Mission Permanente du Liban
auprès de l'Office des Nations Unies
et des Organisations Internationales
Genève

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بعثة لبنان الدائمة
لدى الأمم المتحدة والمنظمات الدولية
جنيف

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La Mission permanente du Liban auprès de l'Office des Nations Unies et des Organisations Internationales à Genève présente ses compliments au Président /Rapporteur du Groupe de travail sur les sociétés transnationales - Bureau du Haut Commissariat des Nations Unies aux Droits de l'Homme, et en référence à sa lettre en date du 7 août 2018, a l'honneur de lui faire parvenir ci-joint la réponse communiquée par le Ministre d'Etat libanais des Affaires de la Femme contenant des informations relatives aux principes directeurs sur les entreprises et les droits de l'homme et surtout du point de vue lié aux droits de la Femme.

La Mission permanente du Liban auprès de l'Office des Nations Unies et des Organisations Internationales à Genève, saisit cette occasion pour renouveler au Président /Rapporteur du Groupe de travail sur les sociétés transnationales - Bureau du Haut Commissariat des Nations Unies aux Droits de l'Homme l'assurance de sa haute considération.

Genève le 19 otobre 2018
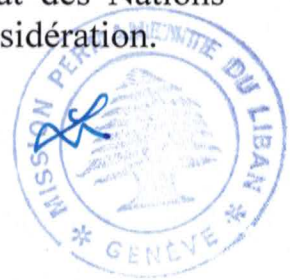
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Open Call for Input regarding the Working Group's Report on the Gender Lens to the UN Guiding Principles on Business and Human Rights

Specific Questions/Issues

1. **In what ways do women experience the impact of business-related human rights abuses differently and disproportionately? Please provide concrete examples in the context of both generic and sector- or region-specific experiences of women.**

   Several abuses women still face in the business including:

   - Pregnancy Discrimination (women lose their jobs as a result of pregnancy or having a baby in addition to an inappropriate maternity leave)
   - Sexual Harassment (women face workplace sexism and harassment with the lack of protective measures in the national laws and policies Inside the companies)
   - Gender Pay Gap (women still earn lower salariesthan men for the exact same position)
   - Career advancement (men move forward faster since they are given fairer opportunities to prove themselves)
   - Work-Life Imbalance
   - Gender Bias
   - Flexible time (Working flexibly is an issue for many women allowing them to best manage their career and personal priorities)
   - Discriminatory laws (still the laws have a negative impact on women in both private and public spheres)

2. **Please share any good practices on how to deal with increased marginalization or vulnerabilities faced by women due to intersectionality, feminization of work, informal economy, and conflicts.**

   Interventions addressing several levels could be adopted; however it is very important to address the legal and policy framework: enhance the protection mechanism, eliminate discrimination in the laws (especially the labor law), ensure the full participation of women in designing and implementing the legal and policy framework, adopt law to penalize sexual harassment, apply the principle of valuing work through special measures and legislative reforms to ensure that women are compensated for the value of their work and adopting women's quota at the level of managerial positions. Also balancing work and care giving responsibilities is vital through providing compulsory paternity leave and providing workplace on-site childcare.

3. **How to address sexual harassment and sexual or physical violence suffered by women in the business-related context, including at the workplace, in supply chains and in surrounding communities? Please share any good practices which have proved to be effective in dealing with sexual harassment and violence against women.**

   Several interventions could be adopted to address sexual harassment:
   - Adopt law to penalize sexual harassment in the public spaces and at work places
   - Adopt anti- harassment policies that set forth detailed mechanisms through which employees can make complaints when sexual harassment occurs
   - Training for employers and employees on sexual harassment to improve knowledge of policies and of behaviors that constitute sexual harassment
   - Adopt positive measures to increase women's effective participation in the decision making processes (at the national level and in the business boards)

The Office of the minister of State for Women's Affairs has drafted several law proposals related to women's economic participation:

- Law proposal to penalize sexual harassment: this law was submitted and approved by the Council of Ministers and it awaits voting by the parliament to become effective
- Law Proposal to eliminate discrimination in the National Social Security Fund: this law was submitted to the Council of Ministers, approved by the Council of Ministers and it awaits voting by the parliament to become effective
- Law Proposal to grant a paternity leave: this law was submitted to the Council of Ministers, approved by the Council of Ministers and it awaits voting by the parliament to become effective

4. **Which State laws and policies or social, cultural and religious norms continue to impede women's integration into economic activities and public life generally?**

Several barriers impede women's participation in public life:
- At the societal and cultural level: 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.

