impact assessment 2006-2007: one year after. ILO, UNDP, SIDA
[176] Ibid
[177] Ibid
[178] Article from cyberpress on http://www.cyberpresse.ca/international/moyen-orient/201005/08/01-4278487-les-taxis-pour-femmes-font-fureur-au-liban.php

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which the man is the sole earner in the family while the wife assumes responsibility for domestic work and child rearing.[179] But this situation has since changed considerably. The number of working women has increased significantly and there are many more single family households. Despite these changes, social security has still not yet adjusted to these new realities. Women who work in the informal economy—about a third of all working women, receive no social protection.

The welfare system in Lebanon is fractured. It is composed of many insurance schemes that differ in terms of coverage and provide limited coverage at a very high cost **(Figure 13).**[180]

The National Social Security Fund (NSSF)[181] insures private sector employees and teachers and public employees not covered by the Civil Servants' Cooperative. The latter insures ministry employees, army personnel and internal security forces. Mutual benefit companies,[182] provide pensions, and social and medical insurance. Only 44.5% of employed women and 35% of men are covered by one of these three social security schemes,[183] leaving all others without social protection unless they can access private insurance.

Private insurance protects 15.6% of working women. It also supports the legal requirement for health insurance for people who hire immigrant domestic workers. To meet the increasing demand for social protection, there is also a parallel network of confessional institutions operating all over Lebanon that provide social welfare to their own communities.

[179] Bilan sur la participation économique des femmes au Liban.2001 www.lamicrofinance.org/.../18038_file_PARTICIPATION_ECON_FEM_LIBAN.pdf

[180] World Bank: Country Partnership strategy.

[181] Independant fund, co-managed by State representatives, employers and some employees. It covers three branches of social insurance: sickness and maternity, family and education allowances as well as end of service indemnities.

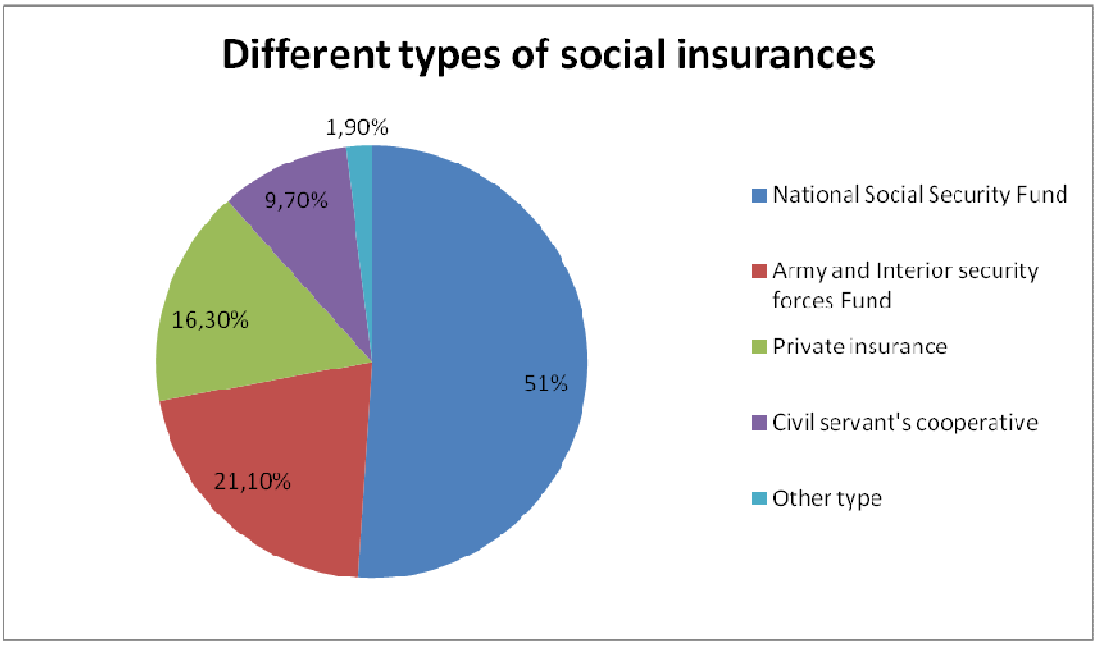
[182] Non lucrative mutual benefits companies are linked to the Ministry of Agriculture and are managed like cooperatives. Initially, they have been organized to provide sickness insurance to farmers who could not subscribe at the NSSF. Contributions are 11 times less expensive than the subscriptions to other insurances companies because they do not pay tax to the State and are not suppose to make benefits.

[183] Randa Aractingi avec Nadim Ghorra, (n.d.), *Gender and Rights in the informal economies of Arab States. Observations on the Lebanese case*.

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Figure 13: Different types of social insurances



Source: CAS Lebanon in Figures 2008

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3.6 Women in trade unions and associations

The high level of education achieved by Lebanese women contrasts sharply with their comparatively poor level of participation in economic and political life, as well as their poor representation in trade unions. During the civil war, women organizations, mostly humanitarian ones, flourished to help communities affected by war. Women's contribution in this field provided substantial support to needy war victims and a key role in their own empowerment. In contrast, unions have not taken an interest in women rights. Women rarely

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seek membership in unions and there are no women members in the executive committee of trade unions.[184]

Since 2001, the participation of women in unions has increased slightly, thanks to the establishment of the Unions Training Centre, which offers educational programs and supports women's participation in various activities. Women's lack of involvement in unions is also attributed to their heavy workload and family responsibilities, especially in the absence of adequate daycare. Women rarely have interest in joining an organization that does not defend their rights or address their needs. Unions are male-controlled institutions dominated by male networks and relationships with little space for women participation. Also, membership fees are too high for low-income women and persistent stereotypes about women hinder their ability to be active in union settings. Finally, unions are limited to specific professions only,[185] automatically excluding many women in the workforce to join.

The General Confederation of Lebanese Workers (CGTL) was founded in 1958 and comprises 36 federations that encompass 7% of the Lebanese workforce, 3% of whom are women. Unions were active in the past but social and political divisions have weakened them, as has the economic crisis, rising unemployment and changes in the structure of the labor market.[186] Government power over trade unions is another major obstacle to their effectiveness. The Ministry of Labor authorizes and approves the creation or dissolution of a union, dictates union structure and controls elections. Union power is also limited by the Labour Code, which excludes domestic workers, day laborers, temporary workers and certain categories of agricultural workers from membership and the right to organize. In addition, the 150,000 government employees are not allowed to create or join unions.[187]

With regard to women's participation in organizations, this is highly influenced by their level of education and religious affiliation. The higher the education level attained, the more likely women involve themselves in organizations. More than 50% of people working in charities

[184] ILO 2008 Country Brief1 Advancing women's employment in Lebanon
[185] Joyet Beyene, Situation of trade Unions and women's incorporation. Assessing the situation of women workers within trade Unions in Lebanon, ILO, 2006
[186] Ibid
[187] ITUC CSI IGB Rapport annuel des violations des droits syndicaux 2007 : http://survey07.ituc-csi.org/getcountry.php?IDCountry=LBN&IDLang=FR

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are women.[188] Membership in organizations is 41% among university graduates. Christian and Druze women are more likely to be involved in organizations than Sunni and Shiite women: 35% of Christian women and 31% of Druze women are members of one organization or more, compared to only 18% of Sunni women and 19% of Shiite women.[189] In expressing their political opinions, Lebanese women prefer to participate in community events that do not require personal initiative. Still, a third of all Lebanese women took part in protests in the last twelve months.[190]

To encourage more women to join unions and political parties, women activists have fought for more inclusion by calling for the establishment of quotas for women in public office and promoting policy that promotes gender equality. In the Lebanese setting, women must also overcome sectarian biases. Unions must also actively seek women by advertizing and the media. Women should organize more workshops, conferences and forums to assess their contributions to the economy and raise awareness on their rights for work and at work. Finally, trade unions could also launch initiatives to increase public awareness about women's economic and social rights by awarding prizes to women in recognition of their contributions.

The main forms of discrimination faced by women in the workplace can be summarized as follows:

- Unequal pay: women are paid 27% less than their male colleagues for the same type of work, despite the existence of a law that requires equal pay between men and women. In addition, married women pay more tax on their income than men because they are treated as single, even if married, which is a status not subject to the same tax breaks a married employee.
- Biases in leaves and holidays: Women are denied sick leave eleven times more frequently than men and vacations are often denied to single women without young children.[191]

[188] World Bank, Gender and Development in MENA: Women in the Public Sphere, Statistical Appendix, 2003 , http://siteresources.worldbank.org/INTMENA/Resources/MENA_Gender_BW2007-2.pdf
[189] IFRES 2010 The status of women in the Middle East and in North Africa: A grassroots Research and advocacy approach.
[190] Ibid. IFRES 2010 The status of women in the Middle East and in North Africa: A grassroots Research and advocacy approach
[191] World Bank study on the place of women in the economy, 2009.

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- Preferred hiring: with equal qualifications, employers often prefer hiring men.

3.7 Barriers to economic empowerment

Men are still perceived to be better at assuming economic responsibilities than women. One of the main obstacles to the economic empowerment of women is cultural. Women are expected to occupy traditional jobs like teaching, nursing and office administration work. These activities are often perceived to be more compatible with women's nature and the primary role given to them, including their role as mothers and wives. There are some women who believe that when jobs are short, men should be given priority to occupy these jobs.[192]

School textbooks endorse these stereotypes by portraying women in their traditional roles at home and raising children, while men are represented in important decision-making positions. From their early age, children are exposed to these archaic representations. Even in domains which are now open to women, such as medicine, women doctors tend to choose specialties associated with women specialties, such as pediatrics and obstetrics. Women's professional choices are made according to whether the profession may interfere with their reproductive life and their role as mothers, which, according to many women, including highly educated women,[193] is their primary function.

Single or married, women still face the heavy influence of their male relatives in the professional and financial choices they make. Single women are more likely to seek employment than married women, who often remain at home to fulfill their family obligations.[194]But circumstances prevail too: during hard economic times, both married and single women will seek employment, though, often, employers, colleagues at work and customers often prefer to deal with men employees.

[192] The status of women in the Middle East and in North Africa: a grassroots research and advocacy approach. IFES 2010. http://www.arab-hdr.org/publications/other/ahdr/ahdr2005e.pdf
[193] Freedom House 2010
[194] ILO contribution to CEDAW report, 2007

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According to a recent survey, women work for a variety of reasons: so as to ensure a higher standard of living for their family (37%); their desire to be financially independent (20%); their will to improve their social status (9%) and to escape family pressure (9%).[195] In choosing work, women attach importance to the proximity of their workplace to their home, as well as access to daycare and flexible working hours. In comparison, men are motivated by economic factors such as salary and benefits.[196]

4.0 Legal Frameworks: An Analysis of Discrimination

The legal framework of Lebanon is composed of international conventions ratified by the State and by national civil and confessional laws.

4.1 International conventions and regional declarations

Lebanon has ratified several international conventions that affect women. It ratified the 1948 Universal Declaration of Human Rights, the 1960 UNESCO Convention that prohibits discrimination in education and the 1976 International Covenant on Civil and Political Rights, which confirms equality among human beings. But the term 'universal' used by these conventions was vague and limited their effectiveness vis-à-vis women. It was not until the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), enriched by its additional protocol, that the principle of gender equality was directly addressed in international conventions. Lebanon ratified CEDAW in 1996 but expressed reservations on articles 9 (2) on nationality and 16 (1) c, d, f and g, concerning the rights and responsibilities of spouses during marriage.

These reservations, combined with the limited extent to which CEDAW has been adopted ad applied by the law reflects the lack of political will of parliamentarians and politicians to embrace gender justice and severely limits its impact on women rights, including those affecting their employment. Lebanon continues to retain discriminatory laws, which effectively annuls the ratification of the Convention. The absence of a binding principle and sanctions if party states fail to integrate CEDAW into domestic law has resulted in its partial

[195] Role of women in economic life program. Analysis of the economic situation of women in Lebanon. E.U. Euromed, British Council.
[196] World Bank, 2009.

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implementation in many parts of the world, including Lebanon. It is thus incumbent upon international organizations together with civil society to pressure the Lebanese state to implement its international commitments.

In 1995, Lebanon participated to the Fourth World Conference on Women in Beijing, and acceded to the principle of equal access of men and women to power structures and decision-making bodies. The Declaration, adopted by consensus, called on governments of the 189 attending countries, including Lebanon, to take necessary measures for the implementation of the Platform of Action. Participating countries are bound to the recommendations of the final statement which requires each country to set goals and implement measures to substantially increase the number of women in leadership positions (a first step with one-third of women before reaching parity) using, among other means, affirmative action strategies.

In September 2000, the United Nations General Assembly adopted the Millennium Declaration, with eight Millennium Development Goals (MDGs). Objective number 3 addresses gender equality. This objective, through its broad definition, is unique because it encompasses all others MDGs, and cannot be achieved if the others are also not met. The MDGs set 2015 as the target date for achieving the objectives. Lebanon, along with 190 other countries, adopted the MDGs.

Lebanon has also ratified International Labour Organization (ILO) conventions on women's work, among them:

- Convention No. 89 on night work for women, signed in 1948, amended by the Convention No. 171 in 1960 and ratified by Lebanon in 1962.
- Convention No. 100 on Equal Remuneration of 1951, ratified by Lebanon in 1977.
- Convention No. 45 on the employment of women in underground work in 1935, ratified by Lebanon in 1946.
- Convention No. 111 of 1958 concerning gender discrimination in employment and occupation, ratified by Lebanon in 1977.
- Convention No. 122 concerning employment policy of 1964, ratified by Lebanon in 1977.

All these conventions promote employment of women and protect their working conditions. Other ILO conventions developed regarding the protection of women's rights under Article 11

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of CEDAW[197] have not been ratified by Lebanon. These relate in particular to workers with family responsibilities (C156, 1981); freedom of association and protection of the right to organize (C87 from 1948 and C98 from 1949); maternity protection (C183 of 2000); migrant workers (C97 of 1949 and C143 of 1975); part time work (C175 of 1994); work at home (C177 of 1996); organizations of rural workers (C 141 of 1975) and equal treatment in Social Security (C 118 of 1962).

In its last session in July 2010, CEDAW examined ILO's report on the implementation of CEDAW in areas falling within its activities.[198]

In addition to international conventions, Lebanon has acceded to various regional declarations, including that of Beirut, July 2004: *Arab Women, Ten Years after Beijing: A call for Peace*. The declaration, adopted by Arab countries after the second session of the ESCWA

[197] Article 11 of CEDAW: 1. States parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular: a) The right to work as an inalienable right of all human beings ; b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment ; c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retaining, including apprenticeships, advanced vocational training and recurrent training; d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; e) The social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave; f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States parties shall take appropriate measures : a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status ; b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances; c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities; d) To provide special protection to women during pregnancy in types of work proved to be harmful to them; 3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

[198] New UN entity regrouping: the Office of the Special Adviser on gender issues and Advancement of Women, the Division for the Advancement of Women, as well as the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women. See part III B) of this study and the site: http://www.UN.org/News/fr-press/docs//2010/FEM1809.doc.htm



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Women's Committee is based, not only on the Beijing Declaration and Platform for Action of 1995, but also on the third MDG objective that promotes gender equality and women empowerment. The Beirut Declaration challenges the governments of Arab countries to act on their commitments to Arab women. This declaration followed those of Alexandria, Sana'a and Doha, which had also stressed the importance of strengthening the role of women in developing regional knowledge.

The Beirut Declaration outlined progress made by signatory countries in implementing the recommendations of the Beijing Conference and highlighted the obstacles in the way of achieving the third MDG target. Along with recommendations, the declaration also urged signatory countries to review their national legislation to reform all discriminatory laws against women, create a database of women's projects, develop communication channels between Arab women parliamentarians and disseminate knowledge to enhance public awareness about women's rights.

4.2 Lebanese legislation

Despite some improvements in national legislation in recent years, as well as national and international pressure to eliminate gender discrimination in legislation, there remain significant barriers and legal provisions that directly violate and contradict the constitutional principle of equality between men and women. The contradictions are at two levels. First, between Lebanese laws on the one hand and international conventions ratified by Lebanon on the other and second, contradictions between the Lebanese laws themselves. Below is an analysis of the legal articles considered discriminatory against women. The analysis also demonstrates that egalitarian provisions in legal texts are subject to interpretation.

