# Submission to the UN SRVAW thematic report on rape as a grave and systematic human rights violation and gender-based violence against women regarding the context in Lebanon.

## Organisational background

Legal Action Worldwide (LAW) is a non-profit organization and network of human rights lawyers who provide creative legal assistance in to improve access to justice and provide legal redress to the most vulnerable in conflict-affected and fragile areas. LAW’s areas of focus are gender equality and non-discrimination, sexual and gender-based violence (SGBV), rule of law and accountability, and transitional/transformative justice.

In Lebanon, LAW works through its sister partner, Legal Action, which is registered as a national NGO. Legal Action’s main office is in Beirut with four field offices comprising over 20 lawyers and paralegals. Over the past two years, Legal Action has provided legal representation on SGBV and civil documentation to 1,952 Lebanese and Syrian women and girls, and legal assistance 3,083 more. The success rate for SGBV cases has been 100%. Legal Action is working towards changes in Law No. 293/2014 on domestic violence, and the labour law to provide better protection for women.

The information in this questionnaire has been provided by LAW’s legal team in Lebanon, comprising five practicing lawyers.

## Gender inequality and GBV in Lebanon

Rape in Lebanon occurs in a context of rampant gendered violence, manifesting in high rates of domestic violence, sexual violence, death threats and murder of women and girls.[[1]](#footnote-1) Physical violence within the family or at home is one of the most reported types of violence, and an average of one in two persons reported that they personally know someone subjected to domestic violence.[[2]](#footnote-2) Violence against women and girls (VAWG) can be seen as a product of Lebanon having one of the highest overall gender gaps in the world at 145 out of a total of 153 countries according to the Global Gender Gap Report 2020, with among the lowest rates of women’s political empowerment (149 out of 153 countries) and economic participation (139 out of 153 countries).[[3]](#footnote-3)

Lebanon lacks a unified personal status law that enshrines gender equality in legal and administrative practices. As a result, women and girls face discrimination in a wide variety of personal matters such as minimum age of marriage, right of divorce, custody and inheritance, as well as in nationality law and labour law, positioning them as vulnerable to exploitation and abuse. Underrepresentation of women in politics and decision-making is a contributing factor to gender-skewed policies and gaps in protective legislation, such as the exclusion of marital rape as a punishable offense in the Lebanese Penal Code.

Lebanon hosts particularly vulnerable populations of women and girls: Syrian and Palestinian refugees, and migrant domestic workers. Bias, discrimination, poverty and precarious migration status further impedes access to justice for these women and girls. Consequently, they are more vulnerable to sexual exploitation and trafficking.[[4]](#footnote-4)

Lebanese law does not protect against child marriage, which remains common especially among certain population groups such as Syrian refugees. According to a 2019 survey, 27% of Syrian refugee girls aged 15-19 were married.[[5]](#footnote-5) While gender inequality already contributes to child marriage in stable contexts, in times of conflict it is used as coping mechanism by families to alleviate economic burden and protect girls from violence.[[6]](#footnote-6)

The ongoing economic crisis and COVID-19-related confinement in Lebanon have exacerbated the conditions for those who already experience, or are vulnerable to, gender-based violence. According to one assessment, more Syrian refugee women (61%) than men (46%) reported job loss due to COVID-19 and more Lebanese women than men have felt increased tension and violence due to the economic situation.[[7]](#footnote-7) The economic crisis in Lebanon is expected to take many years to resolve, and women and girls will remain at increased risk of sexual and gender-based violence.

## Questionnaire on criminalization and prosecution of rape in Lebanon

**Definition and scope of criminal law provisions**

1. **Please provide information on criminal law provision/s on rape (or analogous forms of serious sexual violence for those jurisdictions that do not have a rape classification) by providing full translated transcripts of the relevant articles of the Criminal code and the Criminal procedure code.**

Articles 503 and 504 of the Lebanese Penal Code define the crime of rape as the coercion by violence, threats, deception, or abuse of a mental or physical impairment, of any person other than one’s spouse into sexual intercourse, and lay down the punishment for this offense.

