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The Board		14 November 2011
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Biographies		
Organization Chart	Lebanon: Domestic violence, including legislation, state protection, and services available to victims (2008-September 2011)	
Employment		
Legal and Policy	Research Directorate, Immigration and Refugee Board of Canada, Ottawa	
References		
Publications	Media sources from late 2009 indicate that there are no official statistics regarding the prevalence of domestic violence in Lebanon (BBC 3 Dec. 2009; <i>The Daily Star</i> 7 Dec. 2009). In a telephone interview with the Research Directorate, the Director of KAFA (Enough) Violence and Exploitation, a Lebanese non-governmental organization (NGO) established in 2005 to promote gender equality and to fight against all types of violence against women and children (KAFA n.d.), corroborated the media reports, saying that it is "very difficult" to obtain statistics in Lebanon (ibid. 3 Oct. 2011). Nonetheless, the United Nations Country Team (UNCT) in Lebanon indicates in a report to the Human Rights Council that there are "high" rates of domestic violence in Lebanon (UN 2 Sept. 2010, para. 26). KAFA reportedly estimates that 75 percent of Lebanese women have experienced domestic violence at some point in their lives (BBC 3 Dec. 2009; UN 23 Sept. 2009). Yet, as the UN's Integrated Regional Information Networks (IRIN) reports, KAFA maintains that domestic violence is "not reported at all" (23 Sept. 2009).	
Tribunal		
Refugee Protection Division		
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Research Program	An article in <i>Al-Raida</i> , the journal of the Institute for Women's Studies in the Arab World, contends that "'in Lebanon violence against women, especially related to sex and domestic battery, remains highly linked to honor'" (qtd. in <i>The Daily Star</i> 18 Oct. 2007). According to Human Rights Watch, KAFA reported 66 cases of honour crimes between 1999 and 2007 (11 Aug. 2011). However, a 2007 news article in the Beirut-based <i>Daily Star</i> states that although official statistics do not exist, estimates put the number of honour killings in Lebanon at about one a week (18 Oct. 2007).	
National Documentation Packages		
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Recent Research	Sources indicate that domestic violence is a problem that affects women of all backgrounds (OSF 6 May 2011), regardless of religion (<i>The Jordan Times</i> 14 Aug. 2011; <i>The Daily Star</i> 18 Oct. 2007; VOA 10 Dec. 2010), sect (OSF 6 May 2011), socio-economic status (VOA 10 Dec. 2010; <i>The Daily Star</i> 18 Oct. 2007), level of education, age and cultural background (The Lebanese Council to Resist Violence Against Women - LECORVAW, an NGO working out of Beirut and Tripoli to promote women's rights and condemn violence n.d.d). The Voice of America states that domestic violence is "found equally" among families of differing religions and socio-economic backgrounds (10 Dec. 2010). The Woman's Humanitarian Organization (WHO), an NGO that works in Palestinian refugee camps in Lebanon (WHO n.d.), reportedly carried out a study, which indicates that 41 percent of women surveyed	
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in Palestinian refugee camps said that "either they or women close to them are exposed to physical violence" (*The Star* 3 Oct. 2009).

Sources indicate that domestic violence is regarded as a "private" issue (OSF 6 May 2011; *The Daily Star* 7 Dec. 2009) and that social custom forbids speaking about it (ibid.; BBC 3 Dec. 2009). LECORVAW also says that domestic violence is considered an "internal family affair" and is "dealt with on an individual basis" (n.d.b). Because it is deemed a "family matter," victims "rarely" seek adequate legal or other protection (UN 2 Sept. 2010). The United States (US) Department of State also points out that women "sometimes" stayed in abusive marriages because of social, economic, and family pressures (8 Apr. 2011, 25). The *Jordan Times* explains that divorce is thought to bring shame to the family (14 Aug. 2011).