4.3 The Constitution

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The Constitution proclaims equality of all citizens before the law,[199] but it does not expressly provide for equal rights between men and women. Similarly, the Constitution does not explicitly outlaw discrimination based on gender, but states in its preamble that Lebanon complies with the Universal Declaration of Human Rights. Article 9 recognizes the existence of different faiths and respects the principle of multi-confessional communities and personal status provided for each religion, [200] which, when analyzed from a gender perspective, is in contradiction with the preamble of the Constitution, as it empowers religious laws which do not always conform to the principle gender justice. It is therefore recommended to adopt constitutional amendments that:

- ✓ *Include an expressed provision about equal rights for men and women.*
- ✓ *Limit the scope of religious laws to ensure the principle of gender equality by amending Article 9 of the Constitution.*

4.4 The Labour Code[201]

The Law of May 26, 2000, amending the Labour Code of 1946, provides, in Article I, the prohibition of all discrimination between men and women in the workplace with regard to access to employment, advancement, promotion and affirms the principle of equal pay for equal work.[202] This equality of principle, however, is limited in practice by the restricted scope of the Labour Code which does not regulate informal sectors subject to the Code of

[199]Preamble point C) of the Constitution: 'Lebanon is a democratic, parliamentarian republic based on the respect of public liberties especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination.'
Article 7 of the Constitution: 'All Lebanese are equal before the law. They equally enjoy civil and political rights and are equally bound by public obligations and duties without any distinction.

[200]Article 9 of the Constitution: 'There shall be absolute freedom of conscience. The state in rendering homage to the Most High shall respect all religions and creeds and guarantees, under its protection, the free exercise of all religious rites provided that public order is not disturbed. It also guarantees that the personal status and religious interests of the population, to whatever religious sect they belong, is respected.'

[201] Promulgated on 23 September 1946 and modified on 31 December 1993, 24 July 1996 and lastly by the law of 26 mai 2000.

[202] Article 1 modifying new article 26 : 'It is prohibited for the employer to establish a gender discrimination regarding the type of work, the salary, the promotion, the advancement, the professional skills and the working cloths.'



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Obligations and Contracts.[203] Limiting the scope of the law in this manner prevents the establishment of substantive equality. Indeed, real equality can be achieved only if all three levels of law enforcement are respected: its definition, its interpretation and its implementation.[204] Here, the law's egalitarian principles are ignored by the exclusion of several categories of employees. The existence of egalitarian principles constitutes a *normative* equality but, in the absence of interpretation and application, these principles fail to achieve *substantive* equality.

Article 7 of the Labour Law does not apply to domestic workers, living permanently at their workplace. This includes farmers, those employed in family enterprises and private homes from the scope of the 1946 Law as amended and subject to provisions of contract law and obligations the Civil Code, which is intended to govern contracts in general but which does not have specific provisions to regulate the particular contractual relationship between employer and employee. This exclusion leaves women farmers, women working in family enterprises and domestic workers with no minimum wage guarantees or social protection, unequal pay with men or limitation on maximum hours of work.

To remedy this situation and under civil society's pressure, the Ministry of Labour has put in place in January 2009, with ILO assistance, a contract[205] that clarifies certain terms and conditions for migrant domestic workers (for instance the maximum limit of 10 hours of work per day, one day of rest per week, one week annual leave, compulsory health insurance and the right to decent work and living conditions), as well as a new regulation for the employment agencies. The adoption of standardized work contract by the Ministry of Labour for all immigrant workers will enable the authorities to investigate complaints and mediate between employees and employers. This contract represents a breakthrough for the rights of immigrants, but is still insufficient because of the absence of minimum wage provisions, and mechanisms to regulate implementation, as well as clemency for the abusive employer.[206]It is therefore recommended to:

[203] Law of 9 March 1932 establishing the Code of Obligations and Contracts
[204] Montreal Principles on Women's economic, social and cultural Rights. 10 December 2002 Article C.9. Substantive Equality.
[205] See annex I
[206] Article 17 of work contract, See annex.

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- ✓ *Expand the scope of the Labour Code to farmers and domestic employees so they can enjoy the same rights and protection as other employees.*

Inadequate Maternity Protection

Although Lebanon has not ratified ILO Convention 183 on maternity protection, legislation to protect pregnant women in the workplace is provided by the Lebanese law of 2000. This law regulates the duration of leave and provides a 7-week maternity rest (Article 2 amending Article 28 of the Code of 1946). It also prohibits the dismissal of pregnant women from their work and guarantees full salary for them during the leave period.[207] However, the duration of maternity leave can be improved. ILO Convention 183 in its Article 4 provides for a minimum maternity leave of up to 14 weeks, which may be taken before and after childbirth. The Lebanese Code of Labour provides half that time, which is too little and can jeopardize the health of women and their babies. The savings associated with shorter maternity leaves are often offset by expensive sick leaves taken after childbirth. Investing in the protection of pregnant women by giving them longer maternity leaves may, in the end, be cheaper. To complicate matters further, the Social Security Code provides a 10-week maternity leave (Article 26), which contradicts the 2000 law. The texts also differ with the regard to the wages paid during maternity leave. While the Labour Code provides 100% of wages (Article 29 amended), the Social Security Code provides only two-thirds of the wages (Article 26). It is recommended to:

- ✓ *Amend Article 2 of the 2000 law to extend maternity leave to 10 weeks and align the period of leave with the Code of Social Security with increasing maternity leave after 5 years to 14 weeks, as recommended by ILO.*

Lebanese law does not contain any provisions relating to breastfeeding. There is therefore some space to amend the law to allow for breaks during the workday for this purpose. Article 10 of ILO's Convention 183 of 2000 provides the breastfeeding breaks for working woman several times daily breaks or reducing the length of the working day without pay loss. Article 34 of the Labour Code[208] allows for one hour of rest after 5 hours of work. It is recommended that:

[207] Article 3 of 2000 law modifying article 29 of the 1946 Labour Code
[208] Article 34 of Labour Code provides that over 5 hours of work, the employee is entitled to one hour rest.

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- ✓ *Lebanon ratify ILO Convention 183.*
- ✓ *The Labour Code include measures to allow breastfeeding women the right to do so several times during the workday or reduce the workday without salary cuts.*
- ✓ *Lebanon should adopt paternity leave, to allow fathers to take a several weeks leave to take care of the child.*

Article 27 of the Labour Code prohibits the employment of women in certain jobs. These are listed in Annex 1 of the Law and include the operation of machinery, under the guise of protecting them from harm. For similar reasons, women are denied the right to work at night which also limits their employment opportunities. It is recommended to:

- ✓ *Delete Paragraph 14 of Annex 1 of the Labour Code. The Code should comply with the ILO resolution of 1985 that promotes equal opportunity and treatment between men and women in employment.*

A decree by the Ministry of Foreign Affairs (MOFA) restricts access to third category positions in the diplomatic Foreign Service to single women.[209] This is also discriminatory. It is recommended to repeal this decree or keep the clause without reference to gender.

4.5 Laws and regulations that govern civil servants

There is a large difference between women in the civil service and women in the private sector with regard to maternity leave. Article 15 of Decree 5883 of November 3, 1994 provides 40 days of maternity leave for civil servants, in addition to two weeks of annual leave, which is less than the 10-week leave provided by the Social Security Code. This inequality violates the constitutional principle of equality.

Article 3 of 27 April 1960 provides only husbands who serve in the civil service the right to receive family allowances for his wife and children (up to age of 18 for boys, except in case they are sick or are students, and 25 years for unmarried, widowed or divorced daughters

[209] Naila Nauphal, "ILO – Post War Lebanon: Women and Other War-Affected Groups," *International Organization Publication*, available on: http://www.ilo.org/public/english/employment/skills/training/publ/pub9.htm



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who do not receive alimony). Under Article 6 of this Decree, women civil servants may receive family allowances only in case their husbands are dead, incapacitated or missing). These articles contain several levels of discrimination. The conditions in which female civil servants may receive allowances for their families are more limited than those in which male civil servants, and the payment of benefits varies depending on the sex of children. It is recommended to amend Article 3 of Decree 3950 of 27 April 1960 to establish:

- ✓ *Equality between husband and wife for the right and prerequisites to benefit from family allowances.*
- ✓ *Right of widows and divorced women to receive family allowances.*
- ✓ *Right of unmarried and unemployed children, regardless of gender, to receive family allowances until 25 years of age without bias.*
- ✓ *Amend Article 7 of Decree 3950 of 27 April 1960 to provide equal benefits to all civil servants, regardless of gender.*
- ✓ *Repeal Article 6.*

4.6 The Social Security Code[210]

With respect to social protection, Lebanese women are subject to several types of discrimination that relates not only to their sex, but their religion and family status as well.

Regarding social protection of married women, it would be desirable if all women, regardless of their status as first, second third or fourth wives be treated equally by law. The case highlights how civil and religious laws are linked in a country where the legal basis oscillates between secularism and sectarianism. Personal law, including marriage, is largely governed by religious laws, while other aspects of the law are secular. Religious law is used by the state to determine if a wife is legitimate, and whether she meets the conditions necessary for her to qualify for social coverage provided by her husband.

Article 14.2.B states that medical insurance covers the primary holder and members of his family, including his legal wife. In case of plurality, coverage only extends to his first wife. This discriminates between wives. Health coverage should be extended to all married women without distinction. Equal access to health care would recognize polygamy, perhaps even

[210] Promulgated on 26 September 1963 modified by 1998 and 2004 laws. Meeting with Mrs. Ikbal Doughan.

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encourage it, but it would promote social justice, even though it carries with it other costs with social and religious implications most likely to provoke heated debates in parliament.

Article 46.2 provides that family allowances can be extended to a lawful wife, provided she is not employed. Wives should be able to extend the same privilege to unemployed husbands but that is not allowed. It is worth noting the positive discriminatory measure, extended to unmarried and unemployed women under 25 years of age, under section 46-2, who qualify for family allowances. In fairness, this service should be open to any unemployed children regardless of gender. It is recommended to:

- ✓ *Amend Article 46.2.B of Social Security Code to replace the word 'daughter' by child.*
- ✓ *Amend Article 46.2.C of Social Security Code to grant the right of a working woman to extend medical insurance to her spouse.*

Article 26 of the Social Security Code provides 60 days of maternity leave and payment of two-third of salary. It is in contradiction with article 29 of the Labour Code which provides only 40 days and full salary. Consequently, it is recommended to amend:

- ✓ *Article 26 of the Social Security Code to provide full salary during maternity leave as stated in Article 29 modified of the Labour Code to harmonize legislation.*

Article 47 affirms that working women who are married and who pay social contributions cannot receive family allowances to benefit her children. Only her husband can receive family allowances for that purpose. Women, therefore, receive nothing in return for their social benefit contributions. It is recommended to amend:

- ✓ *Article 47 of Social Security Code to give equal rights to employed women to receive and benefit from family allowances for her declared children.*

It must be noted that Article 47-2 sets a maximum limit of five children to be able to collect family allowances. This stems from a policy to discourage polygamous marriage and

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illegitimate children, rather than family planning policy, which was not an issue when the Code was written. [211]

Article 14 also discriminates against men who are covered by their wives' insurance but only if they are 60 years old and above, disabled and or unable to earn a living. It is recommended to amend:

- ✓ *Article 14 to adopt a gender-neutral formula, granting working and contributing spouses the right to extend his/her insurance coverage to his/her unemployed spouse.*

4.7 The Tax, Commerce and Bankruptcy codes

Article 31 of the Tax Code of 1959 as amended by the 2003 law[212] discriminates against married women with children because they are treated as single women for tax purposes and do not receive tax exemptions allowed for married men with children. Women may receive tax exemptions only if their husband dies or is incapacitated. This injustice reflects deep rooted patriarchy in which a woman is defined by her marital status, rather than her economic and social contributions. It is recommended to amend:

- ✓ *Article 31 of the Tax Code to grant married women with children equal rights to benefit from tax exemptions cuts as married men.*
- ✓ *Develop tax exemption laws without bias to gender, age, health condition or marital status.*

Articles 11 to 14 of the Code of Commerce set the condition for a married woman to engage in a commercial capacity only after obtaining the expressed or tacit consent from her husband. This consent is considered granted if it is public knowledge that the wife is conducting business, but this consent may be revoked at any time. If, in practice, these articles do not appear to cause major hurdles for women to engage in business, they nevertheless remain discriminatory in their written form and require amendment.

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[211] Georges Kadige : 'Religions et droit social' http://www.cedroma.usj.edu.lb/pdf/drreli/Kadige.pdf

[212] Loi relative à l'impôt sur le revenu au Liban, Traduction française établie sous la direction Me. Maroun Kh. Fadel, Avocat à la Cour, Beyrouth, Liban. L'Argus des Documents libanais, Janvier 2003.

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Articles 625 to 629 of the Code of Commerce of 1942[213] are discriminatory as they impose restrictions on a wife's property in case her husband declares bankruptcy. In this case, a woman is treated as her husband's dependent, and property acquired during marriage (through inheritance, as a gift, or purchased on her own) is considered property acquired with her husband's money, unless she is able to prove otherwise. In contrast, if a woman becomes bankrupt, her husband's property is not considered belonging to his wife. Not only is this code discriminatory, it contradicts the norm of pre-nuptial agreements which allow spouses to retain ownership of his/her property and to manage it independently of each other. It is recommended to amend:

- ✓ *Articles 625 to 629 of the Code of Commerce to refrain from treating wives as their husband's dependents and eliminate the concept that only husbands own property.*
- ✓ *Provide a neutral formula article offering either spouse the burden to prove ownership of property to protect the other from bankruptcy.*
- ✓ *Repeal Articles 11 to 14 of the Code of Commerce.*
- ✓ *Adopt a new Article 11, allowing everyone to engage in commercial life, irrespective of gender and married status, without restriction.*

4.8 The Penal Code

Violence is condemned by Lebanese law in section 122 of the Civil Law of Contracts and Obligations on the basis of which are defined responsibilities and damages. In its neutral formulation, it does not address violence against women in any specific way. Instead, the provisions of the 1943 Penal Code are particularly discriminatory.[214]

Articles 503 to 506 do not recognize rape as a crime when committed by the husband. According to these articles, sex crimes are not recognized as such when they are perpetrated

[213] Code de Commerce. Les Codes libanais en textes français. Edition 1983. Collection Elie J. Boustany. Librairie Antoine

[214] Le Code pénal, Les codes libanais en textes français. Collection Elie J. Boustany, Librairie Antoine, 1983



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in the domestic sphere. A rapist can escape conviction if he marries his victim. This marriage is counted as having occurred retroactively, before the rape, to absolve the man of the act, as rape is criminal outside of marriage, but considered acceptable within one.

Articles 487, 488 and 489 punish adultery. Again, women are blatantly discriminated against because the penalties imposed for the same crime are far greater if adultery is committed by women. Indeed, a woman receives a sentence ranging from three months to two years in prison while the guilty man receives a much lighter prison sentence ranging from one month to one year.

Article 562 of the Penal Code (Law of 18 September 1948) punishes crimes but provides mitigating circumstances in the case of honor killings. Article 133 of the Penal Code further provides that the prosecution be terminated if the complaint is withdrawn.

Prosecution of cases of violence against women is unfair because the Penal Code does not guarantee women a fair defense. The spirit of the 1943 Law unfortunately reflects the patriarchal culture that prevails in Lebanon and places women in a position of submission to men, penalizing the latter much more lightly when the violence is committed within the family. Domestic violence is considered as belonging to the private sphere and falls under the competence of the 15 religious courts that show major imbalances in treatment between men and women. Efforts to reform these courts have failed in recent years, so as not to upset the Lebanese confessional balance.