Lebanese legal practice and jurisprudence provides that this law is applicable only to male perpetrators against female victims, and sexual intercourse is understood as being vaginal penetration occurring between a man and a woman.

Article 503: Forced sexual intercourse

Whoever coerces by violence and threats any person other than his spouse into sex shall be liable to hard labor for a minimum term of five years. The minimum sentence shall be seven years if the victim is under the age of 15.

Article 504: Forced intercourse by deception

The text of Article 504 was amended under Article 2 of Law No. 53 of 14/09/2017, as follows:

Whoever engages in sexual intercourse with a person who is not his spouse and is helpless because of a physical or mental impairment, or deception shall be punished by five years of hard labor. The minimum sentence shall be seven years if the victim is under the age of 15.

When the same circumstances described in the aforementioned articles are present, but no vaginal penetration occurs, the act is punished under Articles 507 and 508 instead which deal with ‘obscenity’. The minimum punishment is reduced to four years, and six years for violation of a victim under 15.

The Lebanese Penal Code also has provisions for intercourse with a minor.

Article 505: Intercourse with a minor

When sexual intercourse involves a minor under the age of 15, the offender shall be punished by at least five years of hard labor. The minimum sentence is five years if the victim is under the age of 12. If the sexual assault is committed against a minor who is over 15 and under 18 years old, the sentence is two months up to two years of imprisonment.

Again, there is a different article, Article 509, dealing with cases that do not involve vaginal penetration. Minimum punishment for violation of a victim under 12 is four years in Article 509 as opposed to five years in Article 505.

1. **Based on the wording of those provisions, is the provided definition of rape:**

a. Gender specific, covering women only - **YES**

b. Gender neutral, covering all persons -  **NO**

c. Based on the lack of consent of victim – **YES**

d. Based on the use of force or threat - **YES**

e. Some combination of the above - **YES**

f. Does it cover only vaginal rape? **YES**

g. Does it cover all forms of penetration? **NO**

h. Is marital rape in this provision explicitly included? **NO**

i. Is the law silent on marital rape? **YES**

j. Is marital rape covered in the general provisions or by legal precedent even if it is not explicitly included? **NO**

k. Is marital rape excluded in the provisions, or is marital rape not considered as a crime? **YES, it is excluded.**

1. **Are there any provisions excluding criminalization of the perpetrator if the victim and alleged perpetrator live together in a sexual relationship/have a sexual relationship/had a sexual relationship? If so, please submit it. NO.**
2. **What is the legal age for sexual consent?**

The legal age for sexual consent is 18 years. Sexual intercourse with a person under 18 years can result in prosecution under Article 505 or 509 of the Penal Code. The punishment is increased if the minor is under 15, and again if the minor is under 12.

However, the legal age for sexual consent does not apply within marriage. Marriage in Lebanon is conducted under confession-specific religious laws and is not governed by a unified civil law. Most confessions allow marriage of girls and boys under 18 years, and within the context of the marital relationship no rape laws are applied.

1. **Are there provisions that differentiate for sexual activity between peers? If so, please provide them**

No, Lebanon has no close-in-age exemption. Minors too can be prosecuted for statutory rape, but benefit from a reduced penalty under the provisions of Lebanon’s Law No. 422/2002 ‘Protection of Children in Violation of the Law or Exposed to Danger’.

1. **Provide information on criminal sanctions prescribed and length/duration of such criminal sanctions for criminalized forms of rape.**

The sentence for rape (defined as vaginal penetration) under Article 503 of the Penal Code is a minimum of five years of hard labour. If the victim is under the age 15, the minimum sentence is seven years of hard labour.

In Article 505 of the Penal Code, when sexual intercourse involves a minor under the age of 15, the offender shall be punished by a term of hard labor (no minimum duration is indicated). The minimum sentence is five years if the victim is under the age of 12. If the minor is over 15, the sentence is two months up to two years of imprisonment.