- At the Legal level: discriminatory laws: discrimination in legislation is the main barrier that directly violates and contradicts the constitutional principle of equality between men and women. The contradictions are at two levels. First, between laws on the one hand and international conventions ratified on the other and second, contradictions between the laws themselves.
Ex: Inadequate Maternity Protection, labor laws, national security social fund, personal status law, nationality law, Penal Code, The Tax, Commerce and Bankruptcy codes, inadequate protection frameworksand inadequate law on combatting GBV.
Institutional discrimination against women places them in a permanent state of disadvantage compared to men in the legal sphere.

- At the level of representation and participation: still women are underrepresented in the politic arena, there is only one women minister (a rate of 3.3%) and only 6 of 128 parliamentarians are women (a rate of 4.7% of female representation), which is one of the lowest rates in the region. Also women are excluded from the participation in the decision-making process at all levels, economic, political, social, culture and environment.

5. **Are there any good practices of integrating a gender perspective into States' economic sphere (e.g., state-owned enterprises, public procurement agencies, trade missions, and export credit agencies, privatization of public services, public-private partnerships, and trade and investment agreements)?**
N/A

6. **How could policy coherence be improved between different government ministries or departments dealing with women issues and business-related matters?**

Enhancing policy coherence for sustainable development as addressed under goal 17 in the 2030 Agenda, is an approach and policy tool to integrate the economic, social, environmental and governance dimensions of sustainable development at all stages of domestic and international policy making.
This tool will help in fostering synergies in the different areas and between the state and non-state actors, identifying institutional mechanisms and country practices for enhancing policy coherence for sustainable development, and setting out options for tracking progress and identifying the appropriate interventions.

Accordingly, while putting in place policy coherence tool, gender should be kept in the forefront to avoid gender consequences. Adopting the holistic approach in the process of developing the policy coherence tool is vital to the sustainability of the development and preventing any negative impact on it.

7. **What is the extent to which businesses currently apply a gender lens in conducting human rights due diligence, including social or environmental impact assessment?**
    N/A

8. **Are there any good practices of business enterprises adopting a gender perspective in making human rights policy commitments, addressing the gender wage gap and under-representation of women in boards and senior positions, or involving affected women in meaningful consultations and remediation processes?**
    N/A

9. **What is the role of businesses in dealing with domestic laws, policies and societal practices which are discriminatory to women?**

    Businesses have a vital role in achieving and promoting gender equality, through engaging in the process of women's empowerment inside and outside the company. Businesses are required to develop their internal policies from a gender perspective that helps in shifting the attitudes and practices of both women and men about the gendered social and economic roles.
    Several priority areas could be affected by businesses:
    -   Leadership and participation: through women's access to male-dominated occupations, access to flexible work time, women's workforce participation, and women in leadership positions.
    -   Economic Security: increased women's workforce participation is essential to support economic growth and future prosperity.

10. **How could media and advertising industries fight against gender stereotyping and disempowerment of women?**

    Gender mainstreaming throughout the media and advertising sectors have a vital role in empowering women and fighting GBV and gender stereotyping through:
    -   Increasing the number of women in decision-making roles in the media and advertising industries
    -   Increasing the access of women to new technologies and to free expression
    -   Promoting a balanced and non-stereotyped portrayal of women and men
    -   Promoting the positive image of women as active participants in political, economic and social life
    -   strengthening self-regulatory mechanisms and codes of conduct to condemn and combat sexist imagery, language and practices
    -   Addressing the effects of gender stereotyping by educating and raising awareness in society through the media coverage of issues such as gender-based violence against women.
    -   Eliminating negative gender stereotypes in the media and in the advertising

11. **What additional or specific barriers do women (women human rights defenders) face in accessing effective remedies for business-related human rights abuses?**

Women face barriers in accessing justice and effective remedies at several levels:
-   At the individual level: Women's capacities to claim their rights are limited as a result of interrelated factors, most notably: Restriction of women's right to expression because they are subject to discrimination under certain laws and are culturally discouraged to claim their rights. Women are not well informed about legal systems and protective measures. Women have a week ability to afford legal services and litigation especially since legal proceedings are long.

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- At the community level:gender-based social norms and discriminatory beliefs continue to hinder women's access to justice by undermining their willingness to seek justice.