Lebanese law also does not punish sexual harassment. There is a real legal void regarding this practice and most women refuse to testify for fear of losing their jobs. The current proposed reform of the Labour Code in Section 75 provides that any male or female employee victim of sexual harassment committed by the employer or one of his/her representatives, may resign before the termination of his/her employment contract without notice. Sexual harassment is understood and defined as an offense contrary to morality. With this bill, the government does not prohibit harassment and does not provide punishment for the harasser. With the growing number of cases of sexual harassment in the workplace, the Lebanese media and women's NGOs are campaigning for public awareness and pressuring the government to adopt strict measures to condemn perpetrators of sexual harassment. In an effort to put an end to the above, it is recommended to:

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- ✓ *Amend Articles 503, 504 and 522 of the Criminal Code which condones marital rape. . Rape should be punished for the act it constitutes, whatever the relationship between perpetrator and victim.*
- ✓ *Repeal Section 562 of the Penal Code which considers mitigating circumstance for honor crimes. Honor killings are crimes, whatever the circumstance.*
- ✓ *Amend Articles 487 to 489 on adultery and adopt a gender-neutral formula which applies the same penalty, regardless of gender.*
- ✓ *Introduce a clause prohibiting and condemning all forms of violence against women with penalties for the perpetrator and special protective measures and compensation for victims.*
- ✓ *Introduce stiffer penalties if the victim is pregnant or a minor.*
- ✓ *Persist to take legal action against the perpetrator even if the victim withdraws complaint.*
- ✓ *Introduce measures to ensure the conviction and sentencing of the perpetrator.*
- ✓ *Adopt sanctions against sexual harassment.*
- ✓ *Launch education and public awareness campaigns and advocacy against all forms of violence against women.*
- ✓ *Pass the new Violence Law and apply it strictly. (The law was approved by the Council of Ministers in April 2010; but must still be debated and voted on by Parliament).*
- ✓ *Promote employment of women in the police force.*
- ✓ *Train women police officers to deal with domestic violence victims and establish in all police stations throughout Lebanon, the requirement to have at least one female officer present when receiving deposits from a domestic violence complaint.*

4.9 The Personal Status of women



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Confessional affiliation is the foundation of all political, administrative and legislative structures in Lebanon. Different religions have stood in the way of efforts to design and adopt one single uniform aw on personal status. Therefore, in the absence of a unified civil law for all Lebanese, their status is governed by:

- Laws of each religious confession for all aspects of personal status (marriage, its consequences, conditions for its dissolution and implications on child custody and inheritance).
- The civil law for aspects not related to religion (the name and place of residence, legal capacity and registration procedures).

Thus, there coexistences a dual legal system in Lebanon, one legal system which is sectarian and different depending on confession on one hand, the other civil and unified on the other. This legislative and judicial multiplicity ruling personal status finds its origins in both systems: Resolution No. 60 L.R. dated 13 March 1936, issued by the French High Commissioner gives "communities legally recognized in Lebanon the right to direct their own affairs, to legislate and adjudicate in personal status matters within the limits of Constitution, laws and public order"; and Article 9 of the Constitution, which enshrines religious affiliation and recognizes each to have "exclusive right to self-administrate, legislate and judge in cases of personal status."

The personal status of women affects their economic potential as it regulates systems of inheritance, marriage, property management during the marriage, conditions of divorce and custody of children and many other issues impact women and their economic empowerment.

Inheritance

For Muslims, inheritance is governed by a set of four different bodies of rules: 1.the Quran, especially the Sura in the Holy Quran entitled "Women." Sunnis and Ismailis are also governed by 2. Sharia law and retain Hanafi interpretations; they are judged in Hanafi courts. The Druze are also governed by Sharia law and have recognized the application of the Hanafi rite by virtue of Article 169 of the Code of Personal Status of 24 February 1948, when it was established that there is no contradiction between the texts; 4. The Alawite and Shia communities apply Sharia law according to the interpretations of the Jaafari School, since the promulgation of 1926 Decree which recognizes Jaafari rituals and establishes Jaafari courts

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and 4. all Muslims are ruled by the 1912 civil law in case of '*amiri*' lands, as opposed to '*mulk*' lands, are part of the inheritance. Non Muslims are ruled by the June 23, 1959 civil law.

The following section analyzes the rules used by each community to govern inheritance to identify gender discrimination.

For Muslim communities, Sura 4 entitled "Women" which applies to all Muslims, dictates that women receive half of the share of a male heir when they are related in the same way to the deceased. Women inherit one-eighth of their husband's estate when there are children (in addition to the 'returned mahr', or 'delayed dowry'[215], whereas if the wife dies, and there are children, the husband receives one quarter of the estate.[216]

According to Hanafi jurisprudence, if the heir is an only woman, she has no right to inherit while an only son inherits to the detriment of other heirs. Jaafari law and Hanafi law differ: the latter favors male heirs of the paternal line in application of *taassib*, which means 'the return (of goods) to the male branch'. Some Sunni families without male heirs are acutely aware of this imbalance and chose to convert to Shiism to protect the estate of their daughters.

Land inheritance is also discriminatory. Land is divided into two categories, a categorization inherited from the Ottoman period: Mulk lands (located in the city and in Mount Lebanon, with a freehold) and Amiri lands (that is to say, land historically belonging to the prince, located on the outskirts of cities, whose ownership belongs to the State with usufruct rights granted to individuals).

Shiite women do not have the right to inherit Mulk lands or their value. They can only receive the value of assets produced by these lands. Amiri lands, in contrast, can be inherited by women, based the law of July 16, 1912 and are inherited equally between men and women.[217]

[215] Returned mahr or delayed dowry: second part of the dowry which constitutes a claim from the woman on her husband's estate. The mahr is paid at the time of husband's death, the first part of the dowry having been paid by husband to his wife once the marriage was consummated.)
[216] Successions. Le Commerce du Levant, Hors série 2010.
[217] Ibid

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Druze law[218] allows bequeathing the entire estate to any legitimate or illegitimate heir without providing legal reserves to direct heirs, which constitutes a risk for women, who may be completely disinherited.

In non-Muslim communities, the Civil Law of 23 June, 1959 does not differentiate between men and women. Article 20 explicitly confirms the principle of equality between them. In case of a spouse's death, it grants 25% of the estate to the surviving spouse, irrespective of gender, with the remaining shared equally between children. Again, the gender neutral language supports the principle of equality.

To address these inheritance inequalities, it is recommended to adopt a universal inheritance code for all Lebanese, based on the principle of equality between men and women. Specifically, it is recommended to:

- ✓ *Universally apply the 1912 Law to all lands, without distinction, since the current system that differentiates between land types is based on a defunct feudal system and because the State has waived its prerogatives, effectively unifying their status as private land.*
- ✓ *Universally apply the 1959 law to all inheritance, regardless of confession.*
- ✓ *Introduce equal inheritance principles in religious laws between husbands/wives and sons/daughters by adopting gender neutral language.*
- ✓ *Amend section 148 of the Druze Personal Status Code to allow a minimum reserve of the estate to be shared equally among the heirs, regardless of gender.*
- ✓ *Allow spouses the choice, before marriage, to waive the application of religious law in favor of civil law.*

Marriage

Only religious marriages are allowed in Lebanon, but the law recognizes civil marriages performed by Lebanese citizens abroad, in accordance with Article 25 of Decree 60 LR of March 13, 1936. Article 79 of the Civil Procedure Code gives Lebanese civil courts jurisdiction over disputes arising from civil marriages occurring abroad, if at least one party in

[218] Article 148 of Druze Personal Status Code of 1948

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the dispute is Lebanese. The Lebanese Court of Cassation confirms this jurisdiction, in conjunction with the laws of the country where the marriage was contracted.219

Lebanese marriage is governed by religious laws that determine the minimum age at which men and women may marry. This age varies among religions but a common point is noted: the minimum age for marriage is lower for women, than men, in all religions. The minimum age for Shiites was 9 years for girls, but fortunately, nowadays, the judge determines the age at which the girl can marry.220 To avoid any risk of abuse and to prohibit the marriage of very young girls, often leading to unwanted pregnancies and putting their health and the health of their children in danger, it is recommended to:

- ✓ *Establish unified legal minimum age for marriage that respects the psychological and physiological development of women.*

All faiths demand consent of both parties to enter into a marriage contract. Yet social norms often restrict the freedom of woman to consent and she is often forced to marry against her will. The relationship between spouses is different according to religion. In almost all cases, the husband is considered the head of the household with the wife expected to submit to the husband's authority. In Armenian Orthodox, Assyrian Eastern Orthodox, Evangelical and Syrian Orthodox churches, the wife's obligation to be obedient to her husband is enacted by law.[221]

Among Sunni and Shiite Muslim communities, Article 73 of the Law on Family Rights legally binds the husband to "properly treat his wife and the wife must obey her husband" Article 23 of the Druze Personal Status also asserts that "the husband must treat his wife as his equal and the wife must obey her husband in accordance to the legitimate rights of the spouses." These provisions legalize the submission of women to men, making it their obligation to obey their husbands.

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[219] 3rd report from Lebanon, CEDAW/C/LBN/3, July 2006

[220] 3rd report of the Lebanese CEDAW committee, point 326

[221] Article 46 of the Orthodox Armenian legislation and 38 of the East Assyrian Orthodox legislation: « The man is the house head and the family legal representative».
Article 22 of the Evangelical religion: « The husband is the natural and legal head of the family»,
Article 46 of the Orthodox Armenian legislation: « The husband must protect her wife who must obey to him».
Article 33 of the Syrian Orthodox legislation : « The wife must obey her husband once the marriage contracted».
Article 21 of the new Evangelical community legislation: «By marriage, the wife commits herself to obey her husband in the limits of what is authorized by law».

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Also a Muslim man is allowed to marry a non-Muslim woman, while Islamic law prohibits Muslim women from marrying non-Muslim men.

Since 1990, new legislation (section 777) of the Eastern Catholic Churches states that: "In marriage, there are equal rights and duties between the spouses." Also, in 2003, the Greek Orthodox community's new legislation on personal status deleted all provisions referring to the authority of the husband over his wife. Article 11 stipulates that "by virtue of marriage, the union between a man and a woman reaches its perfection, if the spouses are mutually supportive and assuming overall responsibility for the family and child rearing." To strengthen equality, Article 25 adds: "Parents shall cooperate in the education and care of their children."

To address the multiple gender discrimination in religious laws relating to the institution of marriage which obstruct women's social and economic contributions, it is recommended to:

- ✓ *Remove all reference about the obedience of wife to her husband.*
- ✓ *Adoption a civil law that provides equality between spouses and incorporates the concept of their mutual responsibility and accountability in all aspects of married life.*

Property laws during marriage and in case of divorce

In Lebanon, properties are owned separately in a marriage. During marriage, spouses, from a patrimonial point of view, are strangers to each other and are expected to manage their own properties independently of each other. This rule applies regardless of religion. In case of divorce, each party maintains control of the property he/she owned at the time of marriage and remains the owner of the property acquired with his/her salary during the marriage. One can easily imagine the difficulty of establishing who owned the money that purchased a property during the period of cohabitation. Only Jewish law considers that the property acquired by the wife during marriage belongs to the husband.

Despite separate ownership, courts tend to place the burden of proof on women, in case of conflict. It is up to the woman to prove that her property is hers, rather than his, as illustrated in Article 30 of the Orthodox Community personal status law.

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In case of divorce, Sharia demands that a husband pay his wife the delayed dowry and assume all costs associated with divorce. Women may request divorce, with the consent of her husband and by paying him a sum of money called '*khole,*' a sum equivalent to the price of newfound freedom. In all cases, the husband is the final decision-maker. In fact, women often agree to waive this right to compensation to escape marriage. [222]

The payment by the husband of alimony is provided under all laws administered by religious courts, with the exception of Christian communities (excluding the Syrian Orthodox Church), which provide that pensions can be paid by either men or women, depending on the income of each. The law provides the opportunity for the wife to ask the judge to award her temporary alimony until the final pension is agreed upon, so as not jeopardize her livelihood.

In all religious legislation, a woman's entitlement to alimony can be foregone if she appears unfair, or as specified in Christian law, if she is responsible for the separation. It is recommended to:

- ✓ Enhance women's knowledge of their rights in marriage and divorce and make knowledge of these rights a compulsory requirement before marriage.
- ✓ Encourage women to retain their financial rights and their right to initiate divorce.
- ✓ Train lawyers and judges to systematically inform women about their rights and entitlements.
- ✓ Expedite divorce procedures and alimony decisions to minimize the economic impact of divorce on women.

Guardianship of Minor Children

[222] Steps Towards Empowerment: A Legal Report, Ahmad Al Ayoubi, Khaled Akkari, The Hariri Foundation for Sustainable Human Development, The World Bank, the Council for Development & Reconstruction (n.d.) Beirut

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In all civil and religious laws (except for the Jewish community), the father is the guardian of the children and their property. Mothers must obtain permission from the father for any administrative process involving the children, including travel. The mother can become the guardian of her children only if the father permits her to do so. In case the father dies, guardianship of the children is passed to the men of the husbands' family (ie the paternal grandfather or uncle.) In case of dispute, the judge assumes responsibility. The mother cannot make any financial transactions on behalf of her minor children without the permission of the judge. In contrast, no such guardianship is established to protect children of a deceased mother, and the father can act freely with the children's money.[223]

Since women are prevented from opening a bank account in their children's name, some banks have set up trust arrangements for women, thanks to pressure by civil society, especially by the Commission for Lebanese Women. Women can now have guardianship of their children's property, with the bank's agreement and without authorization from the father.

Divorce

The absence of civil marriage in Lebanon places marriage in the religious sphere. The marriage contract is governed by the religious code of the couple. Similarly, the dissolution of a marriage is also governed by religion, according to the rules of each denomination. Again, religious texts have different rules for spouses and are mostly unfavorable to women.

Divorce is not recognized by any of the Catholic communities, for whom marriage is unique and indissoluble. Only a marriage cancellation can be requested of the Catholic Church. The Orthodox Church recognizes divorce as well as marriage annulment. The conditions under which a marriage is cancelled in both the Orthodox and Catholic churches are the same for men and women.

However, the reasons for divorce in the Orthodox, Greek Orthodox and Assyrian Orthodox churches are discriminatory. For example, Article 54 of the Personal Code adopted by the Orthodox Church provides five grounds for divorce, only four of which can be used by

[223] Successions. Le Commerce du Levant, Hors série 2010.

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women. One of them is adultery, and only adultery committed by women is a cause for divorce.[224]

Sharia gives a unilateral right to Sunni and Shiite men to divorce without the consent of the wife and without appearing before a judge, while a wife must obtain prior consent of her husband to request divorce. The husband may also divorce by proxy. These measures are discriminatory at two levels: first, women are not consulted and secondly, the conditions under which wives can seek divorce are not the same as those allowed for husbands.

In the Sunni community, women have the right to add a clause in the marriage contract that allows them to request divorce, in the event it is needed. She can also stipulate in the contract that if her husband takes another wife,[225] she has the opportunity to initiate divorce. For Hanafis, Article 337 of the Personal Code provides both spouses with equal opportunity to divorce in case of violence, abuse or irreconcilable conflict. Sunni woman may dissolve the marriage by paying a sum of money, *'khole,'* to her husband.

For the Shia community, judicial divorce does not exist. Divorce is subject to a negotiated out-of-court settlement between the spouses. The woman has no right to seek separation. She can only request the dissolution of the marriage by paying the *khole*, with the consent of her husband.

According to the Druzi law, divorce can only be judicial. The court grants the divorce as soon as a request is made by the husband, for whatever the reason, and awards damages to women, including the deferred payment of dowry.

In most cases, men impose unfair conditions for divorce. A study by the Hariri Foundation and the World Bank[226] shows that in two-thirds of cases, divorce is settled out of court in an "amicable" agreement between the spouses, which often involves women waiving part or all of their legal rights including their right to child custody and visitation, alimony or

[224] Article 54 of Personal Code of Orthodox church, article 143 and 144 of Syrian Church Personal Code, article 69 and 70 of Greek Orthodox Personal Code.
[225] Article 38 of the Sunni family rights' law.
[226] Steps Towards Empowerment: A Legal Report, Ahmad Al Ayoubi, Khaled Akkari, The Hariri Foundation for Sustainable Human Development, The World Bank, the Council for Development & Reconstruction.

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reimbursement of the dowry. Even when divorce is a result of domestic violence, almost 90% of divorce cases are settled out of court.

The many discriminatory laws against women and the lack of political will to address them have led Lebanon to make reservations when signing the CEDAW. Many of the rules governing personal status are in contradiction with the principle of equality set in the CEDAW as well as in the general principle of equality of citizens enshrined in the Constitution. It is recommended to:

- ✓ Lift the reservations made on the application of Article 16.1.c.d.f and g of CEDAW.
- ✓ Adopt a single civil contract of marriage for all Lebanese, regardless of their religion, based on the principle of equal rights and duties between men and women, including parental authority and dissolution of the marriage. Civil marriage can be made optional at first, and mandatory later as the Lebanese state becomes more secular.
- ✓ Affirm the jurisdiction of civil courts in all divorce cases.
- ✓ Legalize divorce by all faiths and ensure mutual consent, granted by a judge who shall guarantee the protection of all rights, including of the wife and children.
- ✓ Provide gender sensitive training to judges who oversee marriages and divorces.
- ✓ Adopt and implement penalties for non-compliance to the terms of the divorce.
- ✓ Disseminate knowledge and increase public awareness about women's rights and equality principles in matters of marriage and divorce.

