

# Immigration and Refugee Board of Canada

[Home](#)

> [Research Program](#)

> Responses to Information Requests

---

## Responses to Information Requests

---

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email [Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca](mailto:Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca).

22 November 2013

### **LBN104656.FE**

Lebanon: Family violence, including legislation, state protection and services available to victims (2011-November 2013)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### **1. Overview of the situation**

Sources report that Lebanese women are victims of discrimination in their country both in law and practice (AI 23 May 2013; U.S. 19 Apr. 2013, 28; Human Rights Watch Jan. 2013, 4). Some sources specifically note that certain provisions of the legislation relating to the status of the person discriminate against women (ibid.; Freedom House 2013; UN 2011, 14-15). These sources also state that such legislation is linked to the religion to which the person belongs (Human Rights Watch Jan. 2013, 4; Freedom House 2013; UN 2011, 14-15). The treatment of women thus varies based on their religious affiliation (ibid.; U.S. 19 Apr. 2013, 28; Freedom House 2013). These sources state that, in general terms, the legislation is such that women are disadvantaged with regard to divorce, child custody and succession (U.S. 19 Apr. 2013, 28; Human Rights Watch Jan. 2013, 4; Freedom House 2013).

According to *Country Reports on Human Rights Practices for 2012* published by the United States Department of State, "men sometimes exercised considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives". (U.S. 19 Apr. 2013, 28).

Sources note that there are no official statistics on domestic violence in Lebanon (consultant 8 Nov. 2013; independent researcher 29 Oct. 2013; U.S. 19 Apr. 2013, 27). However, according to a report published by the United Nations Population Fund (UNPF), "gender-based violence is prevalent in Lebanon in different forms, including domestic/marital physical, sexual and psychological violence" (UN 2012, 8). According to the *Country Reports for 2012*, "there was a broad consensus that domestic violence, including spousal abuse, was a serious and widespread problem in the country" (U.S. 19 Apr. 2013, 27). An article published on the website of the international television network *TV5 Monde* states that [translation] "the project director for KAFA, a Lebanese organization combating violence against women, is of the opinion that domestic violence against women 'is the most common form of abuse and is not subject to economic or community barriers'" (TV5 Monde 19 Nov. 2011). In written correspondence sent to the Research Directorate, a gender consultant who conducts research and writes on violence against women in Lebanon, and who taught at Lebanese University (Université libanaise) until 2008, states that it is [translation] "well known that domestic violence ... is under-reported" in the country (gender consultant 8 Nov. 2013). The author of the *TV5 Monde* article also notes that [translation] "the phenomenon is more widespread than generally presumed" (19 Nov. 2011).

Sources report that it is estimated that one woman a month is killed by a family member in Lebanon (gender consultant 8 Nov. 2013; UN 8 Mar. 2012; Nasawiya 27 Feb. 2012). According to the consultant, the husband [translation] "would most likely be" the murderer in such cases (8 Nov. 2013). Sources also note that

about 80 percent of women victims of domestic violence would also be victims of marital rape (U.S. 19 Apr. 2013, 27; UN 2012, 8).

A *TV5 Monde* article states that [translation] "domestic violence cases fall within the jurisdiction of religious tribunals," specifying that there are 17, that is, one per community (*TV5 Monde* 19 Nov. 2011). However, an article published by the United Nations (UN) Integrated Regional Information Networks notes that there are 15 religious tribunals (UN 8 Mar. 2012).

According to the Association for Middle East Women's Studies (AMEWS) e-bulletin, "customs and beliefs have 'normalized' violence against women" (AMEWS Apr. 2013, 6). The AMEWS adds that women cannot depend on their family to prevent violence, claiming that women who are abused by their husbands or by other male family members rarely receive their family's support (*ibid.*).

According to the UNFPA, "domestic violence is ... submitted to the principle of sanctity and intimacy of the family" (UN 2011, 15). The Essentielle.be website, a Belgian news site for women (Essentielle.be n.d.), states that [translation] "from fear of disgrace and scandal, mistreated women do not dare complain" (25 July 2013). The author of the *TV5 Monde* article similarly states that [translation] "the code of silence has long made it possible to mask the problem," but adds that [translation] "things have changed since a few years ago as a result of civil movements" (19 Nov. 2011). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

## 2. Legislation

Sources report that there are no laws offering protection against domestic violence in Lebanon (independent researcher 29 Oct. 2013; U.S. 19 Apr. 2013, 27). More specifically, marital rape is not criminalized (Essentielle.be 25 July 2013; U.S. 19 Apr. 2013, 27; KAFA [2013]). In addition, according to the *TV5 Monde* article, religious tribunals remain [translation] "very tentative" with respect to domestic violence and "favour respect of family unity at the expense of the rights of victims" (19 Nov. 2011). The *Country Reports for 2012* indicate that religious tribunals may lawfully require a female victim of physical violence to return to the family home (U.S. 19 Apr. 2013, 27). Sources also note that a rapist will not be prosecuted if he marries his victim (Essentielle.be 25 July 2013; US 19 Apr. 2013, 27).