The minimum punishments indicated in the Penal Code are one year less for analogous crimes involving anal penetration or other forms of intercourse, which are covered separately in Articles 507 to 510 dealing with ‘obscenity.’

The effects of aggravating circumstances on punishment are described in Articles 257 to 269 of the Penal Code. If the law does not specify the effect of a particular aggravating reason, then the penalty increases from one third to one half, and the fine is doubled, according to Article 257.

Juvenile perpetrators (under 18) benefit from reduced penalties under Lebanon’s Law No. 422/2002 ‘Protection of Children in Violation of the Law or Exposed to Danger’.

Historically, the investigation or prosecution would be discontinued in the event of marriage between the victim and perpetrator. If a sentence had been passed, the execution of the sentence was suspended. This was a provision of Article 522 of the Penal Code, which was repealed in 2017. The provision continues through Article 518, however, which deals with the seduction of a girl by the promise of marriage leading to the rupturing of her hymen. Since these developments are recent, it is too early to tell whether these provisions will continue to be used by judges for all cases of rape, or strictly for prosecutions pursuant to Article 518 dealing with seduction by promise of marriage.

1. **What does the legislation in your country provide in terms of reparation to the victim of rape and/or sexual violence after conviction of the perpetrator?**

The judge is entitled to order the perpetrator to pay compensation for the physical and moral damage suffered by the victim due to rape or sexual assault, once a conviction has been obtained.

It is up to the judge to determine the quantum of monetary compensation, which is determined based on the extent of damage, and perversity or atrocity of the crime. In practice, the compensation amounts ordered by judges are usually quite low.

It is also worth noting that determining the monetary compensation for moral damage is difficult in practice because of its subjective nature. However, Lebanese jurist Atef Al-Naqeeb has sought to address this in the following ways:

* **Introducing a definition of moral damage:**

Al-Naqeeb defines moral damage as the damage that affects a person socially or psychologically, having impact on the personality. It usually involves pain, sorrow, a feeling of inferiority, constriction, a sense of humiliation, internal emotion, or disturbing obsessions, with a severe impact on psychological stability.[[8]](#footnote-8)

* **Defining aspects of Moral Damage:**

Two types of moral damage are recognized:

1. Compromise of social integrity, resulting in consequences for reputation, dignity, honor, peace, esteem, status, privileges and beliefs. This aspect of moral damage does not lead to material loss or affect an economic interest, but to moral and ethical loss. Therefore, the damage is assessed considering the status of the victim and the impact on her life. However, the prejudice to reputation and status may affect the financial status of the victim, when it results in an adverse effect on the commercial or professional activity of the aggrieved party.
2. Compromise of emotional and psychological integrity, leading to moral, emotional or physical pain. If the accident resulted in a severe injury to the victim, then the victim will suffer physically and psychologically because of what happened and her concerns and anxieties about her present and future. Physical and mental pain are included in the definition of this type of moral damage.[[9]](#footnote-9)

**Aggravating and mitigating circumstances**

1. **Does the law foresee aggravating circumstances when sentencing rape cases? If so, what are they? YES.**
* Rape of a minor – Under Article 503 of the Penal Code, if the victim is under 15 years of age, the minimum sentence is increased from five to seven years.
* Repeated offense – Articles 258 to 261, as well as Article 205, of the Penal Code address increased punishments for cases of repeated or multiple crimes.
* Habitual criminality – Articles 262 to 265 of the Penal Code address increased punishments for perpetrators whose crimes betray a permanent psychological predisposition to commit felonies or misdemeanors.

