

# LEBANON



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## Gender Justice & The Law

DOES THE LAW ENSURE GENDER EQUALITY AND PROTECTION FROM VIOLENCE?

The colour codes indicate whether the laws comply with international human rights standards, the recommendations of the UN Committee on the Elimination of Violence against Women, and recommendations of the country's Universal Periodic Review.

### YES

The law provides for gender equality and/or protection from gender-based violence and is substantially compliant with international standards. A green category does not indicate that the law is perfect or that gender justice in the relevant topic area has been fully achieved.

### NO

The law does not provide for gender equality and/or there is no or minimal protection from gender-based violence.

### Partly

Some gender justice aspects of the law have been addressed, but important gender inequalities remain.

No available data or inadequate information.

## Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

Lebanon ratified CEDAW in 1997. Lebanon maintains reservations to Article 9(2) (equal rights with respect to nationality of children), Article 16(1)(c), (d), (f), and (g) (equality in marriage and family relations), and Article 29(1) (administration of the Convention and arbitration in the event of a dispute).

## Constitution

Article 7 of the 1926 Constitution states that all Lebanese are equal before the law and equally enjoy civil and political rights. However, there is no specific reference to sex or gender equality. The Constitution does not prohibit discrimination on the basis of sex or gender.

## NATIONALITY LAW

### NATIONALITY

Lebanese women cannot pass their citizenship to their children or to a foreign spouse in the same way as Lebanese men.

## CRIMINAL LAWS

### Domestic violence

Women and girls are protected by the Law on Protection of Women and other Family Members from Domestic Violence, Law No. 293 of 2014. The Law could be strengthened by clarifying whether it criminalizes marital rape. A Bill that proposes amendments to improve the Law has been drafted but is yet to be considered by parliament.

### Abortion for rape survivors

Abortion is prohibited by Articles 539–546 of the Penal Code, including for women who have been raped.

### Female Genital Mutilation / Cutting (FGM/C)

There are no reported cases. There is no legal prohibition.

### Marital rape

Marital rape is not criminalized. The definition of rape in Articles 503 and 504 of the Penal Code of 1943 excludes forced sex in marriage.

### Sexual harassment

The Labour Code does not prohibit workplace sexual harassment. The Penal Code includes the punishment of some indecent acts to which the description of sexual harassment may apply, including Articles 385, 507, 519, and 532.

### Human trafficking

Law No. 164 of 2011 prohibits all forms of human trafficking. However, the law does not address prevention and protection measures.

### Rape (other than of a spouse)

Rape outside of marriage is a criminal offence under the Penal Code with a minimum punishment of imprisonment for five years.

### Femicide: Mitigation of penalty (so called 'honour' crimes)

Article 562 of the Penal Code allowed reduction of sentences for 'honour' crimes. This Article was repealed in 2011.

### Sex work and anti-prostitution laws

Prostitution is prohibited by Article 523 of the Penal Code. The illegal sale of sex in nightclubs is associated with the artist visa.

### Exoneration by marriage

Article 522 of the Penal Code exonerated a perpetrator of kidnapping and adultery who married his victim. Article 522 was removed in 2017. However, a perpetrator of a sexual offence against a girl who marries his victim is exonerated if the circumstances fall under Articles 505 or 518 of the Penal Code.

### Adultery

Adultery is an offence under Articles 487–489 of the Penal Code.

### Sexual orientation

Article 534 of the Penal Code criminalizes "unnatural" sex with one year's imprisonment. This article has been used to charge people for homosexual conduct. Some courts have ruled that Article 534 should not be used to prosecute consensual conduct between adults in private.

## PERSONAL STATUS LAWS

### Minimum age of marriage

There is no law prohibiting early marriage. The minimum age of marriage varies among religious denominations and disadvantages girls. Although most religious groups set the minimum age as 18 for boys, all religious groups allow girls under the age of 18 to marry.

### Guardianship of children

Men have guardianship over children. Women do not have guardianship rights, with the exception of Armenian Orthodox couples.

### Male guardianship over women

A male marriage guardian is required for Muslim and Druze marriages. The role of the male marriage guardian for Muslim and Druze marriages varies according to sect.

### Custody of children

The mother has custody of young children. In many cases, there are conditions that limit the mother's custodial rights.

### Marriage and divorce

Women do not enjoy equal rights in marriage and divorce under the Personal Status Laws. Grounds for divorce or annulment under the various sectarian Personal Status Laws discriminate against women.

### Inheritance

Under the rules of inheritance that apply to Muslims, women have a right to inheritance, but in many cases receive less than men. For example, daughters receive half the share that sons receive. Male and female Christians have equal inheritance rights under the Inheritance Law for Non-Muslims.

### Polygamy

Polygamy is permitted by the Personal Status Laws for Muslims. However, polygamy is rare.

## LABOUR LAWS

### Right to equal pay for the same work as men

Article 26 of the Labour Code of 1946 (as amended) prohibits discrimination against women in the payment of wages.

### Domestic workers

Domestic workers are excluded from the protections of the Labour Code.

### Dismissal for pregnancy

Employers are prohibited from dismissing women because of pregnancy by Articles 29 and 52 of the Labour Code.

### Paid maternity leave

Under the Labour Code, women are entitled to 10 weeks of maternity leave paid by the employer, but this is less than the ILO standard of 14 weeks.

### Legal restrictions on women's work

The Labour Code prohibits women from working in certain occupations considered arduous or hazardous.