### 2.1 Bill

Over the last few years, NGOs have been lobbying for new legislation offering protection against domestic violence (gender consultant 8 Nov. 2013; independent researcher 29 Oct. 2013; UN 8 Mar. 2012). This bill was approved in 2010 by the minister's office (independent researcher 29 Oct. 2013; *TV5 Monde* 19 Nov. 2011; UN 8 Mar. 2012). According to a *TV5 Monde* article,

[translation]

This bill plans to allow women to claim protection from public officers in the event of domestic, family, or other forms of violence. It also paves the way for women to bring cases of domestic and family violence before civil courts (19 Nov. 2011).

According to Human Rights Watch, the bill has been under examination since 2010 and, in August 2012, "a parliamentary subcommittee put forward an amended version of the bill limiting protection dealing with marital rape" (Jan. 2013, 4). Other sources also note that amendments were made to the bill (independent researcher 29 Oct. 2013; Essentielle.be 25 July 2013; KAFA [2013]). In the amended bill, the abuses that accompany marital rape are criminalized rather than marital rape itself (Essentielle.be 25 July 2013; KAFA [2013]).

Sources note that the bill faced some resistance from religious authorities (independent researcher 29 Oct. 2013; Essentielle.be 25 July 2013; *TV5 Monde* 19 Nov. 2011). The Essentielle.be website reports that the religious authorities specifically opposed the notion of marital rape (Essentielle.be 25 July 2013). Sources specifically point out the fact that the Dar al-Fatwa, the supreme authority of Sunni Muslims in the country, opposed the bill (*ibid.*; Human Rights Watch Jan. 2012, 5), and that the Higher Islamic Shia Council also opposed it (*ibid.*). According to the Essentielle.be website, the Dar el-Fatwa allegedly stated that [translation] "the criminalization of marital rape is a 'Western heresy' and that [translation] "for its part, Shia Hezbollah criticized the legislation that allows interfering in the relationship between a husband and his wife" (Essentielle.be 25 July 2013).

The bill was approved by a parliamentary committee in July 2013 (*ibid.*; KAFA [2013]). The legislation remains to be tabled before parliament (gender consultant 8 Nov. 2013; Essentielle.be 25 July 2013). However, sources report that it is not known when parliament will reconvene because of the troubles in the country and in that part of the world (*ibid.*; gender consultant 6 Nov. 2013).

### 3. State protection

According to AMEWS' e-bulletin, "it is not mandatory for police officers, lawyers, physicians, social counsellors, colleagues in the workplace, neighbours, friends, clergymen, or any other potential witness of women subjected to family violence to report such abuse" (AMEWS Apr. 2013, 6). The AMEWS adds that "when battered women seek protection from people outside their close family circle, be it the local community civil or religious leaders or the police personnel, they are likely to be 'advised' to 'bear their lot' for the sake of guarding their family unity or in the hope of 'gaining' the bliss of Paradise in their afterlife" (ibid.). The author of the *TV5 Monde* article shares this view, stating:

[translation]

Almost unheard by the police, who do not report cases of violence any more than physicians do, victims are asked to endure with patience, either by parents, who believe that a divorce is shameful, or by religious authorities, who are eager to prevent family breakdown (19 Nov. 2011).

However, the consultant noted that health and social workers in hundreds of ministry of social affairs service centres have started receiving awareness training on gender differences in order to be able to assess and support women victims of domestic violence (consultant 8 Nov. 2013). Further information on this training and its results could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

#### 3.1 Police

According to the *Country Reports for 2012*, "in most cases, police ignored complaints submitted by battered or abused women" (U.S. 19 Apr. 2013, 27). In written correspondence sent to the Research Directorate, an independent researcher who writes on women's rights in the Arab world, particularly in Lebanon, and who is also a lecturer in the anthropology department of the University of California in Davis, states that, because there is no legislation to address family violence, the police has no obligation to receive complaints or to investigate or take steps to assist women (independent researcher 29 Oct. 2013). She also states that if complaints are collected, they will be ignored (ibid.).