Custody

Not only do women have difficulty obtaining a divorce, they must also fight for custody of their children. According to the Hariri Foundation and World Bank report cited above, the majority of rules applied by the religious courts in Lebanon implicitly support the right of father to keep the child(ren) in case of divorce. Residence of a small child with the mother is considered temporary until he/she is old enough to be biologically separated, with the cut-off age varying according to faith. Sunni and Druze children are expected to join their father at 7

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years if they are boys and 9 years if girls; while the Jafaari system followed by the Shia, the ages are 2 years for boys and 7 years for girls. According to the Greek Orthodox Church, boys join their father at 14, while girls at 15. According to the Armenian Orthodox, Assyrian and Syrian Orthodox churches, the ages are 7 for boys and 9 for girls while for the Evangelicals, the cut-off age for both girls and boys to remain with their mother is 7 years.

Sunni, Shia and Druze mothers lose[227] custody upon remarriage. In Christian religions, remarriage does not necessarily lead to the loss of custody. However, if the woman is seen to be the cause of the divorce or if she changes her religion, she can expect to lose custody.[228] In a quarter of the cases observed, women were forced to relinquish their custody rights in case of divorce.[229] In most cases, the decision granting custody to the mother is not respected and if custody is awarded to the father, he imposes his own custody conditions and visitation rights. Moreover, in more half of the cases, the mother is denied her visitation rights, depriving her permanently from seeing her child. It is also noted that none of the women who received a ruling by a religious court were awarded custody of their children while all rulings which awarded custody of the child to the mother were issued by civil courts.

Temporary custody by the mother is discriminatory because it suggests that mothers are only capable of fulfilling the physiological needs of a young child, but unable to play a meaningful role once the child is older and secondly, women are discriminated against with respect to custody of their children if they remarry, but men does not lose their custody rights in case of remarriage. This discrimination has psychological and social effects on mothers and children burdens women and contributes to economic instability. It is recommended to:

- ✓ *Abandon temporary custody of the mother and provide for joint and alternate custody for both parents except if a parent is endangering the child. The terms should be fixed by the judge in a spirit of fairness to both parents and motivated by the best interest of the child.*

[227] Article 54, 55, and 66 of Druze Personal Status Code.
[228] Article 57 of Orthodox Greek Church Personal Status Code;
Article 130 of the Orthodox Armenian Law of Personal Status;
Article 61 of Orthodox Syriac Church Personal Status;
Article 101 and 102 of the law of Oriental Assyrian Community Personal Status and
Article 74 of the Evangelical community law
[229] Steps Towards Empowerment: A Legal Report, Ahmad Al Ayoubi, Khaled Akkari, The Hariri Foundation for Sustainable Human Development, The World Bank, the Council for Development & Reconstruction.

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- ✓ *Otherwise, provide a primary custodial parent, with strict visitation conditions. From the age of 7 onwards, the child should be consulted by the judge regarding their choice of the primary custodial parent.*
- ✓ *Provide equal visitation rights for both parents.*
- ✓ *Ensure the payment of alimony to the parent who receives primary custody. The pension is determined by the judge according to the income of each parent and the child's needs.*
- ✓ *Standardize terms and conditions of custody loss and ensure they apply to both men and women in the same way.*
- ✓ *Adopt a single unified law on child custody.*
- ✓ *Establish mechanisms to facilitate women's access to justice.*
- ✓ *Ensure enforcement of rulings and provide penalties for non-compliance.*

Nationality

The Nationality Law (Decree No. 15 of January 19, 1925) states in Article 1 that a Lebanese is "any person born of a Lebanese father," which implies that Lebanese women married to foreigners do not have the right to pass their nationality to their children and husband. Nationality in Lebanon is not based on *jus soli*, but rather on paternal blood bonds.
The provisions of this law are in contradiction with:

- The Preamble and Article 7 of the Constitution that enshrine the principle of equality of all Lebanese and grant them the same civil and political rights without distinction;
- Article 15 of the Universal Declaration of Human Rights.
- Article 7 of the Convention on the Rights of the Child ratified without reservation by Lebanon.
- Articles 2, 3 and 26 of the International Covenant on Civil and Political Rights, also ratified by Lebanon.

The Nationality law is discriminates against women at two levels: First, it does not recognize the right of a Lebanese mother to transmit her nationality to her child or her foreign husband, while this right is guaranteed to Lebanese men married to foreign women. Second, it constitutes discrimination between Lebanese women and foreign women, who have acquired

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the Lebanese nationality by marriage to a Lebanese citizen and can, in case of their death, transmit their Lebanese nationality to their children while this right is denied to women of Lebanese origin.230 As often declared by civil society, including Rita Chemaly's[231] blog, the nationality law ranks Lebanese woman as second class citizens without the same rights as foreign women married to a Lebanese, who can obtain the Lebanese nationality by marriage and transmit it to her children.

Inequality in this area has significant economic implications. Foreign husbands and children of Lebanese mothers and foreign fathers are aliens under the law. They cannot access free public health reserved to Lebanese citizens nor can they attend public schools and universities. These children remain strangers in their own country and are forced to enroll in expensive private schools. As aliens, they have difficulty accessing the job market. They do not enjoy the same inheritance rights as the Lebanese and are not allowed to inherit land.

According to Ekbal Doughan[232] an active lawyer in this field, "In addition to disastrous economic consequences, this discrimination has also psychological effects on men of foreign nationality who are married to Lebanese women and in search of social and professional integration. They can only have access to professions that are non-regulated by professional body. They do not feel recognized but rather excluded and useless, which often puts them on the path to alcoholism, violence and may motivate them to work illegally or even to fall into drug trafficking. The whole family is affected economically, psychologically, morally and socially."

Despite awareness-raising campaigns conducted by Lebanese NGOs, like the campaign "My Nationality Is My Right and That of My Family", launched in 2002 by CRTD-A, Lebanon has not withdrawn its reservations on Article 9.2 of CEDAW, with regard to the transmission of nationality. The unofficial explanation given is that Lebanese women married to Palestinian men would help them obtain nationality and permit them to settle permanently and in large numbers in Lebanon. However, a UNDP study shows that only 18,000 Lebanese women are married to foreigners, and that only 2% of them have married Palestinians.

[230] Article 4 of 1925 Decree
[231] Researcher in Political Sciences and member of CRTD-A
http://ritachemaly.wordpress.com/2010/06/21/transmettre-sa-nationalite-UN-combat-pour-les-libanaises/
[232] Lawyer and President of the Working Women League

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In total, 80,000 foreign spouses of Lebanese women and their children are denied Lebanese citizenship. These people are potentially stateless and risk arbitrarily arrest and deportation. Under pressure from civil society, the Rafic Hariri government passed a law in 2004[233], granting Lebanese women who are civil servants the right to extend their medical coverage to their children and foreign husbands, if he is unemployed. In August 2009, the Minister of Interior submitted to the Cabinet a bill to allow Lebanese women to transmit their nationality to their spouse and children, but the bill is yet to be approved. In the meantime, the Ministry of Interior issued a decree on May 31, 2010,[234] which allows children and foreign husbands residence rights for three years, after one year of marriage, referred to as a "residence permit of convenience". According to CRTD-A, the organization behind the nationality campaign, this Decree is now under implementation.[235]

These provisions are small steps towards equal rights and justice, but do not satisfactorily resolve discrimination against women who marry foreigners and conceive children. The issue has also motivated the establishment of "Fathers and Sons for Citizenship," [236] an association of foreign men married to Lebanese women with children born from such marriages. It is recommended to:

- ✓ *Lift the reservation on Article 9 of CEDAW and amend Articles 1, 2, 4 and 5 of Lebanese law on nationality to allow women and men to transmit their nationality under the same conditions.*
- ✓ *Adopt special transitional arrangements respectful of the principle of equal citizenship to Palestinians married to Lebanese, given their special status in Lebanon.*

To conclude, institutional discrimination against women places them in a permanent state of disadvantage compared to men in the legal sphere. To overcome gender discrimination and to support gender equality, Lebanon must commit itself to a number of reforms at multiple

[233] Meeting with Mrs. Ikbal Doughan
[234] Decree N° 4186 of May 31, 2010
[235] L'Orient le Jour, 'Femmes et nationalité: le « permis de séjour de complaisance » mis en application', 4 September 2010.
[236] http://ritachemaly.wordpress.com/?s=fathers+and+++sons

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levels. There is a need for Lebanon to move from supporting *formal* equality, present in some legislation such as equal pay for equal work, to becoming proactive in supporting *substantive* equality, It is clear that women's rights to substantive equality cannot be achieved solely on the enactment of laws or the application of non-discriminatory policies.

The case of equal pay for equal work is a good example of how, despite the law that exists to ensure equal pay, pay differences remain significant for men and women. The law does not fulfill its role as a social and economic regulator, especially since violation is not subject to punishment. Formal laws can thus be ineffective, and can only be contribute to substantive equality if it is strictly implemented to have a positive effect on women's economic empowerment. Neutral laws and policies can also perpetuate gender inequalities because they are generally passive about economically and social disadvantaged women.[237] It is imperative to interpret laws and verify implementation, as well as to assess their impact on substantive equality. De jure equality does not lead, by itself, to de facto equality.[238]

An analysis of Lebanese law shows the coexistence of both discriminatory laws and laws that support formal equality. Substantive equality, however, remains weak because policies and laws are rarely applied and not enough action is taken to address the institutional and social disadvantages that women suffer. A comprehensive approach is needed that incorporates three components of social justice for women:[239] recognition, participation and redistribution. The social and political recognition of women's rights is an essential prerequisite to any social equality. Their participation requires strengthening at the political, economic and social levels through the adoption of positive measures, such as quotas, to lead them towards a stronger and more balanced representation in these spheres. Alongside improving women's participation rate, the participation of men too, must be enhanced to foster social equality. Finally, there is the issue if redistribution. Nancy Fraser considers resource distribution as a pillar of social justice. The state, as the overseer of formal and substantive equality among all of its citizens, must take the lead in redistribution, oriented around three main axes:

[237] Barreau du Québec, *Vers un nouveau contrat social pour l'égalité entre les hommes te les femmes.'* Denis Mondor, lettre à Madame le Ministre des relations avec les citoyens et de l'immigration, 17 December 2004.
[238] Montreal Principles on Women's Economic, Socio and Cultural Rights, 10 December 2002.
[239] Nancy Fraser, *'Redistribution, recognition and participation: towards an integrated concept of justice'*, New School for Social Research, United States, research supported by Unesco and Stanford University.



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- A reformed investment policy, to redistribute wealth by increasing public sector wages, providing tax reliefs for low-income households and raising taxes on property income. This policy would promote production and minimize dependence on the cash economy. It will also help employ more female graduates.[240]

- Proactively invest in technological innovation and upgrading consumer goods production and limit imports which weigh heavy in the trade balance. This would lead to increased employment and have a positive impact on socio-economic equity.

- Invest in the establishment a universal health and pension insurance system that meets the needs of all categories of people, with a focus on the most vulnerable, particularly women. To ensure efficiency and fairness, the system should be supported directly by the State, and not be left, as has been the case, to faith-based associations, charity, political parties or militias.[241]

5.0 Economic empowerment programs for women

In this section, government, NGOs, international organizations and bilateral cooperation programs that contribute to strengthening the role of women in the economic sphere are listed in an effort to better understand the types of support women receive by these programs and identify gaps and weaknesses. The list is not intended to be exhaustive.

5.1 Government programs

The Lebanese Government developed the broad outlines of its agenda in its policy statement of December 2009, after the formation of the national unity government headed by Saad Hariri, under the presidency of Michel Sleiman. Among its stated priorities, the government has committed itself to Article 22, to strengthen the role of women in public life by supporting all international agreements and conventions ratified by Lebanon, particularly the CEDAW. The government also committed itself to work on the bill to protect women victims of

[240] Mr. Charbel Nahas. '*Comment gérer la dette publique dans UN contexte de crise financière internationale ? '* Conference at the Beirut Rotary Club, 12 January 2009.
[241] Ibid.



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domestic violence, sexual exploitation and forced labour, and to legislate against trafficking of women and children. It also recognized the role of the National Commission for Lebanese Women in the adoption and implementation of national policies to eradicate all forms of discrimination against women. Even if no other efforts are made towards improving gender justice, a strict application of CEDAW would have a tremendous positive impact on the improving the contributions of women in the economy. The following government institutions are mandated to work on women issues and gender justice affairs:

Ministry of Social Affairs (MOSA): MOSA still does not have a comprehensive women's agenda and focuses its action in three areas: fighting against poverty, promoting women and children's rights, assisting the disabled and elderly as part of a national social development policy plan.[242] The Ministry works to improve women's lives though community centers located throughout the country, [243] where literacy classes, vocational training, and medical and social services are provided to women, children and families. Most of these centers offer daycare services for a reasonable price. It is unclear how these efforts lead to women's economic empowerment. There is no monitoring or evaluation of these efforts and no data about their impact, how these centers are used and the number of beneficiaries.[244]

The Office Women's Affairs: This office exists within MOSA. It is the only government entity, along with the National Commission for Lebanese Women, which addresses women issues exclusively. It prepares national action plans for women while their implementation is overseen by the National Commission for Lebanese Women. The current plan focuses on abolishing gender discrimination within the scope of several projects, including the provision of microcredit for the most disadvantaged. It also has implemented a national program to inform women about their rights and promote their social image in public life.[245] But in the absence of an adequate budget, the impact of this office remains limited.[246] The Ministry of Finance reports that expenditure on projects to promote women has been minimal.[247] The Minister of Social Affairs is currently advocating for a specific line item in its 2011 budget to specifically target women since, until now, only the National Commission for Lebanese

[242] L'Orient le Jour, 9 January 2010
[243] L'Orient le Jour, 2 June 2010
[244] Meeting with Mrs. Abir Abdel Samad, Office of Women's Affairs, MOSA, October 2010.
[245] PNUD POGAR http://www.pogar.org/countries/theme.aspx?t=4&cid=9
[246] Meeting with Mrs. Samad, MOSA, ibid.
[247] Freedom house bulletin176 http://www.freedomhouse.org/template.cfm?page=176

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Women has received government funding.[248] To strengthen the political role of women in Lebanese society, a program of US$ 700,000 was initiated in 2010 with the support of the Italian Cooperation. This project has three components:

- Gender mainstreaming in MOSA through training of all staff;
- Training women politicians, accompanied by projects to strengthen their practical skills;
- The establishment of a platform for women political candidates and elected officials to exchange knowledge with each other and with other women internationally.

According to the Minister of Social Affairs "More women must actively participate in public affairs management and decision-making." He believes that the meager number of women in the Lebanese parliament is archaic and is in favor of "positive discrimination" to enable women to participate more actively.[249]

MOSA and the Ministry of Public Health have signed a five-year national action plan (2006-2010) to fight against gender-based violence. Towards this end, in 2009, MOSA organized, with CRTD-A support, training in gender mainstreaming and awareness against violence towards women with the Ministry's executive officers.250

Also, MOSA is involved in awareness campaigns around the domestic violence bill, particularly the 'White Ribbon Campaign', which encourages the active participation of men in gender campaigns.[251]MOSA is also implementing a national program to target poor households.[252] Mindful of the growing number of female-headed families and their economic vulnerability, the government now collects gender disaggregated data to identify vulnerable populations that need targeting. The World Bank is providing technical assistance to help implement the new targeting system.[253]

[248] Meeting with Mrs. Samad, MOSA, ibid.
[249] L'Orient le Jour 9 January 2010
[250] Meeting with Mrs. Samad. Ibid.
[251] Meeting with Mrs. Samad. Ibid.
[252] Site du MOSA www.socialaffairs.gov.lb
[253]Through the project 'Emergency Social Protection Implementation Support Project II (ESPISP II)



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Ministry of Agriculture: A treaty of cooperation between the Ministry of Agriculture and the Association of Banks was signed in August 2010 to grant credit to investors in the agricultural sector for small and medium size projects.[254] Credit allocated to investors is between 3 and 25 million Lebanese pounds for a four-year period with low interest rates. There is no indication about whether these funds will benefit rural women. Meanwhile, the Ministry of Agriculture is implementing a project, funded by GTZ, to restore rural livelihoods through reforestation in the South, as well as a project for the production of medicinal and aromatic plants funded by UNDP. It must be noted that these projects are not specifically aimed at women.