Legislation

The Voice of America indicates that there is no legal protection for victims of domestic violence (VOA 25 Nov. 2010; ibid. 10 Dec. 2010). Sources also state that there are no specific domestic violence laws in Lebanon (OSF 6 May 2011; *The Daily Star* 7 Dec. 2009), and that domestic violence is not addressed in the Penal Code (ibid.; Human Rights Watch 11 Aug. 2011). According to Freedom House, family matters are under the jurisdiction of personal status laws, which consist of 15 separate codes and court systems (Freedom House 3 Mar. 2010). Sources also indicate that matters pertaining to personal status laws are adjudicated by state-sanctioned religious courts (UN July 2005; US 8 Apr. 2011). Human Rights Watch indicates that personal status laws contain "discriminatory provisions ... relating to violence in the family" (ibid. 24 Jan. 2011). Other sources also indicate that personal status laws discriminate against women (OSF 6 May 2011; BBC 3 Dec. 2009). According to the UNCT, women are "significantly under-protected" in personal status laws (UN 2 Sept. 2010, para. 26). The US State Department indicates that some religious courts may require victims of domestic violence to return to their homes (8 Apr. 2011, 25).

According to LECORVAW, neither the Penal Code nor the personal status laws contain provisions that protect the rights of women subjected to violence (n.d.c). For instance, marital rape is not a crime (LECORVA n.d.c; Human Rights Watch 11 Aug. 2011; *The Daily Star* 7 Dec. 2009; US 8 Apr. 2011, 25). According to the US State Department, 80 percent of domestic violence victims have also suffered marital rape (ibid.). LECORVAW is working on amending "prejudiced laws oppressing women" to address issues regarding nationality, honour crimes, adultery, rape, and child custody (n.d.c).

According to Human Rights Watch, the former Lebanese cabinet approved a bill on 6 April 2010 that would criminalize domestic violence (6 July 2011). The draft bill is being reviewed by a special parliamentary committee (Human Rights Watch 11 Aug. 2011; OSF 6 May 2011), and is still awaiting resolution (ibid.). KAFA initially drafted and promoted the bill, and was then joined by a coalition of 41 legal and women's organizations to lobby for "legal protections against violence against women" (Human Rights Watch 6 July 2011). If passed, the bill would

- "criminalize physical, mental, and sexual abuse, marital rape, and so-called honour crimes" (ibid.);
- allow domestic violence victims to report abuses and protect their privacy (OSF 6 May 2011; VOA 25 Nov. 2010), since currently cases are tried in public courts, often resulting in women being too afraid to come forward (ibid.);
- permit domestic violence victims to lodge a legal complaint against the perpetrator (OSF 6 May 2011);
- install "a public prosecutor in each of Lebanon's six governorates to receive complaints and investigate cases of violence" (Human Rights Watch 6 July 2011);

- establish domestic violence units within the police force to process complaints (ibid.; OSF 6 May 2011);
- specify "the punishments for offenders, including fines and prison terms" (ibid., 6 July 2011);
- allow the courts to order rehabilitation for perpetrators of domestic violence (VOA 25 Nov. 2010; OSF 6 May 2011);
- force perpetrators to compensate victims financially (VOA 25 Nov. 2010) by providing the victim and children safe housing and paying for the medical expenses incurred from the violence and for alimony (OSF 6 May 2011);
- "require public and private healthcare providers to report cases in which they treated women who bore evidence of abuse" (Human Rights Watch 6 July 2011); and
- permit the issuance of protection orders (Human Rights Watch 6 July 2011; VOA 25 Nov. 2010; OSF 6 May 2011).

The draft bill was publicly opposed in June 2011 by Dar al-Fatwa, Lebanon's highest Sunni Muslim authority, and the Higher Shi'a Islamic Council (Human Rights Watch 6 July 2011). Dar al-Fatwa issued a statement in which it rejected the bill, stating that Sharia law adequately deals with the issue of domestic violence by "urging guidance, counsel[ing], and other measures meant to keep the family intact" (ibid.). Dar al-Fatwa claimed that the draft law would "diminish the father's authority in the family and his ability to raise his children" (ibid.). The Higher Shi'a Council agreed with Dar al-Fatwa's statement and added that the bill "poses a danger to families" (ibid.). The *Jordan Times* reports that Sunni and Shiite Muslim clerics, as well as several members of parliament, have argued that the bill would "shatter traditional family values" (14 Aug. 2011). The Dar al-Fatwa statement also says that it is rejecting the bill because it criminalizes marital rape and permits "legal action in all sorts of domestic violence, while current laws allow it only when harm makes the victim unable to work for 10 days" (*The Middle East Reporter* 24 June 2011).