Article 512 of the Penal Code describes aggravating circumstances specific to rape:

* Rape by more than one perpetrator (see below)
* If the victim catches syphilis or any other disease, or suffers harm resulting in disability for a period of more than ten days.
* If the victim was a virgin and her hymen was ruptured as a result of the act.
* If the crime led to the death of the victim and the perpetrator did not intend this result, the punishment shall be at least twelve years.
* Rape by an ascendant, in-law or servant – According to Article 511 of the Penal Code, if the perpetrator is one of the persons enumerated in Article 506, it is considered an aggravating circumstance: a legally designated guardian or any other ascendant (incest), an in-law, anyone entrusted with the victim’s upbringing or supervision, or one of the hired help.
* Unequal relationships of power /misuse of authority – According to Article 511 of the Penal Code, it is an aggravating circumstance if the perpetrator is an official, cleric, or a manager or employee of an employment office, who misuses his authority or the facilitations available by virtue of his position to perpetrate the act.
	1. **Is rape by more than one perpetrator an aggravating circumstance?  YES**

The penalty shall be increased when the offence is committed by two or more persons, who participate in overpowering the victim or take turns in committing obscene acts against her (Article 512 of the Penal Code).

* 1. **Is rape of a particularly vulnerable individual an aggravating circumstance, or the imbalance of power between alleged perpetrator and victims? (for example, doctor/patient; teacher/student; age difference)? YES**
	2. **Is rape by spouse or intimate partner an aggravating circumstance? NO**
1. **Does the law foresee mitigating circumstances for the purposes of punishment? If yes, please specify. YES**

Article 253, amended by Law 5/2/1948, lays out reduced punishments when mitigating circumstances are invoked. According to Article 253, the court may reduce every criminal sentence up to three years if its lower limit exceeds that. It may also reduce the penalty to half if its lower limit does not exceed three years, or replace it with a reasoned decision of imprisonment for at least one year, except in the case of repetition.

Juvenile perpetrators (under 18) benefit from reduced penalties under Lebanon’s Law No. 422/2002 ‘Protection of Children in Violation of the Law or Exposed to Danger’.

Additionally, various mitigating circumstances may be invoked at the judge’s discretion.

**Who benefits from the mitigating circumstances?**

* Juvenile perpetrators (under 18 years)
* The perpetrator if the crime is committed in a heightened state of anger resulting from an unjust or perilous act by the victim (Article 252 of the Penal Code).
* If the crime involves sexual intercourse other than vaginal penetration, it is punished pursuant to Articles 507 to 510 instead of 503 to 506 of the Penal Code benefiting from reduced minimum penalties.
* The perpetrator if he is intoxicated or not fully conscious
* If a large span of time has elapsed between the committing of the crime and the date of the ruling
* First offenders

In one sample of rape cases, it was found that mitigating circumstances were invoked in 58% of all convictions made in the presence of the accused (none in absentia).[[10]](#footnote-10)

1. **Is reconciliation between the victim and the perpetrator allowed as part of a legal response? If so, at what stage and what are the consequences? YES**

A personal claim can be dropped at any time during the legal proceedings and before the final judgment. If a personal claim is dropped due to reconciliation, the public claim against the accused is unaffected. However, in practice, due to prison overcrowding and a desire among the judiciary to close cases faster, the prosecution is generally discontinued.

**Regardless of the law, is reconciliation permitted in practice? and what is the practice in this regard? YES**

Reconciliation between the perpetrator and the abused person can take place in practice, away from the law, especially in Lebanese society where the abused person may not resort to the justice from fear of a scandal, and the issue is addressed outside the court.

1. **Is there any provision in the criminal code that allows for the non-prosecution of perpetrator? If yes, please specify. YES.**

Yes, if the perpetrator marries the victim or the victim drops her personal claim.

1. **If the perpetrator marries the victim of rape? YES**

Until 2017, per Article 522 of the Lebanese Penal Code, if a valid marriage was concluded between the perpetrator and victim after the rape was committed, the prosecution or trial was discontinued, and if a sentence had been passed, the execution of the sentence was suspended. The prosecution or execution of the sentence would be resumed, before the expiry of a prescription period of five years, if the marriage ends in the divorce of the woman without legitimate reason, or a divorce granted in the interest of the victim.