The Ministry of Labour, jointly with the ILO, have set up a national committee to implement the Prime Minister's initiative to prepare and adopt a binding employment contract for migrant domestic workers in Lebanon to define work conditions and reduce number of exploited domestic workers (see Annex II)

Office of the Prime Minister: created a special unit to mainstream gender issues in government policies and increase the involvement of women in political power. In 2010, women occupied only 3.1% of the seats in Parliament (ie 4 elected women) out of 128 parliamentarians.[255]

The Parliament: In his first speech as Speaker of Parliament, Mr. Nabih Berri stressed Parliament's duty to adopt laws to ensure the full participation of women in public life, the need for laws to protect them against violence as well as to repeal all discriminatory laws against women. The bill on domestic violence against women, prepared by a steering committee composed of lawyers, judges and experts led by KAFA (see below), was adopted by the Cabinet on April 6th, 2010. It is now being considered by Parliament. It proposes that domestic violence no longer fall under the jurisdiction of the 15 religious courts but rather under the jurisdiction of the civil justice system.[256]The law calls for the establishment of specialized family law courts, which would uniformly apply civil law. Domestic violence cases would result in private hearings in which judges, social workers, forensic doctors and psychotherapists could intervene. Violence would no longer be judged according to religious specificities. This law would constitute a crucial step toward equality between men and women and between women of different religions. The new law would also require both

[254]http://www.iloubnan.info/economie/actualite/id/49828/titre/Signature-d'UN-trait%C3%A9-de-coop%C3%A9ration-entre-le-minist%C3%A8re-de-l'Agriculture-et-l'association-des-banques
[255] Inter-Parliamentary Union http://www.ipu.org/french/home.htm
[256] Source: http://www.wluml.org/node/5553 Women living Under Muslim laws association IRIN

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parties in the dispute to report a violation so that binding orders of protection could be taken. It also requires the offender to provide the victim with alternative accommodation, subsistence allowance and pay the victim's medical expenses. The project also proposes the creation of specialized police units within the Internal Security Forces throughout the country. They would recruit trained women police officers to deal with domestic violence cases. By criminalizing domestic violence, the new law is expected to significantly reduce violence perpetrated in the family sphere. Also, Arab parliamentarians met in Beirut in July 2010 to launch a Regional Parliamentary Campaign entitled 'Parliaments against violence towards women'.[257]All these steps are positive contributions towards improving the lives of women.

The National Commission for Lebanese Women (NCLW) is a quasi-governmental body officially responsible for coordination and action to advance women and implement gender equality in Lebanon. The NCLW was first created to prepare for the Beijing Conference in 1995. It was composed of both government officials and NGOs. In January 1996, the Cabinet decreed the formal establishment of the Commission as the official body responsible for monitoring the resolutions taken in Beijing and progress achieved towards CEDAW. It has been working with civil society and academic institutions to produce the National Plan of Action. It has an advisory role to the President, Cabinet and other public administrations. The Commission is responsible for setting national priorities for the promotion of women's rights, formulating gender policies and monitoring gender justice in government programs, increase awareness of gender issues and lead legislative initiatives, launch programs, activities, research and workshops on topics related to women. It is expected to establish links with Arab and international organizations.

The CNLW formulated and adopted a national strategy for women's advancement and building a culture of peace entitled 'Women Empowerment Peaceful Action for Security and Stability' (WE PASS project). It has also established gender focal points in ministries and NGOs[258] and organized women's committees. Among other objectives, the project aims to raise public awareness about the role women in decision-making and peace-building. However, the Commission's institutional capacity is weak. It lacks human and financial resources and has neither the needed authority nor capacity to effectively promote the implementation of CEDAW and advocate for the integration of gender perspectives in all

[257] IPU Bulletin n° 23 of 20 August 2010 http://www.ipu.org/eB-f/23-4.htm
[258] Follow-up report on the implementation of the World Food Summit Plan of Action 2004



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levels of government.[259] To date, its work has been limited to organizing conferences and sharing recommendations with government officials.

Despite the current Government's verbal commitment to gender justice, made during its first declaration after taking power, not enough has happened to empower women in practice. The review of government programs provided in this paper shows that the State still lacks the political will needed for real change to occur. It has committed only limited financial resources to empower women thus far. Proactive efforts remain few and limited in scope and are not all framed within a social justice approach. The advisory nature of the role conferred to the National Commission for Lebanese Women is too narrow to be effective and inadequate to address the whole range of gender complexities that exist. In the absence of a political will for action, limited budgets and no clear, comprehensive, and committed course of action to promote women, it is hard to expect formal or substantive gender justice to occur. Furthermore, key bills to support women, such as the one protecting them from domestic violence and the bill on the transfer of nationality have been waiting for Parliament's approval for many months now, which indicates that they are clearly not a government priority.

5.2 NGOs and foundations

While there are hundreds of NGOs in Lebanon, only a small number of them support the economic empowerment of women. Listed below are those who play a proactive and leading role in improving women's economic, social and legal empowerment.[260]

Al Majmou'a[261]: Since 1997, this NGO has been providing micro/small credit to small business owners. Over 400 persons have received loans. In addition to loans, they provide training to women for the production and marketing of goods.[262] Out of their 6,500 beneficiaries, about one quarter is female-headed households. Women qualify for a loan after receiving non-financial assistance. With EUROMED partnership, Al Majmou'a is involved in the 'Women Entrepreneurs in the Mediterranean (WEM) project. Al Majmou'a has created a

[259] Extracts from 8 April 2008 report from CEDAW's Experts Committee http://genre.francophonie.org/spip.php?article318
[260] By alphabetical order
[261] Al Majmou'a: www.almajmoua.org
[262] 'Female Headship in Lebanon, Vulnerability assessment of female heads of households : the July 2006 war on Lebanon' UNFPA, MOSA, June 2007



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business development center offering services to women micro-entrepreneurs which gave birth to 10 new projects in 2008-2009. The WEM project has overseen 900 activities across Lebanon, including training on topics of interest to women such as reproductive health, enhancing self-esteem, dealing with violence against women, simple accounting, book-keeping, sales techniques and management of household budgets. The project conducts custom-made diagnostics for businesses and supports a network for women to identify best quality/price ratios and organize local trade fairs. Along with financial assistance, they are now involved in social development efforts to tackle poverty more comprehensively.[263] Al Majmou'a also works in Palestinian camps.

Artisanat: Is an association that trains women in handicrafts, in collaboration with MOSA. It also helps women market and sell their products. Artisanat also has a daycare centre and works in Saïda and surrounding villages.

CRTD-A[264]: The Collective for Research & Training on Development-Action) conducts research and training for the political and economic empowerment of women. CRTD-A launched the campaign 'My Nationality Is My Right and That of My Family' to amend the Nationality Law and grant Lebanese women the right to transmit their nationality to their foreign husbands and their children. CRTD-A also organizes workshops on women leadership. CRTD-A has launched a large regional project on women economic empowerment (RWEEP), to promote equitable development and gender equality by helping women access better services to increase their participation in economic life in Jordan, Lebanon, Palestine and Tunisia. Its Women Economic Empowerment Project, (WEEP) has opened *Namlieh*, an outlet store in Beirut to help market goods produced by rural women cooperatives. This project also helps women identify and develop new market opportunities for their products.

Hariri Foundation for Human Durable Development[265]: This Foundation was created in 1979 by former Prime Minister Rafic Hariri. It works to build a civil democratic society based on equality and social justice. The Foundation develops human capacity by reinforcing partnerships between the State and civil society. It also provides scholarships to a large cadre of young Lebanese. The Foundation believes in gender equality not only for egalitarian

[263] Women's control over economic resources and access to financial resources, ESCWA, New York, 2009
[264] CRTD-A : crtda.org.lb
[265] HARIRI Foundation: http://www.hariri-foundation.org/programs.php?cat=MTQy

The Regional Economic Empowerment of Women Project (REEWP)
Project produced with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA)
Le projet régional d'habilitation économique des femmes (PRHEF)
Projet a été réalisé grâce au soutien financier du gouvernement du Canada agissant par l'entremise de l'Agence canadienne de développement international (ACDI)
Oxfam Québec

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purposes but as an efficient approach to meeting the MDGs. The Foundation conducts research on the relation between gender and the economy and examines how gender relationships impact socio-economic development. It also launched the 'Women Empowerment Program' to strengthen women's social, legal and economic conditions by influencing public institutions and public opinion to be more gender sensitive. The advertising campaign *Kede Kasra,* to promote an empower women was awarded twice in June 2009 by the United Nations Office of Public Information and the New York International Commercial Advertisement Festival.

KAFA (Enough) Violence & Exploitation[266]: KAFA works for equal rights between men and women and helps eradicate discrimination and all forms of violence and exploitation against women and children. KAFA conducts research, training and awareness campaigns and disseminates knowledge about violence and exploitation. The organization shelters about 500 victims of violence each year and is currently lobbying for a bill on domestic violence. KAFA also advocates for lifting the government's reservations on CEDAW.

Lebanese League for Women in Business (LLWB)[267]: is an NGO established in 2006. It recognizes that women are a vital component of economic development and encourages women entrepreneurs to lead and succeed in business It promotes women's economic empowerment by providing women business owners with a forum and a national network to reinforce their role in the economy. The League establishes links between economic actors to create new opportunities for business women at local, national and international levels. It also provides information and assistance in educational and professional training programs and supports knowledge dissemination and women leadership.

Lebanese League of Women's Rights:[268] For the past 60 years, the League has been working to improve equality between men and women within the family context.

Lebanese Women Council (LWC)[269]: founded in 1952, this NGO emerged from Lebanon's early feminist movement. It focuses on women's political rights. It adheres to the principle of a unified, sovereign and independent Lebanon where men and women have equal rights and

[266] www.kafa. org
[267] Lebanese League for Women in Business: http://www.llwb.org
[268] Lebanese League of Women's Rights : llwr@terra.net.lb
[269] Lebanese Women Council: http://lcw-cfl.org/Default.aspx?alias=lcw-cfl.org/fr



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opportunities. The Council is currently composed of over 170 NGOs members scattered around the country and counts thousands of members, representing the country's religious, social and cultural diversity. LWC's objectives are gender equality and equity in law, women's participation in the process of policy development, good governance, resource optimization and active participation of women in economic life. The LWC has expanded its sphere of activity to include rights to education, health and employment for women and campaigns to support Lebanese women to transmit their nationality to their children. The LWC participated in the Fourth World Conference on Women in Beijing in 1995. It is co-author of the non-governmental monitoring report on women and contributed to efforts to the ratification of CEDAW.

Lebanese Women Democratic Gathering270: This NGO is based in Anjar and in six villages in the Bekaa Valley. Its purpose is to strengthen the economic role of women, and offers programs on women's rights.

Najdeh271: Najdeh is an NGO established in 1978 to support women and children in and around Palestinian refugee camps. Its projects are located in Beirut, Tripoli, Saïda, Tyre and the Bekaa Valley. It offers healthcare, vocational training, including literacy and English classes, social assistance and scholarships. It also provides loans to finance income generating projects. In 2009, 45% of its loans went to women. The association promotes and advocates for human rights. Najdeh is funded by international organizations mainly from the United States, Europe and Canada.

Safadi Foundation:[272] While the Foundation was officially created in 2001, it has been active in Northern Lebanon for much longer. It enables NGOs and governmental institutions to meet the needs of the community following the destruction of health and social services by the war. The Foundation has recently reoriented itself from focusing on humanitarian work to becoming more of a welfare and development agency. The Foundation's principles are equality for all and socio-economic, environmental, cultural and educational human development. It also promotes cooperation among stakeholders. The Foundation has organized regional workshops to develop individual skills to help communities help themselves. It has also implemented a project 'Promotion of Female Entrepreneurship' in the

[270] The Lebanese women democratic gathering : http://www.rdfl-women.org/Activitiesenglish.htm
[271] NAJDEH: http://association-najdeh.org/french/index.html
[272] SAFADI Foundation: http://www.safadi-foundation.org



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framework of the 'Middle East Partnership Initiatives' (MEPI) supported by USAID in Darh El Mogher region to strengthen the economic role of women through vocational training and training to become politically, legally and socially active. The project 'Academy for the Support of Women' aims to increase women's social participation in their local neighborhood environment and helps them improve their personal skills in managing the family. This project was inspired by the '*Our Neighborhood*' project in the Tripoli area, to improve the living conditions in the more marginalized areas with women in key leadership roles.

Social Welfare Institute (SWI)[273]: The Institute offers a range of social welfare programs, medical care services, vocational training and literacy classes and manages an orphanage for abandoned children. 70% of SWI employees are women. It provides daycare for the children of employees and their beneficiaries. SWI is creating the Women's Empowerment Institute, to train women by giving them the necessary skills to enter or re-enter the market such as computer, technical and vocational training based on improved confidence.[274]

Working Women's League in Lebanon[275]: Supports the removal of all discriminatory laws against women and calls for the adoption of a new law criminalizing sexual harassment in the workplace. The League offers advice for working women on all topics related to employment and is currently negotiating with private and public sectors stakeholders to ensure that daycare centers are made available at the workplace.[276]

WOSS: Works with women to improve their life conditions. It provides housing and computer training to its beneficiaries, a third are women from female-headed households.

5.3 International organizations

International organizations working in Lebanon are active in all sectors. It is impossible to provide a complete review of all the programs that support women in the economy. The

[273] The Institute : http://www.daralaytam.org/en-SWI.htm
[274] Joyet Beyene, Assessing the situation of women workers within trade Unions in Lebanon, ILO (n.d.)
[275] The Working Women's League in Lebanon: http://www.UNdp.org.lb/partners/NGOs/NGOSearchAc.cfm?Acronym=WWLL
[276] Freedom House: Women's rights in the Middle East and North Africa 2010: Lebanon Economic rights and equal opportunities.



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following section provides the most important programs implemented with international and bilateral technical and financial cooperation.

ESCWA: ESCWA's Center for Women was established in 2003. It aims to promote women's empowerment in three areas: economic (poverty reduction), social (gender roles and partnership within the family) and political (sharing decision-making and women's political participation). The Center for Women focuses on raising public awareness about women issues targeting the media, government, civil society and the public to achieve gender equality and to put CEDAW into full practice. It also assesses the situation of women in the ESCWA region by compiling gender data and producing country profiles to help states prepare action plans and draft laws in support of gender justice. The Centre also produces progress reports and organizes and participates in conferences. ESCWA has published several reports on the CEDAW and the Arab countries including the 2007 study '*CEDAW and its congruence to national instruments: Status of Arab Women'*.[277] In July 2010, ESCWA, in collaboration with the Inter-Parliamentary Union (IPU), the Lebanese Parliament and the UNDP's Parliamentary Development Initiative in the Arab Region (UNDP-PDIAR) supported a regional workshop for Arab parliamentarians on the implementation of CEDAW and the fight against violence towards women.

In April 2010, ESCWA, in cooperation with the United Nations Division for the Advancement of Women (UNDAW) organized a sub-regional capacity building program to address the legislation needed to stop violence towards women. Members of government, parliaments and NGOs from six countries of the region participated. ESCWA signed a memorandum of understanding with the Hariri Foundation to strengthen cooperation on women issues in Lebanon. ESCWA also helps prepare and follow-up on the Arab report on the implementation of the Beijing's Platform for Action.

UNFPA: The United Nations Fund for Population Activities has supported national efforts by developing a 5-year multi-sector national action plan to prevent violence against women with MOSA and the Ministry of Public Health. UNFPA mobilized US$ 1 million for the implementation of this plan for the period 2007-2009.

[277] Implementation of the CEDAW in selected Arab countries, summaries of concluding observations. ESCWA 2006



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In addition, in 2006-07, UNFPA supported a series of post-war initiatives in the affected areas to produce and disseminate knowledge about gender-based violence and raise awareness and improve skills to prevent it. UNFPA has expanded its partnerships with government, NGOs (like KAFA) and other partners such as MOSA and NCLW to develop activities to counteract violence. In 2007, 450 women benefited from various vocational trainings and a good proportion was them was able to secure employment. Also with MOSA and the Population and Development Project, UNFPA has carried out a series of assessments of the 2006 war on vulnerable groups, including women-headed households.