The draft bill has not been implemented and, as mentioned, is currently being reviewed by a special parliamentary committee (ibid.; Human Rights Watch 11 Aug. 2011; OSF 6 May 2011), before it can obtain final approval (ibid.). According to *The Jordan Times*, although the bill was submitted to parliament in June 2011, "the 128-strong legislative house has postponed voting on the law as clerics pull the stops on the bill" (*The Jordan Times* 14 Aug. 2011). However, Member of Parliament Samir Jisr explained that there has been a delay because "other issues were more pressing" (ibid.).

On 4 August 2011, Parliament annulled Article 562 in the Penal Code (Human Rights Watch 11 Aug. 2011), a clause that reduced the sentence of people who kill women or girls in the name of family honour (ibid.; *The Jordan Times* 14 Aug. 2011). According to the US State Department, the reduced sentences allowed men who killed their wife or female relative to claim they had done so because of the victim's involvement in a "socially unacceptable sexual relationship" (8 Apr. 2011, 26).

Sources indicate that divorce comes under the jurisdiction of personal status laws (LECORVAW n.d.c; Freedom House 3 Mar. 2010). Freedom House states that there are "15 separate codes and court systems" (ibid.). Freedom House also indicates that many Christian courts do not permit divorce and the courts that do permit divorce only allow it in certain circumstances (ibid.). According to Freedom House, women married under Muslim laws face "hardships and years of litigation" if their husband does not want to accept the divorce, but the same laws state that "a Muslim man can divorce his wife easily, verbally, and without needing to provide any reasons" (ibid.). The UN's IRIN corroborates Freedom House in saying that it is difficult to get a divorce without a husband's approval in a Shia Muslim religious

court (23 Sept. 2009). The *Daily Star* also states that no matter what religious sect she belongs to, a woman must prove "severe battery" to file for divorce (18 Oct. 2007).

As for child custody, Freedom House states that children usually go to the mother "for a period of time" that is dependant on the religion, age and sex of the child (Freedom House 3 Mar. 2010). The UN news source reports that fathers are usually awarded custody of children (23 Sept. 2009). The *Daily Star* elaborates saying that fathers get "custody of their children from a certain age, usually around 7" (18 Oct. 2007). Both sources indicate that, as a result, some women must choose between staying with their abuser and being separated from their children (UN 23 Sept. 2009; *The Daily Star* 18 Oct. 2007).

State Protection

Sources indicate that police are not protecting victims of domestic violence (US 8 Apr. 2011, 26; AFP 23 Apr. 2010; BBC 3 Dec. 2009; *The Daily Star* 7 Dec. 2009; UN 23 Sept. 2009). According to the US State Department, police in "most cases" ignore complaints of domestic violence (8 Apr. 2011). Agence France-Presse (AFP) reports that police officers have been known to "mock" domestic violence victims who want to file complaints (23 Apr. 2010). The BBC reports on a case in which police officers refused to help a victim of domestic violence who spoke of daily abuse until she finally fled her abusive husband, taking their three daughters with her (3 Dec. 2009). The victim reports that her husband "tracked her down and kidnapped" the children (BBC 3 Dec. 2009). She claims that she has heard he is physically and sexually abusing the girls, though she cannot confirm because she has not seen them in years (ibid.). The *Daily Star* also reports on a case in which police would not intervene to assist a domestic violence victim (7 Dec. 2009). The victim alleges that she would "'run to the police to get help and they wouldn't come'," and says: "'I have been screaming for 20 years and no one has listened to me or helped me'" (*The Daily Star* 7 Dec. 2009). *The Daily Star* also reports that a police chief explained departmental policy by saying that domestic violence is "'a matter between husband and wife only'" (ibid. 18 Oct. 2007).

In addition, the UN's IRIN indicates that, according to KAFA, neither police, nor hospitals report domestic violence cases (UN 23 Sept. 2009). According to IRIN, KAFA says that doctors do not inquire about signs of abuse and if a woman reports domestic violence to them, they report it as a "'home accident'" and do not investigate (ibid.).