On August 16, 2017, Parliament abolished Article 522. However, its effect continues through an almost identical provision in Article 518 which deals with the seduction of a girl with the promise of marriage. In this case, the provision adds that if the victim is a minor, the judge's decision to suspend prosecution is issued only on the basis of a report prepared by a social worker taking into account the social and psychological circumstances of the minor. The social worker must report to the judge on the psychological and social status of the minor after marriage every six months for three years from the date of the decision.

The prosecution or execution of the sentence would resume, before the expiry of the three-year period, if the marriage ends in divorce without legitimate reason, or because of the perpetrator, or if it is found that there is any other legitimate reason justifying the continuation of the prosecution or execution of the sentence in light of the periodic reports.

In practice, it is rare for a prosecution to be resumed or a suspended sentence to be carried out following a divorce, even if the three-year period has not elapsed.

1. **If the perpetrator loses his “socially dangerous” character or reconciles with the victim? YES**

**Prosecution**

1. **Is rape reported to the police prosecuted ex officio (public prosecution)? YES**
2. **Is rape reported to the police prosecuted ex parte (private prosecution)? NO**
3. **Are plea bargains or “friendly settlement” of a case allowed in cases of rape of women? NO**
4. **Are plea bargains or “friendly settlement” of a case allowed in cases of rape of children? NO**
5. **Please provide information on the statute of limitations for prosecuting rape**

In accordance with Article 503 of the Lebanese Penal Code, rape falls into the category of ‘felony’. The duration of the prescription period in respect of a felony is ten years, according to the provision of Article 10 of the Lebanese Code of Criminal Procedure.

The prescription period precludes the implementation of penalties and precautionary measures. However, the prescription period does not apply to penalties and precautionary measures preventing rights or to prevent residence and in rem confiscation.

Once the judgment is passed, even if it is in the first instance, the prescription period shall be suspended in respect of the public prosecution, and shall only be resumed in accordance with the provisions of Article 163 and following of the Penal Code (Article 162 - amended).

The prescription period in respect of death penalty and life imprisonment is twenty-five years. The prescription period in the case of temporary criminal penalties is twice the sentence passed by the court and cannot be more than twenty-years or less than ten years. The prescription period for any other criminal penalty is ten years, and this period also applies to any misdemeanour penalty imposed for a felony. The prescription period shall take place as from the date of the judgment if pronounced in absentia, and from the date of its conclusion if pronounced in the presence of the accused. If the convict evaded the execution of a penalty depriving or restricting the liberty, then half of the executed period of the sentence shall be deducted from the prescription period (Article 163 - amended).

The prescription period shall be counted from one day to the same day, exclusive of the first day. The prescription period shall cease to run in the event of any legal or material impediment beyond the offender's control that interrupts the execution of the sentence or other measure. The prescription period is suspended in the following cases:

1. The appearance of the offender, or any[executory action taken by the competent authority](https://context.reverso.net/translation/english-arabic/executory%2Baction%2Btaken%2Bby%2Bthe%2Bcompetent%2Bauthority)*;*
2. [A](https://context.reverso.net/translation/english-arabic/A) further [offence committed by the offender](https://context.reverso.net/translation/english-arabic/offence%2Bcommitted%2Bby%2Bthe%2Boffender) that is equivalent [to the](https://context.reverso.net/translation/english-arabic/to%2Bthe) offence [for which he](https://context.reverso.net/translation/english-arabic/for%2Bwhich%2Bhe) was [sentenced](https://context.reverso.net/translation/english-arabic/sentenced), or a more serious offence (Article 168)
3. **Are there provisions allowing a child who was the victim of rape and to report it after reaching adulthood? YES**
4. **Are there mandatory requirements for proof of rape, such a medical evidence or the need for witnesses? If yes, please specify. NO**

All types of evidence are considered by the court.

1. **Are there rape shield provisions aimed at preventing judges and defense lawyers from exposing a woman’s sexual history during trial? NO.**

Evidence of past sexual relations is frequently used to cast doubt on the plaintiff’s claim that the act was non-consensual.