The independent researcher also states that even though women could theoretically go to a police station in order to submit a complaint against anyone who subjects them to violence, it rarely happens because women know that they do not have legal protection against domestic violence (ibid.). In addition, she adds that the police often do not take the complaints of these women seriously. Also, if they go to the police station, they risk being ridiculed and subjected to other forms of harassment (ibid.). Corroborating information could not be found by the Research Directorate within the time constraints of this Response.

However, the consultant notes that some police officers have started to receive training provided by NGOs on how to assist women victims of family violence (8 Nov. 2013). The researcher also reports that, on occasion, some women's advocacy organizations have been able to come to agreement with certain police stations so that women who go there will be directed to shelters and organizations that can provide them with services, although these arrangements are limited and involve only a few Beirut police stations (29 Oct. 2013). Furthermore, the *Country Reports for 2012* report that women became police officers for the first time in Lebanon in 2012 (U.S. 19 Apr. 2013, 29).

### 4. Support services

According to the independent researcher, there are no government programs to combat family violence (29 Oct. 2013). For her part, the consultant states that the department of social affairs and the department of health are implementing programs in cooperation with NGOs, but that these programs are not methodically assessed and that their effectiveness is not publicly documented (8 Nov. 2013). According to the *Country Reports for 2012*, "the Women's Affairs Division in the Ministry of Social Affairs is the highest-level governmental organization dealing with women's issues" and it has undertaken certain projects on gender-based and sexual violence, which include providing counselling and shelter services to victims; the report provides no further details in this regard (U.S. 19 Apr. 2013, 28-29). However, according to the consultant, the government does not manage its own shelters, but rather offers partial support to six shelters operated by charity organizations-whose resources are limited-and it offers them little means to ensure the security of the premises (8 Nov. 2013).

The independent researcher states that there are several organizations in Lebanon that offer services, advocate legal reforms and conduct public education campaigns in the area of violence against women (independent researcher 29 Oct. 2013). According to the researcher, the main organization that combats family violence is KAFA (ibid.).

According to the *Country Reports for 2012*, KAFA and the Lebanese Council to Resist Violence against Women provide counselling, legal aid services and outreach (U.S. 19 Apr. 2013, 27). According to the independent researcher, other NGOs offer these services as well as follow-up and medical documentation services, and some of them have shelters for women and children, but she was unable to provide more details in this regard (29 Oct. 2013).

According to the *Country Reports for 2012*, in 2012, KAFA allegedly provided support in 200 new cases of violence and follow-up in 170 in past cases, most of which were family violence cases (U.S. 19 Apr. 2013, 27). According to the UN's Integrated Regional Information Networks, KAFA deals with approximately 300 cases of marital rape a year (UN 8 March 2012).

Sources note that NGOs have limited resources (consultant 8 Nov. 2013; independent researcher 29 Oct. 2013). The independent researcher indicates that a woman could have difficulty accessing NGO services based on where she lives, adding that there are generally more services offered in Beirut than in the rest of the country (ibid.).

#### 4.1 Protection offered to a woman victim of violence at the hands of her brother-in-law

In response to the Research Directorate's questions regarding the assistance and protection a woman can receive if she experiences violence at the hands of a brother-in-law, the independent researcher states that, under the law, women are generally left to their own when they experience violence in the domestic sphere (independent researcher 29 Oct. 2013). The independent researcher states that, technically, the police can intervene—especially if the two people have their own homes and the brother-in-law is not part of the woman's family unit—but that other factors may have an impact, including whether the brother-in-law is rich or well-known, and the role of the other family members in that context (ibid.). She adds that intrafamily violence cases can be very difficult to resolve and are not as easily subject to criminal proceedings, even if it is not family violence in the strict sense (ibid.).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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.

### References

Amnesty International (AI). 23 May 2013. "Lebanon." *Amnesty International - Rapport 2013 : la situation des droits humains dans le monde*. <<http://www.amnesty.org/fr/region/lebanon/report-2013>> [Accessed 7 Nov. 2013]

Association for Middle East Women's Studies (AMEWS). Avril 2013. "No Excuse for Legislators." *AMEWS Bulletin*. Issue 4. <<http://iwsaw.lau.edu.lb/publications/amews/amews-ebulletin-2013April.pdf>> [Accessed 7 Nov. 2013]

Essentielle.be. July 25, 2013. "Monde : des nouvelles lois contre les violences faites aux femmes." <<http://www.essentielle.be/actu-people/monde-des-nouvelles-lois-contre-les-violences-faites-aux-femmes-75929.html>> [Accessed 6 Nov. 2013]

\_\_\_\_\_. N.d. "Contactez-nous." <<http://www.essentielle.be/contact>> [Accessed 21 Nov. 2013]

Freedom House. 2013. "Lebanon." *Freedom in the World 2013*. <<http://www.freedomhouse.org/report/freedom-world/2013/lebanon>> [Accessed 6 Nov. 2013]

Gender consultant and independent researcher. November 8, 2013. Written correspondence sent to the Research Directorate.