LECORVAW provides instructions on its websites as to what a woman should do to protect herself in the event of an assault (n.d.h). Along with advice about staying out of the kitchen because of the presence of knives, avoiding small spaces such as the bathroom, escaping from a window or door, and, if violence is unavoidable, curling up into a ball while protecting one's face and head, the NGO reminds women that "it's your right to call the police" (LECORVAW n.d.h). LECORVAW also advises domestic violence victims to obtain a forensic report immediately and to lodge a complaint at the "[g]endarmerie" post office within 24 hours of the assault or to submit a penal complaint to the public prosecutor (ibid. n.d.g).

The US State Department notes that the Lebanese government provides legal assistance to victims of domestic violence in financial need (8 Apr. 2011, 26). However, according to the BBC, domestic violence cases make it to court only in "rare situations" (3 Dec. 2009). The *Jordan Times* reports that women rarely take their cases to court both because they do not believe the judicial system will protect them and because of social traditions (14 Aug. 2011). The Voice of America also notes the contention by rights groups that perpetrators of domestic violence are "rarely brought to justice" (25 Nov. 2010).

According to the UNCT, certain groups of women in Lebanon, such as

Palestinians without official documents, migrant workers, and refugees, often do not have access to legal processes against domestic violence, or fear being detained if they seek help (2 Sept. 2010, para. 27). The BBC quotes a KAFA program coordinator as saying that "thousands of women" who are victims of domestic violence have "no one to turn to" (3 Dec. 2009), while AFP indicates that victims "tend to give up" because they realize that they will remain victims no matter what they do (23 Apr. 2010).

Support Services

In an interview with the Open Society Foundations, the KAFA director said that there are no services provided for domestic violence victims, "except very limited ones offered by NGOs" (OSF 6 May 2011). As for her group, the KAFA director said that victims of domestic violence can go to its Centre, where they can receive social and legal counselling and psychological services, and may be referred to one of the five shelters in Lebanon (KAFA 3 Oct. 2011). She added that the shelters do not receive government funding and are usually run by religious groups, such as nuns, and that they have a limited capacity, with only "one or two" of them accepting children (ibid.). One of the newer and larger shelters that was opened about two years ago, accepts approximately 40 to 45 people (ibid.). The UN's IRIN states that, in 2009, there were four shelters in Lebanon which housed 40 women in total, and that each year more than 500 women seek help at women's centres (UN 23 Sept. 2009).

The KAFA director stated that it is challenging to place migrant workers into the shelters because they are sometimes refused admission, and, if they are admitted, they face language barriers (KAFA 3 abbr lang="en" xml:lang="en" title="October">Oct. 2011). She indicated that in addition to being referred to a shelter through KAFA, the individual can refer herself, although many women are unaware of the existence of the shelters (ibid.). According to the Director, the services in each shelter vary (ibid.). Information on how long domestic violence victims can stay in shelters could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

As its primary focus, LECORVAW also operates listening and counselling centres in Beirut and Tripoli (LECORVAW n.d.d). At these centres, LECORVAW assesses the needs of the women and provides "proper services" in accordance with "the vision and the objectives of LECORVAW" (ibid.). Working with the victim, LECORVAW develops a plan of action in an attempt to stop further abuse and assigns a social worker to follow up with the victim (ibid.). LECORVAW also offers social counselling, psychological and psychiatric services, legal follow-up and representation, financial assistance for legal fees if necessary, referral to other organizations, information about laws, and shelter if a woman is in danger (ibid.) LECORVAW offers a hotline that is available 24 hours a day, 7 days a week for emergencies (ibid.).

In addition, LECORVAW "for the first time in Lebanon's history," is conducting domestic violence training for social workers with the Ministry of Social Affairs, and has trained 57 social workers to date (ibid. n.d.e). LECORVAW also works on training police and security officers, doctors and nurses, social workers, and lawyers, activists and employees at human and women's rights organizations (ibid. n.d.f).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral Sources: Attempts to contact a lawyer in Tripoli and representatives from the Lebanese Council to Resist Violence Against Women and the National Commission for Lebanese Women were unsuccessful within the time constraints of this Response. A researcher and author on honour killings was unable to provide information for this Response.

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