Since 2003, UNFPA, in collaboration with the National AIDS Program of the Ministry of Health has supported an initiative to raise awareness of sex workers for AIDS prevention. This project has benefited more than 3,000 women and has improved their knowledge about risks, consequences and prevention of the disease. Efforts are also being made to put some of these women in contact with NGOs to facilitate their access to other employment opportunities.

In collaboration with the National Commission for Lebanese Women, UNFPA assists women in rural areas affected by war. The effort helps women enhance their decision-making capacities and encourages participation in local affairs. To this end, local authorities, including municipalities, are targeted about the importance of women's participation in decision-making. Women who have benefited from the project are now ready to stand for municipal elections. Each year, training is offered to women members of the local administrative committees to help them improve their managerial skills and give them the opportunity to implement sustainable income-generating activities.

In cooperation with the National Commission for Lebanese Women, UNFPA supports the economic empowerment of women in war ravaged areas through rmicro-credit. In February 2008, three micro-credit projects were active in several communities with local support. UNFPA is also supporting their beneficiaries with marketing, accounting and budget capacity building. UNFPA has granted 3,290 loans to women to create or expand small businesses or buy goods to meet their families' needs.[278]

[278] Report from the UN country team on CEDAW progress.



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OHCHR: As part of its work on the National Plan of Actions for Human Rights (NPAHR), the High Commissioner for Human Rights has met with the parliamentary committee responsible for women affairs and recommended that Lebanon adopt a comprehensive civil Code of Personal Status, which would be applicable to both women and men, without discrimination in accordance with CEDAW. [279]

ILO: In 2008, the International Labour Office identified five priority areas for action to improve women's employment and initiated long-term projects in each of the following areas:

- *Gender equality and workers' rights in the informal economy*: In 2007, the ILO and CAWTAR launched a two-year regional project "*Gender equality and workers: rights in the Arab states' informal economies.*" The initiative focused on gender equality in workers' social rights, and advocates for the adoption of fundamental reforms to give all employees, Lebanese and foreigners, in formal and informal sectors, equitable social security coverage.
- *Social care support:* The ILO is currently examining the impact of the increasing need for care and home assistance for children and the elderly on women's employment to recommend social policy.
- *Protection of migrant domestic workers:* Following the 2004 publication of its regional report '*Gender and Migration in Arab States: The Case of Migrant Domestic Workers',*[280] the ILO produced in 2005, in collaboration with the European Union, Caritas and the Embassy of the Netherlands a documentary film on migrant domestic workers in Lebanon. At the request of the Ministry of Labour, the ILO has been providing technical assistance to the Government to improve their status. A national steering committee was formed under the authority of the Ministry of Labour which has three working groups assessing regulation, identifying institutional gaps and developing tools to assist and protect domestic workers. The ILO Regional Office also produced a booklet on: 'Frequently asked questions and answers on migrant domestic workers in Lebanon,' which raises public awareness on the rights of and obligations towards migrant domestic workers.[281] In 2009, the ILO and the national steering committee unveiled the unified employment contract to regulate working conditions of migrant domestic workers. This contract has

[279] OHCHR's contribution to CEDAW report; Beirut 27 November 2007
[280] ILO ROAS: gender.gcim.org/.../Book%20in%20ArabStates.pdf
[281] This document is available on : http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_113954.pdf



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now been adopted by the Ministry of Labour and provides better protection to migrant domestic workers against abusive working conditions.

- *Creation of a department of active women at the Ministry of Labour*: To address the many factors that hamper women's employment, the Ministry of Labour has agreed to establish, with the assistance of the ILO, a Department of Active Women. This department works to strengthen capacities and provides technical assistance for the promotion of equal gender policies and regulations. It also collect gender-disaggregated data and contributes to knowledge sharing. The Ministry's employees are trained by the ILO International Training Centre in Turin on gender equality principles and decent work. The Department of Active Women should become the focal point for all information and knowledge relating to women's work in order to identify and implement projects and share good practices and lessons learned.
- *Entrepreneurship development:* The ILO's training program "*Get Ahead for Women and Enterprise"* supports poor women set up a small business. It is part of the regional project '*Women Enterprise Development and Gender Equality (WEDGE),*' which targets rural women producers and their cooperatives. This training emphasizes the importance of cooperatives in helping women entrepreneurs do better business. Training activities are focused in war affected areas in southern Lebanon and Nahr el-Bared refugee camp. In March 2008, a training-of-trainers course was organized to develop capacity in business for entrepreneurial women in a crisis context, including women with disabilities.[282]

At the local level, the ILO has implemented, since August 2007, a project to boost the local economy (LSER) in southern Lebanon for an amount of $US 1.3 million, financed by the United Nations Lebanese Trust Fund. This project enables the rapid implementation of socio-economic activities focused on micro and small businesses to accelerate job creation and income generation. The project, although not specifically intended for women, is still beneficial to them and it has had significant impact on the local development of the olive oil sector and on strengthening institutional capacity. In addition, strategic partnerships with United Nations agencies have been signed and there is already a growing interest from other donors, such as the Kuwait Fund for $US 15 million.

UNDP: POGAR Program: In 2000, The United Nations Development Program launched the Program on Governance in the Arab Region (POGAR), linking good governance with

[282] ILO Country Brief 1 Advancing Women's employment in Lebanon: ILO in action



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sustainable human development. The program assists government, civil society and the private sector to improve governance practices in Arab countries. It is based on the three good governance pillars: participation, rule of law and transparency. Program activities focus on a number of themes such as decentralization, elections and increasing women's role in public life. The Program is supporting the Parliament's Committee of Human Rights to develop a national plan for human rights. Gender equality is part of the program's objectives and specific activities have been organized, such as mapping of NGOs working for women.

UNDP has also carried out a two-year program (ending in 2010) which analyzed the impact of discriminatory laws on women and organized public awareness workshops with NGOs working for women and on human rights. In 2001, UNDP, in partnership with the CRTD-A, launched "Gender, Citizenship and Nationality" a program to raise public awareness by organizing campaigns in the media. At present, UNDP also supports the campaign for women's right to pass on their nationality.

UNESCO: The UNESCO regional office in Beirut implemented in 2007, in collaboration with the Ministry of Education, innovative TV programs (TVET), focusing on the role of girls and women in society with focus on the health, food and tourism industries. More than half of the participants were women. [283]

UNHCR: The United Nations High Commissioner for Refugees in Lebanon is working with Caritas to provide Iraqi refugees with the necessary financial guarantees to allow them to reside legally in the country. UNHCR also fosters a protective environment for Iraqi refugees. It registers about 350 refugees per month and provides them with legal assistance to ensure that they are treated according to law and protected against arbitrary detention. With UNCHR support, Iraqis access health and education services. Iraqi refugee children can attend public and private schools. About 1,000 children were enrolled in school in 2009 thanks to grants provided by UNHCR. Iraqi refugees are entitled to Lebanese basic health services and UNHCR provides them, with the help of several NGOs across Lebanon, with secondary health care. UNHCR also assists stateless persons. Attention is given to the most vulnerable, including prisoners, women, children as well as the elderly and disabled. Around 4,000 people

[283] Beirut 19 November 2007 Source: EFA MTR Report on Lebanon.



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receive individual or family support. Training and information dissemination efforts are being made to raise awareness about sexual violence and to identify and help victims.[284]

UNIFEM: The United Nations Fund for Women held various training sessions for women on career development in 2006-2007, including how to approach the job market in the area of ICT. The organization offered computer training to women from disadvantaged rural areas. UNIFEM has also conducted research and published studies on CEDAW and Lebanese legislation and supported the National Commission for Lebanese Women in the preparation of the national plan for the promotion of women's rights.

Since 2004, UNIFEM has had an on-going partnership with the French Ministry of Foreign and European Affairs. This partnership took the form of a Priority Solidarity Fund (PSF), active in 2004-2008, and addressed the evolution of family and women's rights in the Arab world to create an environment conducive to the promotion, protection and full application of family and women's rights in Algeria, Jordan, Morocco, the Palestinian territories, Tunisia and Lebanon. In July 2010, UNIFEM renewed its partnership with the French Ministry to collaborate for 3 years on the theme of violence against women in Central Africa and the Arab world.[285]

To celebrate International Women's Day on March 8 2010, UNIFEM, along with the United Nations Global Pact, launched the *'Principles for Strengthening the Autonomy of Women: Equality means Work'* initiative. The program promotes gender equality, including equal opportunities in business and a zero-tolerance policy towards violence and sexual harassment in the workplace. It trains women and supports good market practices, supply chains and business development measures that empower women. It also promotes equality through community initiatives, conducts advocacy, evaluates and publishes reports on progress made by businesses to achieve gender equality and disseminates good practices that businesses can use to promote women in the workplace.[286] UNIFEM also promotes equality of opportunity in employment and calls on businesses to employ women in at least 30% of decision-making positions.

[284] www.UNHCR.org
[285] www.diplomatie.gouv.fr/fr/IMG/pdf/15_partenariat_MAEE-UNIFEM.pdf
[286] Speech of Mrs. Inés Alberdi, UNIFEM Executive Director at the 8 March 2010 press conference. http://www.UN.org/News/fr-press/docs/2010/Conf100308-UNIFEM.doc.htm

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The Regional Economic Empowerment of Women Project (REEWP)
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UNRWA Is the main provider of basic social services like education and healthcare to Palestinian refugees. It also funds projects, in collaboration with ILO and the Canadian International Development Agency (CIDA), to improve the skills of refugees and improve opportunities for their employment in the Nahr El Bared and Beddawi camps. In February 2010, over 1500 job seekers were registered, a quarter of whom were women. About 900 persons were referred to jobs, at least a third of these were women. About half of these women attended vocational training organized by the project. Also, employment services provided beneficiaries with information needed to start a business and obtain the necessary funding support.

The World Bank: has financed many projects over the past fifteen years, mostly for emergency reconstruction and infrastructure rehabilitation. In July 2007, the World Bank restated its assistance strategy to Lebanon in light of the new realities set by the post-war period and included a program for medium-term reform, as per the Paris III Donors Conference in January 2007. The comprehensive program covers areas essential for economic growth, including strengthening social security to reduce poverty and vulnerability and increase the efficiency of social spending, especially in the health and education sectors. The social component of this program targets strengthening the role of women in the economy.

The World Bank infrastructure projects such as the current wastewater treatment project in Baalbek[287] along with the rehabilitation of the water supply network will improve health in this region. The project will be completed in November 2011 and will have a significant impact on women's health and overall well-being. The Bank also provides technical assistance to restructuring and modernizing key services, such as the National Social Security Fund and the electricity sector while helping to improve management of public finances.

The World Bank is currently preparing the new Country Partnership Strategy (CPS) with Lebanon. The CPS has a flexible approach based on five strategic axes for the next four years:

1. Budget stability and governance improvement in public finance management;
2. Competitive business environment;

[287] West Bekaa Emergency Water Supply Project. www.worldbank.org



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3. Improvement of basic infrastructure services;
4. Public education system's quality upgrading;
5. Expanded, inclusive, and sustainable welfare system.[288]

The World Bank also finances projects specifically targeting gender equality, such as the Khede Kasra campaign, initiated by the Hariri Foundation in late 2008. This program consisted of conducting research about women in the media, research to explore processes to empower women and a gender analysis of Lebanese law.[289] As mentioned earlier, the campaign was recognized at several festivals.[290]

5.4 Bilateral support

Austria, Kuwait, Sweden: In January 2010, projects to improve living conditions in the southern suburbs of Beirut were implemented by UNDP,[291] with the support of Austria, the Swedish International Development Agency (SIDA) and Kuwait. Austria delivered new equipment for 65 men and women owners of small and medium-sized businesses damaged during the 2006 war. Swedish SIDA and the Kuwaiti Fund, in collaboration with the Municipality of El-Bourj, set up a water station and wastewater treatment facility in Awzai. Kuwait funds established a vocational training center and a permanent market to support and strengthen women businesses.
Canada: The Canadian International Development Agency (CIDA) funds the *Regional Economic Empowerment Women's Project* (REEWP) in partnership with CRTD-A and managed by Oxfam Quebec. Initiated in 2009, the project is active in four countries: Jordan, Tunisia, West Bank and Gaza and Lebanon. It is designed to help women increase their participation in the economy and build capacity through a regional network for the exchange of knowledge and expertise, methods and tools. The network engages partner organizations to initiate structural, social, economic and political changes to improve the status of women in the region.

[288] www.worldbank.org March 2010
[289] An analytical Review of Studies on women and Law and Women and Media; Towards the Empowerment of Women and Media: To achieve Equal Opportunities between Men and Women Citizens and, Six steps Towards Empowerment: an analysis of certain aspects of the discrimination against women in Lebanese law.
[290] http://www.worldbank.org et http://www.hariri-foundation.org/
[291] Majal, January 2010



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CIDA has also collaborated with other donors,[292] to create the Scholarship Fund for Palestinian refugees in Lebanon. It enables needy women students with good grades to pursue and complete their undergraduate studies in Lebanon. This program was initiated in 2000. So far, 221 students have received scholarships and 104 have graduated. Students pursue academic disciplines such as science, mathematics, medicine and ICT. Once finished, UNRWA provides career counseling to help the graduates find gainful employment

Denmark: In collaboration with KAFA (Enough) Violence & Exploitation, the Danish Refugee Council is developing a project to address the exploitation of migrant domestic workers. Already a pilot study in 2010 showed the extent to which migrant domestic workers are abused by their Lebanese employers.[293] The project will focus on awareness and advocacy and research to map general perceptions, attitudes and practices about migrant domestic workers; information dissemination on rights and services available and direct support through legal, social and psychological counseling provided by KAFA.

European Union: EUROMED's three-year regional program "*The Role of Women in Economic Life" (RWEL)* was implemented by the British Council in partnership with the Mediterranean Institute of Gender Studies. It supported government and civil society efforts to promote women's economic participation in southern Mediterranean countries, including Lebanon. While the Euro-Mediterranean Program ended in 2009, a new three-year initiative (2008-2011) "Improving gender equality in the Euro-Mediterranean region," is now active under the Regional Program for the Southern Countries of the European Neighborhood Policy (ENP).

Another regional effort, funded by EuropeAid's Regional Program facilitates the participation of women in economic life by focusing on increasing the integration of women in the labor market, supporting the creation and management of businesses, improving access to financial tools and resources and building capacity. Between 2006 and 2008, the program provided technical assistance to seven regional consortia of NGOs to implement various projects. In Ehden, It supported a craft exhibition of René Moawad Foundation's associations and cooperatives with the participation of women from the North.

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[292] The State of Qatar, United States' State Department, Spanish Government, OPEP International Development Fund, and the French Government and Centre de Recherches pour le Développement International (CRDI)
[293] Servant, daughter or employee? 23 June 2010 available on http://www.kafa.org.lb/News.aspx?Newscode=9



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In addition to Euromed's regional programming, the EU provides direct support to Lebanon. Since 2009, with the Ministry of Public Health, it has implemented the "Women and Gender Equality" project, which promotes the rule of law and elimination of all discrimination against women in Lebanese law.294 The Amel Association has launched a program funded by the EU in 2010 to improve working conditions for women in the health sector. Training workshops provided technical courses and informed women about their rights.[295]

In 2005, the EU launched a project for agricultural development (ADP)[296] to address the sector's structural, informational and technological weaknesses. The project brought together, for the first time, farmers and representatives of public and private institutions to discuss their needs and explore opportunities. The project provides direct assistance to beneficiaries by helping them apply for loans, through the Federation of Chambers of Commerce, Industry and Agriculture (CCIA). Almost fifty agricultural cooperatives have received funding from the EU, equivalent to 40% of their investment with a maximum of €80,000. Andket Pro is an agricultural association exclusively run by women for women and is supported by ADP. The association is a successful outcome of the '*Food Provision Festival*'. It supports food production and processing, as well as environmental protection. The association has won UNDP and World Bank awards.

