



المنظمة الفلسطينية لحقوق الإنسان (حقوق)
Palestinian Human Rights Organization - PHRO
Member of International Federation for Human Rights (FIDH)
Member of Euro Mediterranean Human Rights Network (EMHRN)
Member of Arab Organization for Human Rights (AOHR)



**Combating Gender Based Violence in the Palestinian Community and the
Broader Lebanese Society**

*Statement by the Palestinian Human Rights Organization on the Occasion of the 16 Days of Activism against
Gender Based Violence*

1 December 2014 – At the start of the 16 Days of Activism against Gender Based Violence (GBV), and in light of the 25th of November being the UN's International Day for the Elimination of Violence against Women (VAW), the Palestinian Human Rights Organization (PHRO) would like to express its full support for this campaign with its aim to eradicate GBV.

PHRO is deeply concerned with the high rates of GBV in the Palestinian camps and gatherings as well as the wider Lebanese society. While Lebanon is often considered one of the more gender equitable countries in the MENA region, gender discriminatory cultural and religious values and practices remain embedded within Lebanon's societal structures. Furthermore, although Lebanon is a signatory to CEDAW it has made reservations to (a) Article 9 (2) concerning nationality - Lebanese women cannot pass on their nationality to their children or to a spouse who is a foreigner; (b) Article 16 which concerns women's marital and familial rights; and (c) Article 29 (1) which concerns rights of arbitration.

Lebanon lacks legislation which addresses violence against women. Furthermore, many of the existing laws directly discriminate against women, including the following articles of the Lebanese Penal Code (a) Articles 503 – 522 - which pardons a rapist if he marries his victim; (b) Articles 487-489 - which impose harsher penalties on women who commit adultery as compared to men; and (c) Article 562 which lessens the sentence for femicide in the case of honor killings. In addition, in cases of sexual harassment, victims are treated the same as perpetrators and victims will have the same felony charge as her perpetrator until a sentence has been given. Although the domestic violence legislation, passed in April 2014, was a step towards addressing GBV in the country, this legislation still contains significant gaps, including the failure to prohibit marital rape.

The current Syrian crisis, which has spilled over into Lebanon, has impacted on gender equality and the human rights of women in Lebanon, in a number of ways. These consequences include (a) an impact on gender values, identities and roles amongst Syrian



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Refugees; (b) an increase in intimate partner¹ and non-intimate partner violence in Lebanon; (c) a context whereby Syrian Refugee women face increased vulnerability to economic and sexual exploitation; and (d) a disturbing increase in child marriages.

GBV is also a widespread problem within the Palestinian Refugee Camps, with high rates of domestic violence in the camps (DV). Unfortunately, not only are the Palestinian Refugee women subject to Lebanese discriminatory legislation, but social and institutional barriers within the Palestinian community further restrict access to justice for these women.

In light of this, PHRO calls on the Lebanese State to:

1. Remove its reservations to CEDAW;
2. Adapt the domestic violence law, to include more human rights-based terminology;
3. Adapt the domestic violence legislation to include a provision that specifically criminalises marital rape;
4. Amend the Lebanese Penal code, by (a) including provisions which offer greater protection to victims of sexual harassment; (b) amending the discriminatory clauses on rape and adultery, including removing the clause allowing a rapist to forgo his sentence if he marries his victim; (c) amend Article 562 on honor killings.
5. Develop legislation specifically addressing violence against women and the girl child.
6. Undertake various measures to address the economic and sexual exploitation of refugee women residing in Lebanon.

Furthermore, PHRO calls on the Popular Committees in the Palestinian camps and gatherings:

1. Increase female representation in the committees;
2. Address the socio-cultural norms which condemn victims of VAW rather than perpetrators;
3. Develop mechanisms by which female victims of GBV can access justice.

¹ It is important to note that the Lebanese government does not recognize the concept of partners, unless it refers to married, heterosexual couples.