Human Rights Watch. January 2013. "Lebanon." *World Report 2013: Events of 2012*. <[http://www.hrw.org/sites/default/files/related\\_material/lebanon\\_fr\\_1.pdf](http://www.hrw.org/sites/default/files/related_material/lebanon_fr_1.pdf)> [Accessed 7 Nov. 2013]

\_\_\_\_\_. January 2012. "Lebanon." *World Report 2012: Events of 2011*. <[http://www.hrw.org/sites/default/files/related\\_material/lebanon\\_fr\\_2012.pdf](http://www.hrw.org/sites/default/files/related_material/lebanon_fr_2012.pdf)> [Accessed 7 Nov. 2013]

Independent researcher and lecturer, Department of Anthropology, University of California, Davis. October 29, 2013. Written correspondence sent to the Research Directorate.

KAFA. [2013]. "Joint Committees Approve the Law to Protect Women..." <<http://www.KAFA.org.lb/KAFA-news/65/joint-committees-approve-the-law-to-protect-women>> [Accessed 7 Nov. 2013]

Nasawiya. 27 February 2012. Nadine Moawad. "One Woman Dies of Family Violence Every Month in Lebanon." <<http://www.nasawiya.org/web/2012/02/iwd/>> [Accessed 6 Nov. 2013]

United Nations. 8 March 2012. Integrated Regional Information Networks (IRIN). "Lebanon: Tussle Over Gender Violence Law." <<http://www.irinnews.org/fr/report/95033/advancedsearch.aspx>> [Accessed 7 Nov. 2013]

\_\_\_\_\_. 2012. United Nations Population Fund (UNFPA). *Review of Gender-based Violence Research in Lebanon*. Prepared by the Education for Change (EfC) research society. <<http://www.unfpa.org.lb/Documents/4-Review-of-GBV-Research-in-Lebanon.aspx>> [Accessed 6 Nov. 2013]

\_\_\_\_\_. 2011. United Nations Population Fund (UNFPA). *Situation Analysis of Gender-based Violence in Lebanon: Executive Summary*. Prepared by the Centre of Arab Women for Training and Research. <<http://www.unfpa.org.lb/Documents/Situation-Analysis-English-Blue-position-1.aspx>> [Accessed 6 Nov. 2013]

United States (U.S.). 19 April 2013. "Lebanon." *Country Reports on Human Rights Practices for 2012*. <<http://www.state.gov/documents/organization/204582.pdf>> [Accessed 6 Nov. 2013]

TV5 Monde. 19 November 2011. Zeina el Tibi. "Violences contre les femmes : timides progrès au Liban." <<http://www.tv5.org/cms/chaine-francophone/Terriennes/Dossiers/violences-femmes-novembre-2011/p-18999-Violences-contre-les-femmes-timides-progres-au-Liban.htm>> [Accessed 7 Nov. 2013]

## Additional Sources Consulted

**Oral sources:** A Human Rights Watch representative in Beirut and a lawyer who works in family law in Beirut were unable to provide information within the time constraints of this response. A women's and gender studies professor at the University of California, Davis, was unable to provide information. Attempts to contact the following individuals and organizations were unsuccessful: Association Najdeh; Centre libanais des droits humains; independent consultant; director, Abaad Resource Center; assistant director, Institute for Women's Studies in the Arab World; Joseph and Laure Moghaizel Foundation; KAFA; Lebanese Council to Resist Violence Against Women; Lebanese Council of Women; women's rights activist; National Commission for Lebanese Women; National Committee for the Follow-up on Women's Issues; president, League of Women's Rights; associate professor, Faculté de sciences politiques, d'administration publique et de diplomatie, Université Notre-Dame, Lebanon; regroupement féministe Nasawiya.

**Internet sites, including:** Al-Akhbar; Al Jazeera; Amel Association; Collective for Research & Training on Development-Action; *Courrier international*; *The Daily Star*; eoi.net; Factiva; France – Cour nationale du droit d'asile; Institute for Women's Studies in the Arab World; Institut français Beyrouth; Inter-Parliamentary Union; Lebanese Association of Women Researchers; Lebanon – ministère des Affaires sociales; Sexual Violence Research Initiative; Social Institutions and Gender Index; United Kingdom – Home Office; United Nations – Refworld; Who is she in Lebanon?; Women Economic Empowerment Portal; Worldwide Human Rights Movement.

[Tips on how to use this search engine.](#)

[Top of Page](#)

Date modified: 2015-08-13