In Saïda, the EU supports a literacy program implemented by the French NGO, Première Urgence. The EU also supports workshops in sewing, family resource management, project management, health care for pregnant women, hygiene improvement as well as domestic conflict resolution.[297]

In July 2009, the EU launched an €18 million program to develop Lebanon's North, focusing on Akkar and northern municipalities. This project is conducted in cooperation with the Council for Development and Reconstruction. Activities and includes:

Establishing a community center, and providing vocational training in several areas for women and equipment for the agricultural cooperative in Mahmara; constructing two

[294] Majal, September 2009
[295] L'orient le Jour, 21 April 2010
[296] L'Orient le Jour, 21 December 2009. '*De la production à la commercialisation : des solutions d'envergure pour les agriculteurs libanais'*.
[297] Daily Star, 14 January 2010



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wastewater treatment plants, building a water tank and pump station and drilling of artesian wells for irrigation in In Magdala and Der Martoma Dalloum and upgrading a health center and setting up a clinic with gynecology, pediatrics and public health practices; creating a community center to offer computer and English training, and hairdressing and aesthetics; construction of irrigation canals and water tank, as well as purchasing agricultural equipment for the cooperative in Denbo.[298]

The EU also provides scholarships to Palestinian refugee students to attend university for a maximum annual amount of €5,000 per student. Students eligible for these scholarships must hold a high school diploma.

Finally, the EU developed an assistance program to modernize and develop the industrial sector, favoring small and medium businesses by offering credit, with particular emphasis on women's work and their participation in productive activities.[299]

France: The French Development Agency funds the development of infrastructure, provides technical assistance[300] and supports projects to boost the economy in line with the Paris III Donors' Conference. The Agency is supporting a project to establish a permanent training center for teachers and another project to establish a health technology division at Saint Joseph University. While none of their projects specifically target women, women do benefit financially, especially from the projects in the South to improve oil production and support micro-credit.

Italy: through Caritas-Lebanon and in collaboration with the Family Planning Association, Italy supports a two-year women empowerment project and family planning efforts in the Baalbek and Zahle region. The empowerment project enhances women's psychological and social development and promotes income-generating activities, as well the provision of legal advisory services. Italy funded research to determine the impact of the 2006 war on women entrepreneurs, including a survey on existing associations in Baalbek and Zahle, to better

[298] Majal, July 2009
[299] Role of women in economic life program. Analysis of the economic situation of women in Lebanon. E.U. Euromed, British Council.
[300] Complete list of projects Funded by the French Cooperation is available on: http://www.afd.fr/jahia/Jahia/site/afd/lang/fr/pid/885

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understand women's status and determine their needs.[301]Italy is financing the project *"Gender Equality Support in Education in Lebanon,"* implemented by UNESCO, for an amount of €480,000 to improve women's access to quality education and upgrade living conditions.[302]

An eco-tourism project "Women and Nature", launched in June 2009 and funded by the Italian Government under its Emergency Program (ROSS) supports eco-tourism through the creation of a small tourist unit to help develop local talent of women in particular. The Italian NGO (ARCS) is responsible for the project.[303]

In April 2010, Italy has granted MOSA €700,000 to strengthen women's participation in local governance and sustainable development. The project reinforces the Ministry's ability to reduce the gap between most vulnerable social groups, including women, and helps them to participate effectively in local governance and decision-making.[304]

Spain: Promoting women's participation in social development is a key objective of Spain's development cooperation. In 2010, the Spanish Agency of International Cooperation for Development (AECID) completed a program on education, initiated in 2006, which funded the Foundation for Social Promotion of Culture (FPSC) and the Lebanese Association for Culture Promoting (ALDEC-Women's Committee).

A three-year empowerment project for Palestinian women was launched in 2007 to provide vocational training (computer, hairdressing and nursing) as well as enhancing awareness and women's rights advocacy campaigns for school drop-outs. Meanwhile, a project (2006-2009) for disabled people provided equipment for the disabled (wheelchairs, crutches and prostheses), in the region of Marjayoun.[305] The AECID launched an agriculture project in Akkar, Deir Dalloum with the Safadi Foundation and the Farmers Union Cooperative to fight poverty by producing high quality honey through training and the breeding of queen bees.[306]

[301] Majal 2009
[302] Ibid.
[303] Majal juin 2009
[304] Majal avril 2010
[305] Majal 2009
[306] Daily Star 11 February 2010



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The United States: The Middle East Partnership Initiative (MEPI) was launched in 2002 and represents the US's main agenda to promote democratic reform and social advancement in 17 countries in the Middle East and the North Africa region. In Lebanon, starting in May 2010, MEPI's 'Women and Municipalities' is a platform to enhance women's political participation at the local level through the establishment of the association, 'Young Christian Women.' MEPI is also working with the Vital Voices Global Partnership (VVGP), an international NGO to identify, train and strengthen women entrepreneurs and leaders in marketing, business development and communication. MEPI created and financed the Lebanese League for Women in Business, which communicates with the U.S. Corporate Ambassadors Program. It links women entrepreneurs from the United States with women in Lebanon to develop relationships and exchange ideas. The program organizes conferences on regional and world trade.

The 'Network of Business Women in MENA' is a partnership between MEPI, VVGP and women business organizations. The goal is to link business women in Lebanon with others in MENA in a regional network to increase women's contribution to economy, boost the value of their efforts and enhance their role in society. In 2009, MEPI also funded a technology center in 2009, in the North of Lebanon, to train women. The effort was sponsored by the Future Movement and carried out in cooperation with Microsoft.[307]

Also in 2009, the United States funded the workshop "Combating violence against women" at the Institute of Women Studies in the Arab World, located at the Lebanese American University in Beirut. This workshop establishes a constructive dialogue on the subject.

The United States funds other projects and activities that support women and their participation in the local economy. Examples include donating livestock to widows in Achma-Fsiqine municipality to help them establish dairy farming.[308] USAID granted $US 130,000 to 19 micro-entrepreneurs in Akkar and support municipalities develop business opportunities for women. The amount of micro-loans ranged from 5 to 25 thousand dollars. About 80 women attended a "Women and Leadership" course, organized with the Women's Caucus for Information Technology to help women engage in income-generating activities.[309]

[307] Majal 2009
[308] Majal 2010
[309] Majal 2009

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USAID also implemented, in collaboration with the Cooperative Housing Foundation, a project to strengthen marketing networks for food products to help create new jobs, especially for women. "The Succession of an Estate" is another USAID project, which develops human resources by training young people in participation, leadership and conflict resolution through peaceful means, and provides them with coping skills when unemployment and living under the fear of violence.[310]

The U.S. government provides financial support to the Tents Women's Association for activities on citizenship and Municipal Codes; communication and youth leadership; the city of Tripoli to train young men and women before council elections and the Association of Working Women and Single Mothers in Majdal Anjar in the Bekaa Valley, on activities related to citizenship and conflict resolution through peaceful means and youth commitment to municipal work.

Lastly, the Safadi Foundation launched a new project to boost women's economic contributions in the region of Dahr, with MEPI funding. The project encourages women to become more active and efficient in social, legal and political sectors. The Foundation trains women in income-generating activities and provides courses in the management, production, preparation and packaging of products destined for the market.

To conclude, international support, whether bilateral or multilateral, grew enormously after the 2006 conflict and the period following, much of it was earmarked for infrastructure and reconstruction. While donors have supported and continue to support numerous large and small projects to empower women, efforts remain geographically dispersed and institutionally scattered. While these efforts are commendable, they have not been enough to effectively address the wide gender gap throughout the country at its multiple and complex levels. Some efforts have been encouraging but it is clear that much more needs to happen in partnership with all stakeholders: women and men, NGOs and civil society, government, the private sector and donors for real changes to occur. More needs to happen at larger scales and in a more aggressive manner for institutional and political reform to happen to not only to empower women but also to support the overall economic development of the country based on justice and equality principles.

[310] Ibid.



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6.0 The Persistence of Discriminatory Inequalities

As this review shows, gender discrimination and inequality continues to occur in family and institutional spheres, including the workplace, all of which affect women and impacts their contribution to the Lebanese economy. This section summarizes these discriminations and inequalities as follows:

6.1 In family and social environment

- Women's participation in the economy is limited largely by social, cultural and religious patriarchal norms which have stood in the way of substantive equality. Formal equality on the other hand has gained some ground such as the equal pay for equal work law.
- The constitutional multi-confessional provision that endorses all religious laws implicitly accepts the expressed discrimination they contain between men and women, and between different categories of women.
- The reservations made by Lebanon on nationality and personal status upon ratification of CEDAW continue to allow religious laws to govern personal status issues, perpetuating the discrimination they contain.
- The absence of effective criminal laws to punish domestic violence perpetrators continues to leave women vulnerable to violence.
- There is no immediate link between women's successful employment to a better quality life, since many working women remain dependant on their husbands, fathers and brothers and are often exploited in the domestic sphere, with men remaining the ultimate decision-makers.
- Lebanese society does not actively support women's participation in public and political life.



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6.2 In Employment

- While women who enter the labor market are likely to be more educated than men, women often settle for lower-paying unstable employment, often in the informal sector, with little or no legal framework to protect them. They also have to reconcile family responsibilities with work in the context of unsupportive state policies and unfriendly social norms.
- The slight increase of women's contribution to the Lebanese economy compared to their high level of education reflects the continuous struggle for gender equality under the weight of traditional culture.[311] It also illustrates the limited scope of formal equality.
- The lack of national employment policies resulting in high unemployment levels affects men and women alike, but tends to disproportionally affect women.
- The shortcomings of laws guaranteeing the rights of women workers expose them to persistent exploitation, discrimination and violence.
- The absence of law enforcement mechanisms on equal pay for equal work allows for the persistence of gender wage differentials in the private sector and highlights the limited impact of formal equality. It is clear that the enactment of laws is not enough; laws must still be interpreted and applied consistently to help establish substantive equality.
- The absence of law condemning sexual harassment of women in the workplace exposes women to humiliation and violence.
- Women's real participation in the economy is understated and unappreciated in the absence of the formal recognition of informal work, including work that comprises house chores and care provided to children and the elderly. The exclusion of agricultural and domestic work from the Code of Labour leaves these workers vulnerable with no legal or social protection.
- Some employers dismiss women once married or pregnant to escape having to support maternity leave and frequent absences associated with taking care of children. These discriminations are often subtle and hard to address legally because they are difficult to prove.

[311] Idea developped by Jütting and Morrison in OECD 2005 Cahier Politique économique N°27 Renforcer le rôle économique des femmes dans les pays en développement : pour le changement des institutions sociales.



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- While the gender gap in employment is declining, men still access higher quality jobs and are preferred over women for most jobs. Women tend to be found in lower positions and only a few get promoted to senior decision-making positions. Men are uncomfortable with working under women authority and women suffer from the 'glass ceiling' effect, which makes professional advancement for them difficult.

- Women's low participation in trade unions weakens their capacity for bargaining and collective action. is needed to determine how current women "friendly" laws such as the law banning women from working at night work affects their economic opportunities.

- Data collection continues to fail to capture women's real contribution to the economy.

7.0 The Last Word: Recommendations and the Way Forward

While the battle for women's rights is not new in Lebanon and much has been accomplished towards gender justice, much work stills remains to be accomplished, especially in the realm of economic empowerment. As this report shows, women in Lebanon have not reached their full potential in the country's economy.

Gender equality promotes healthy economic growth. For gender equality to occur in Lebanon, the country must move from formal equality to substantive equality. This will require proactive measures led through partnerships between women and men, civil society and government and donors to thrust women into full productivity in economic development. In light of this review, the following actions are recommended:

Reforms in employment

- Adopt redistributive measures to remedy gender inequalities that inflict exploitation and economic marginalization of women and women groups, including income redistribution.
- Adopt policies and programs that support cultural and behavioral change to help eradicate gender injustices and foster working environments that support gender

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justice and encourage the meaningful participation of both men and women in the implementation of programs that support gender justice.

- Systematically mainstream gender in all institutions and policies and adopt gender sensitive budgeting. This involves integrating a gender perspective at all levels of the budgetary process as well as an evaluation of the impact these resources have on n men and women's social and economic opportunities. Fiscal restructuring can begin by investing more in social services and expanding social coverage, like health.
- Establish within the Ministry of Economy systematic approaches to collect and analyze gender–disaggregated data to measure progress towards reducing the gender gap in the formal and formal economy and help design and inform programs specific for women.
- Ensure that women's participation in productive life does not overburden them with more work that is not rewarding, but rather the opportunity to take on important decision-making positions that improve women's quality of life.
- Produce and disseminate knowledge about the gender gap and efforts to reduce it.

Influencing learning

- Revise school textbooks to promote equality between men and women.
- Develop curricula that proactively teach gender justice throughout schooling.
- Institutionalize gender justice in teacher training, professional development and work to influence parental and community attitudes towards women and their role in the productive sector.
- Develop curricula that offer vocational training programs to meet current and future markets needs and explore ways to encourage women's participation in all areas of work, including non-traditional fields.

Evaluation: A key process to understanding change

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- Establish an on-going, iterative participatory system of monitoring and evaluation to assess progress towards formal and substantive equality and social welfare outcomes and understand what works and what doesn't and what can be done better, in projects and programs, to improve the status and contribution of women to the economy. The evaluation should use innovative analytical tools that rely on both quantitative and qualitative indicators to capture change, especially in the more elusive aspects relating to work, equality, fairness and justice. Indicators to look for can include women's access to resources (e.g. establish a database of the number of loans given to women); social services provided and their impact (by region, type of service, etc.) and access to justice (e.g. the number of lawsuits filed by women, and their ruling).

Adopt a social protection system for all economic sectors' stakeholders

Social protection in Lebanon must undergo reform to reflect principles of equal access to social rights and services for men and women in the formal, informal, public and private sectors and should be construed as a driver of economic growth[312] and social progress. Reform should include comprehensive innovative ways to provide affordable healthcare, and childcare for young and older children (including nurseries for infants and extra-curricular activities for after school hours for mothers that work late) and care for the elderly, besides the traditional way of keeping women at home for these purposes, Maternity leave must be uniformly applied and should comply with international standards and paternity leave should be introduced to share responsibility.

Provide special services to women entrepreneurs

Business women need additional incentives and the enactment of positive measures, such as tax incentives and credit, to help them become successful entrepreneurs. Poor women benefit immensely from micro-credit which needs to become more readily available through simplified administrative processes and closer to home credit facilities. There are good

[312] 'La protection sociale au Liban : entre réflexe d'assistance et logique d'assurance', Roger Melki.

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opportunities for women in environment friendly technology such as renewable energy and solid waste recycling processes, ecotourism and organic agriculture sectors.

Adopt affirmative action measures

Affirmative action measures, such as quotas, can help redress the imbalance in gender representation in the workplace and in women's political and parliamentary representation. [313]

Apply all international conventions and CEDAW

In addition to the above, it is strongly recommended that all economic, social and cultural rights guaranteed to women under international law be interpreted and applied in Lebanon. We also share the view expressed in the 2006 third periodic report of the Lebanese State to the Committee for the Elimination of Discrimination against Women on the point I.b which recommends the inclusion of CEDAW in the international instruments of human rights cited in the preamble of the Lebanese Constitution.

A number of U.N. conventions have not been ratified by Lebanon. These conventions protect the rights of women in the areas of labour, social security and acts of violence. It is recommended to ratify international conventions in two distinct phases. As a priority first phase, it is recommended to ratify the following conventions and the immediate introduction of their principles in Lebanese law:

- Convention on the nationality of married women, (1957)
- Convention relating to the status of refugees, (1951)
- Convention on consent to marriage, minimum age for marriage and marriage registration, (1962)
- ILO 183 Maternity protection convention, (2000)
- Convention for the suppression of white slave traffic (1910), and exploitation of the prostitution of others, (1949)

[313] In 2010, there are only 4 women parliamentarians in Lebanon, representing 3.13% of all the members of Parliament.

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- ILO 141 Rural workers organizations convention, (1975)
- ILO 118 Equality of treatment (social security) convention, (1962)
- ILO 97 (revised) Migration for employment convention, (1949) and
- ILO 143 Migrant workers convention (supplementary provisions) (1975)

In a second phase, it is recommended to ratify the following conventions:

- ILO 156 Workers with family responsibilities convention, (1981)
- ILO 87 Freedom of association and protection of the right to organize convention, (1948)
- ILO 98 Right to organize and collective bargaining convention, (1949)
- ILO 175 Part time job convention, (1994)
- ILO 177 Home work convention, (1996)
- ILO 102 Social security (minimum standards) convention, (1952)
- ILO 171 Night work convention (1990) and 89 Protocol to the night work of women convention, (1948-revised)

Meanwhile, there is a clear need for a unified secular civil law code which would apply to all Lebanese regardless of sex, religion or culture, containing principles of gender equality enacted by the Lebanese Constitution and in conformity with the international human rights and CEDAW principles. This would constitute enormous progress to the achievement of substantive equality. The revision of Article 9 of the Constitution and abandoning the principle of faith-based law which currently governs the foundation of society and personal would put an end to the legislative and judicial multiplicity that now define it. In making these reforms, the Constitution would become less contradictory, more comprehensive and free of unfair and discriminatory personal status laws.