1. **Are there procedural criminal law provisions aimed to avoid re-victimizations during the prosecution and court hearings? If yes, please specify. NO**

There is an absence of provisions in the Lebanese Code of Criminal Procedure for the protection of victims during the prosecution and court hearings.

**War and/or conflict**

1. **Is rape criminalized as a war crime or crime against humanity? NO**

As international law is applicable in domestic courts through the preamble of the Lebanese Constitution, arguments may be made that rape in Lebanon constitutes a crime against humanity, as defined in Article 7 of the Rome Statute, which has now attained the status of international customary law.

1. **Is there a statute of limitations for prosecuting rape in war or in conflict contexts? NO**
2. **Is there explicit provisions excluding statutes of limitation for rape committed during war and armed conflict? NO**
3. **Has the Rome Statute of the International Criminal Court (ICC) been ratified? NO**

## **Data**

1. **Please provide data on the number of cases of rape that were reported, prosecuted and sanctioned, for the past two to five years.**

There are very limited data and statistics related to rape in Lebanon, due to the absence of a centralized national statistical body.

According to the statistics of the General Directorate of the Internal Security Forces, 13 cases of sexual assault were reported per month in 2017. 229 cases of sexual assault were recorded between January 2016 and August 2017. These reports do not differentiate between assault resulting from an act of rape or harassment - or whether it falls within the scope of sexual exploitation of girls who are forced into prostitution.

However, these figures show that rates of sexual assault reported by women have increased in the past few years. According to some lawyers working with sexual assault and sex trafficking of women, this is partly due to increased community awareness of sexual assaults and how to address it, partly due to the strengthening of the legal context to protect women from trafficking and violence (for example, enacting the Law 293 on domestic violence and the legislation against trafficking in human beings). In addition, it appears women are to a lesser extent held responsible for the violence against them and less pressured to keep rape and abuse silent in order to avoid scandal and stigma.

**Rate of rape (“engaging in sexual intercourse without valid consent”) at the national level[[11]](#footnote-11):**

|  |  |  |
| --- | --- | --- |
| **Year** | **Per 100,000 population** | **Annual % Change** |
| 2015 | 3.3 | 10.07 % |
| 2014 | 3.0 | -12.87 % |
| 2013 | 3.4 | -7.57 % |
| 2012 | 3.7 | -9.09 % |
| 2011 | 4.1 | -4.68 % |
| 2010 | 4.3 | 0.23 % |
| 2009 | 4.3 | 73.17 % |
| 2008 | 2.5 | n/a |

**Other**

1. **Please explain any particular and additional barriers to the reporting and prosecution of rape and to the accountability of perpetrators in your legal and social context not covered by the above.**

Reporting, investigation, prosecution and punishment of rape are subject to Lebanon’s entrenched gender inequality, particularly in relation to social and legal practices. Our response in this section relies on a sample of 74 case files of prosecutions for sexual violence, occurring between 2016 and 2018 in Beirut and Mount Lebanon, compiled by Lebanese lawyer Lama Karame.[[12]](#footnote-12)

Karame found that upper and middle-class women were underrepresented in criminal prosecutions for sexual violence. This can be attributed to fewer crimes being reported among classes where mutual economic benefit undergirds social cohesion. Another plausible explanation is that many complaints against middle and upper class males did not get referred to the penal court by the investigating judge as a result of better access to defense lawyers among these men. In contrast, many of the accusations were brought forward by working class women against working-class or migrant men.

It is also notable that the majority of plaintiffs in the sample were minors (59%), of whom just over half were girls (55%), whereas only 41% of plaintiffs were adults, almost all of whom were women. Karame interpreted this in light of lack of access to justice for women victims of rape and sexual violence. Victim-blaming, as well as the family, social and economic repercussions of a rape complaint for an adult woman serve as a barrier for accessing justice, whereas Lebanese society more unanimously condemns sexual violence against minors. This conclusion is corroborated by the interaction of LAW’s lawyers with victims of rape, who are deterred from filing complaints out of fear of public scandal and a culture of victim-blaming.