- At the institutional level, which can be summarized by the high cost of the financial fees, Despite the existence of the "judicial aid", many problems are standing in the way and prevent it from being considered as a factor in women's access to justice. The law enforcement agencies still lack financial and human resources, both in terms of the number and specialization of employees. In the judiciary there is a struggle between the classic neutral model, which limit judiciary to the relevant obligations to serve the law, and another model that links justice to the social paths and does not deprive judiciary of diligence possibilities, but motivates it to support social issues.
- At the legal and policy level: barriers include discrimination in the legislative system, where women still face discrimination in the provisions of different laws, such as protective labour legislation that restricts women's access to certain professions, limitations on fathers' access to parental leave or the unlawful dismissal of pregnant women.

Challenges women human rights defenders face in both public and private spheres are interlinked and they are rooted in the social, economic, cultural and political power relations which increase their vulnerability in the society. They face misogynistic attacks, intimidation and gender-based violence including rape and sexual harassment; they are also subject to stigmatization that leads to legitimized attacks against them. Women human rights defenders also lack protection and access to justice where they are criminalized in some countries. The power relations shaped in the society due to the factor of gender outlines the threat and risk they confront including the barriers to participation in decision-making processes. Their participation in decision-making is essential to develop a more inclusive society and to accelerate the effective implementation of state and non-state actors' commitment for gender equality and sustainable development.

12. How could all types of remedial mechanisms, processes and outcomes be made more gender-sensitive?

- Support women's legal organizations
- Adopt gender-sensitive law reform
- Ensure Gender budgets and funds
- Adopt quota to increase the number of women legislators and women in the different law enforcement agencies
- Invest in women's access to justice and strengthening the rule of law
- Ensure that women have access to information

13. How to overcome power imbalances and discriminatory practices that might undermine the effectiveness of remedies obtained by women?

- Reduce gender discrimination in the legal and policy framework
- Gender mainstreaming in the judiciary system
- Gender mainstreaming in the Human Resources policies and organizational processes and practices
- Promote women access to information
- Integrate the International principles in the laws, policies, strategies and programs
- Ensure the effective participation of women in decision-making
- Educate women on their rights and disseminate information on how to advocate
- Encourage women to raise their voices and support them in exercising their responsibilities in advocating for their rights
- Empower women as claimants and agents of change
- Support women to report any kind of violation

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- Train police and law enforcement agencies based on the human rights based approach in order to ensure security, confidentiality and privacy when reporting and responding to gender-based violence cases
- Provide inspection mechanisms within security institutions to monitor any abuse that can be classified as gender-based violence.
- Achieve gender balance within security and judicial institutions, both in terms of number and in assuming leading positions.
- Creating a new form of legal aid that would be more effective.
- Strengthen the role of media in advocating women's right and in raising awareness on women's issues.
- Address social factors that inhibit women's access to justice, such as discriminatory positions, gender stereotypes, prejudice and sexism.

14. Please provide any additional comments, suggestions or information which you think may be relevant for the Working Group's forthcoming report on the gender lens to the UNGPs.

Businesses are required to be held responsible in achieving gender equality at the work place and eliminating these gender biased practices and policies that help in transforming the gendered attitudes and behaviors in both the public and private spheres.

Several workplace practices, policies and systems may contribute in balancing gender power relationship as follows:
- Adopting a women's quota at the level of managerial positions
- Use gender- sensitive job evaluation – a tool to detect discrimination at the workplace (Wage, Promotion, training...).
- Penalizing Sexual Harassment at Workplace. (Anti-Sexual Harassment Guidelines and Policies)
- Transparency and Monitoring
- Gender audit (tool for organizational transformation that assess the extent to which gender equality is effectively Institutionalized in the policies, programs, organizational structures and proceedings)

Government interventions are vital to the full realization of women's rights and achieving gender equality through:
- Reform the legal and policy framework and integrate gender perspectives
- Gender-responsive budgeting
- Gender Audit/ Gender Based Analysis – to assess and analyze the potential impact of the recruitment processes, policies,programs, projects and services considering gender perspectives.
- Adopt women's Quota at the level of managerial positions
- Incentive vs penalties – government should imply policies to ensure diverse representation of women at the managerial positions
- Valuing work: under- valuation of women's work, have contributed to the wage gap. Legislations should be put in place to ensure that women are compensated for the value of their work: equal pay for equal work and pay equity (equal pay for work of equal value).