Improving the economic role of women requires changing social institutions. In Lebanon, where cultural traditions still weigh heavily on behavior and public policy discourse, efforts towards full gender equality have made good advancement, but are still a long way from full realization. To reach their full potential, women must be able to operate in an environment



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that has repealed most, if not all discriminatory provisions identified in civil and religious law, ensured that existing laws supporting gender equality are strictly enforced, and adopt other laws that promote gender justice in the area of employment, social security and protection of women against violence.



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Annex I: Definitions

Informal work: the European Commission's definition of informal work is: 'Unpaid economic activities, conducted for the direct benefit of the household or friend/related household on a reciprocal basis, including daily household work as well as a wide variety of activities of self-sufficiency and/or professional activity, as primary or secondary activity, exercised as lucrative and non occasional in the margins of or outside legal obligations, regulations or agreements. The informal sector can be defined using criteria related to the ease of entry into the unregulated economic markets, the homestead enterprises; the small scale of operations, the use of local resources, intensive work and training acquired outside the school system.'[314]

Productivity: The OECD[315] defines productivity as the ratio, in volume, of a production of goods or services to one or various production factors among which the human factor and the labor. This definition of productivity does not take into account social dimensions. Furthermore, social capital must be differentiated from human capital as it resides in relationships among persons; it is the product of investments made by society in time and energy. It is the efforts of individual people to work collectively for non-monetary goals such as justice.[316]Social capital is an exogenous variable. The social aspect is composed of human capital (institutions, political and social norms) and relations between individuals (behaviors, networks of relationships, values).

GDP: or gross domestic product is the sum of production gross added values of the various institutional sectors or of the various industries, increased with taxes minus subsidies on products.[317] GDP is sometimes calculated to the total number of persons employed, it then forms labor productivity. Economists connect time productivity with GDP per capita. GDP

[314] Jacques Charmes, *'Les Origines du concept de secteur informel et la récente définition de l'emploi informel'*, Research Institute for Development, Paris.
[315] OECD, 'Mesurer la productivité', Manuel de l'OCDE, 2001, Paris. Available on the site: http://www.SourceOECD.org
[316]Gisèle Jean et Daniel Rallet, *'Capital humain et capital social'*. Available on the site: http://www.institut.fsu.fr/nvxregards/14/14_rallet_jean.htm
[317] INSEE.fr

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does not take into account the activities of the informal economy sector such as household work or caring for children and the elderly.

The labor force: according to the ILO, it includes all persons who, during a specified reference period of time, are considered to have a job or as being unemployed, they form the available labor to produce goods and services. The World Bank adopts a slightly broader definition by including primary job seekers. It does not include informal sector workers, unpaid workers, those working in family businesses, students or housewives who raise their children or take care of the elderly.

Formal or de jure equality: This is equality explicitly introduced by texts, laws, constitutions or agreements. According to Louise Langevin,[318] this form of equality calls for persons in similar situations to be treated equally. This type of equality has advantages with regards to voting rights, the right to education, etc.. but do not always respond adequately to all women needs.[319] Formal equality is the foundation of substantive equality, without which equality cannot happen. De jure equality is not sufficient to establish genuine equality. To do so, it is necessary to interpret the law and implement it in order to shape formal equality into substantive equality.

Substantive or de facto equality: also called basic equality, of substance, as opposed to simple formal equality. This form of equality takes into account the impacts of decisions, policies, measures and laws on women.[320] This is equality applied in its most profound sense. This paper advocates this type of equality without excluding formal equality, without which there is no possible substantive equality.

Services to persons: are defined as both physical and social human activities, which take care of the present and future workforce of the population. This includes domestic supply for food, clothing and housing and social reproduction to fill these needs across all sectors of the economy in its paid and unpaid components.[321]

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[318] Louise Langevin, 'Which equality for women? Feminist reflexion on the concept of equality', Conference given at Laval university of Québec, 5 June 2006 in Katherine Hébert-Metthé, 'Réflexions d'une féministe en devenir', mars 2009. Available on: http://sisyphe.org/spip.php?article3231

[319] Katherine Hébert-Metthé, 'Réflexions d'une féministe en devenir', March 2009. Available on : http://sisyphe.org/spip.php?article3231

[320] Ibid.

[321] Alexander, P. Baden, S., 2002

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Economic activity: are economic production activities as defined by the system of national accounts and include the production of goods/services supplied to third parties; all goods for own consumption by the producer; domestic services by the owner or resident; domestic and personal services by paid workers and domestic and personal services by paid domestic employees.[322]This definition is incomplete because it excludes personal or household services provided, without compensation, by a family member for the benefit of the home (such as household maintenance, care of family members, meals' preparation, education and monitoring of school children, transportation of family members).

[322] United Nations Statistics Division, 2008b, in Gender Employment and the Informal Economy, Glossary of Terms. ILO and CAWTAR, 2009.



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ANNEX II: Unified work contract for migrant domestic workers

The Republic of Lebanon

The Ministry of Labour

The Minister

5 February 2009

Entry into force: 5 February 2009

Decision N° 19/1

Published on 31st JANUARY 2009

Related to the special work contract for migrant domestic employees

Signatory Minister: Mohamad Fneich

According to Decree N° 18, dated 11/7/2008 (formation of the government),

To organize work relations between employers and domestic employees, and contrary to any other text,

Decides as follows:

Paragraph 1:

This contract is compulsory for employers and domestic employees;

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Paragraph 2:

Decision to be recalled if necessary.

Signature:

Minister of Labour

Mohamad Fneich

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Employee/ employer

Personal data: name, place of birth, marital status, nationality, passport number, date of birth, identity number, address;

1-The contract's introduction is fully part of the contract.

2-The employer has accepted that the employee works for him at his residence in conformity with the conditions provided in this contract.

3-The employer promises not to employ the employee in a different place than his residence.

4-The contract's duration is 3 years, renewable every year.

5-The contract enters into force immediately once signed at a public notary's office and comprises a 3 months trial period.

6- The salary of _____ is payable at the end of each month with no unjustified delay.

Salary is payable in cash, by check or by bank transfer, with a receipt signed by both parties.

7-The employee must accomplish his/her work with expertise, appropriateness, ethic and must follow the employer's indications.

8-The employer must assume decent work conditions to the employee, provide him/her with working clothes, as well as food and must respect his/her private life.

9-The employer must insure the employee: (medical insurance subscribed at a recognized insurance company).

10-The employer insures and pays the employee's work and residence permit.

11-The employer must limit the working hours to 10 consecutive per day and ensure a minimum rest of 8 consecutive hours at night.

12-The employer ensures a 24 consecutive hour leave every week. The conditions of this leave are jointly agreed by the two parties. The employee is entitled to a six day annual leave, which conditions and date are fixed on a common agreement by both parties.



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13-The return ticket is paid by the employer, except in cases listed in article 16 of this contract.

14- The employer gives the right to the employee to receive phone calls, mail and authorize the employee to call his/her parents once a month at the employer's expenses. The rest is at the employee's expenses.

15-Sick leaves: 15 days paid 100% of the salary and 15 days paid 50% of the salary.

16- The employer can break the contract according to the following conditions:

a- if the employee committed a fault, an oversight, an aggression, or caused an harm to the employer or a member of his family;

b-if the employee commits an error condemned by the Lebanese law.

Under these conditions, the employee must leave the country at their own expenses.

17- The employee can interrupt the contract at the following conditions:

a- if the employer did not pay his/her salaries during three consecutive months;

b-if the employee has been victim of violence or sexually harassed by the employer or a member of his family; in that case, a report from a forensic doctor, the criminal police and the Ministry of Labour will have to be presented;

c- if the employer imposes another work without the employee's agreement.

Under all these conditions, the employer is forced to pay the employee's return ticket.

18- In case of conflict, mediation is done by the Ministry of Labour.

19- In case of disagreement despite mediation, it is possible to resort to justice.

20- This contract must be signed at the office of a notary in Arabic, English and French, in four copies. It is signed by both parties and each party takes its own copy.



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BIBLIOGRAPHY



Copyrights CRTD.A (c) 2012

Al Ayoubi, A. and K. Akkari (n.d), *Steps Towards Empowerment: A Legal Report*, World Bank, Hariri Foundation for Sustainable Human Development, The Council for Development & Reconstruction, Beirut.

Association Najdeh, Lebanon. Available at: http://almashriq.hiof.no/lebanon/300/360/362/najdeh/

Badinter, E. (2010). *Le conflit la mère et la femme*, Flammarion, Paris.

Behrendt, C., T. Haq and N. Kamel (2009). *The Impact of the Financial and Economic Crisis on Arab States: Considerations on Employment and Social Protection Policy Responses.* ILO, Geneva.

Beirut Declaration Arab Women Ten Years after Beijing: Call for Peace. Available at: http://www.unfpa.org/gender/beijing10/docs/arab.pdf

BIT (1993). Quinzième Conférence internationale des statisticiens du travail, *Rapport de la Conférence.* ICLS/15/D.6 (Rev. 1), Genève.

Bureau de statistiques des Nations Unies (1990). *Principes et recommandations complémentaires concernant les recensements de la population et de l'habitation* (doc. ST/ESA/STAT/SER. M/67/Add. 1), Nations Unies, New York.

Committee for the Follow-up of Women's Issues (2007). *Third Shadow report on the UN CEDAW*, Beirut.

Comité du Liban pour le suivi des Affaires de Femmes (2006), *Troisième rapport périodique du Liban au Comité des Nations-Unies pour l'Elimination de la discrimination à l'égard des femmes*, 7 juillet 2006. CEDAW/C/LBN/3.

ESCWA, (2004). *Where do Arab Women Stand in the Development Process? A Gender-based Statistical Analysis*, ESCWA, United Nations, New York.

FNUAP, (n.d.). *Women's Work and Economic Empowerment*, available at: http://www.unfpa.org/gender/empowerment1.htm

Oxfam Québec
The Regional Economic Empowerment of Women Project (REEWP)
Project produced with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA)
Le projet régional d'habilitation économique des femmes (PRHEF)
Projet a été réalisé grâce au soutien financier du gouvernement du Canada agissant par l'entremise de l'Agence canadienne de développement international (ACDI)

Copyrights CRTD.A (c) 2012

FNUAP, MOSA (2007). *Female Headship in Lebanon. The July 2006 war on Lebanon.* Beirut.

Fraser, N. *'Redistribution, Recognition and Participation: Towards an Integrated Concept of Justice'*, New School for Social Research, United States, research supported by Unesco and Stanford University.

Freedom House (2010). *Women's Rights in the Middle East and North Africa 2010. Lebanon. Economic Rights and Equal Opportunities 2010*, available on the site: http://freedomhouse.org/printer_friendly.cfm?page=384&key=258&parent=24&report=86

Hamdan, K. (2002). *Poverty Analysis and Targeting Mechanisms for the ESFD Project*, Conseil pour le Développement et la reconstruction, E.U., Beirut.

Human Rights Watch (2010). *Rapport mondial 2010*, available at http://www.hrw.org/en/world-report-2010/lebanon-1

ILO (2010), *Women in Markets: Measuring Progress and Identifying Challenges*, Geneva.

Jütting, J. et C. Morrisson (2005). *Renforcer le rôle économique des femmes dans les pays en voie de développement : pour le changement des institutions sociales*, *Cahier de Politique économique N°27*, Centre de développement de l'OCDE, Paris.

Kadige, G. (n.d.). *Religions et droit social*, Université Saint Joseph de Beyrouth, Liban. Available on the site: http://www.cedroma.usj.edu.lb/pdf/drreli/Kadige.pdf

Kassatly, R. W. (2010). *The Food Industry in Lebanon: Challenges and Opportunities. A Comparative Study between the Food Industry and the Rural Women Cooperatives.* SAGA Economic Context Study, CRTD.A 2010, Beirut – Draft unpublished document for limited circulation.

Katseli, L.T. (2007). *Gender Equality Can Boost Economic Growth*. Présentation faite à la Conférence de l'OCDE à Istanbul, 27-30 juin 2007.

Khoury, G. (2009). *Caught in the Middle: Women in Lebanon.* Femmes méditerranéennes. Beirut. Available on the site: http://www.mediterraneas.org/article.php3?id_article=390



Copyrights CRTD.A (c) 2012

Melki, R. (n.d). *La protection sociale au Liban: Entre réflexe d'assistance et logique d'assurance,* Etudes et Consultations Economiques (ECE), available at : http://www.UNdp.org.lb/commUNication/publications/linking/Session8.pdf

Morrison C. and J. Jutting (2004). "The Impact of Social Institutions on the Economic Role of Women in Developing Countries", *Working Paper No. 234*, Centre de développement de l'OCDE, Paris.

OIT LABOURSTA Banque de données. Available at: http://www.Laboursta.ilo.org

OIT: NATLEX Country profile: Lebanon. Available at http://www.ilo.org/dyn/natlex/country_profiles.basic?p_lang=en&p_country=LBN

OIT (2009). *Country Brief: Advancing Women's Empowerment in Lebanon: ILO in Action,* available at: http://lebanon-support.org/Uploads/2009-09/News_Doc1830.pdf

Organisation Internationale de la Francophonie (2006). *Malgré la CEDEF, les libanaises en proie à des discriminations.* Available at: http://genre.francophonie.org/spip.php?article318

O.N.U. (2010). *Communiqué de presse de la Vice-secrétaire générale des Nations-Unies sur « ONU FEMMES », la nouvelle entité composite des Nations Unies sur l'égalité entre les sexes et l'autonomisation de la femme,* New-York, 2 juillet 2010.

SAGA *Economic Context Study, CRTD.A (2010).* Draft unpublished document for limited circulation, Beirut.

Sawma, S. (2009). *L'entreprenariat féminin au Liban,* Mémoire de DEA en Sciences de Gestion, Faculté de Gestion et des Sciences Commerciales, Université Saint-Esprit de Kaslik, Liban.

The Lebanese Council of Women, information available at: http://www.lcw-cfl.org/



Copyrights CRTD.A (c) 2012

UNFPA, MOSA (2007), *Female Headship in Lebanon, Vulnerability assessment of female heads of households: the July 2006 war on Lebanon,* Beirut

UNDP, (2005). *The 2005 Arab Human Development Report: Towards the Rise of Women in the Arab World,* UNDP Regional Bureau for Arab States, Beirut.

UNDP, ILO and SIDA (2008). *Enterprises in Lebanon 2006-2007: A Post-Conflict Impact Assessment One Year On,* Beirut.

UNDP, Central Administration for Statistics, Lebanese Ministry of Social Affairs (2008). *Living Conditions of Households: The National Survey of 2007 Household Living Conditions,* Beirut.

UNDP (2009). *Le Rapport Arabe sur le Développement Humain : Les défis de la sécurité humaine dans les pays arabes,* PNUD Bureau régional pour les États Arabes, available at: http://hdrstats.UNdp.org/en/countries/country_fact_sheets/cty_fs_LBN.html

UNECE, (n.d). *Gender Country Profile*, available at: http://w3.UNece.org/pxweb/Dialog/Default.asp

U.S. Department of State (2010). *2009 Human Rights Report: Lebanon,* Bureau of Democracy, Human Rights and Labour, Washington D.C.

Women Centre for Legal Aid and Counseling (2001). *A gap analysis report on the status of the Palestinian women in the context of the CEDAW*, available at: http://www.mediterraneas.org/article.php3?id_article=278

World Bank and MOSA (2007). *Post-conflict Social and Livelihoods Assessment in Lebanon, Consultation and Research Institute,* Beirut.

World Bank (2009). *Gender-based Differences among Entrepreneurs and Workers in Lebanon,* MNA Knowledge and learning, N°23, April 2009, Washington.



Copyrights CRTD.A (c) 2012

World Bank (2010). *Women, Business and the Law: Measuring Legal Gender Parity for Entrepreneurs and Workers in 128 economies*, Washington. Available at: http://wbl.worldbank.org/ExploreEconomies/Lebanon