At the investigation stage, it was remarked by Karame that more stringent demands to provide evidence of the crime were placed on migrant women, including detailed descriptions of the crime. This type of discrimination often led to these complaints being dismissed by the penal judge based on the investigating judge’s report highlighting lacking evidence.

Of the 57 convictions for crimes of sexual violence from the sample of 74 cases, penalties pursuant to Articles 503 to 506 of the Penal Code (defining rape) were ruled in only 22 cases, which strictly involved vaginal penetration. This meant that in 35 cases involving anal penetration or other types of intercourse, the perpetrator could benefit from a reduced minimum sentence for failing to meet this narrow definition of rape.

Karame interprets this in light of the Lebanese justice system’s understanding of rape penalties as serving the function of protecting a social structure built on notions of family honor, intimately linked to female virginity, rather than protecting individuals (primarily women and girls) from sexual and gender-based violence. This is corroborated by reports of proceedings where a plaintiff’s sexual history, her non-virginity at the time of the act, or her status as an ‘indecent’ or ‘liberal’ woman were used to question the non-consensuality of the act.

The average penalty for rape or sexual violence against a minor was three years and ten months, and against an adult it was two years and eight months. These are drastically lower than the minimums of four or five years indicated in the Penal Code. Karame found that mitigating reasons were invoked in over half of all convictions made in the presence of the accused (58%). The mitigating circumstances were elucidated in four cases only. By contrast, Karame noted the absence of aggravating circumstances in any of the rulings.

In the experience of LAW’s lawyers, socio-cultural stereotypes of victims as being ‘indecent’, victim-blaming, and shame based in traditional conceptions of honor constitute the biggest barriers to the reporting of rape. Victims face investigating officers who make light of the issue, and mock or blame victims, causing many victims to become discouraged and leave. If a plaintiff is deemed ‘indecent’ at the investigation or trial stage, the chances of a conviction become very slim. Consequently, many sex workers do not report rape. Reduced sentences can be attributed not only to mitigating reasons, but to the overcrowding of prisons.

These results suggest that the challenges to reporting, prosecuting and punishing rape stem in large part from socio-cultural patterns of misogyny and patriarchy. While many barriers can be addressed through legislation and executive measures, this should take place in the context of a wider social transformation in attitudes and practices towards women and girls.

1. Two sources: CEDAW, *Sixth periodic report submitted by Lebanon under article 18 of the Convention, due in 2019*, 27 July 2020, available at: <https://digitallibrary.un.org/record/3889198>, page. 19.

Charlene Bou Mansour, “In Lebanon, women are being killed in their homes because of the lockdown”, Middle East Monitor, 25 May 2020, available at <https://www.middleeastmonitor.com/20200525-in-lebanon-women-are-being-killed-in-their-homes-because-of-the-lockdown/> [accessed 6 December 2020]. [↑](#footnote-ref-1)
2. United Nations Population Fund, *Lebanon Scorecard on Gender-based Violence*, 16 May 2017, available at <https://arabstates.unfpa.org/en/publications/lebanon-fact-sheet-gender-based-violence> [accessed 30 November 2020]. [↑](#footnote-ref-2)
3. World Economic Forum, *Global Gender Gap Report 2020*, available at <http://www3.weforum.org/docs/WEF_GGGR_2020.pdf> [accessed 30 November 2020]. [↑](#footnote-ref-3)
4. US Department of State, *2020 Trafficking in Persons Report: Lebanon*, available at <https://www.state.gov/reports/2020-trafficking-in-persons-report/lebanon/> [accessed 6 December 2020] [↑](#footnote-ref-4)
5. UNHCR, UNICEF, WFP, *Vulnerability Assessment of Syrian Refugees in Lebanon 2019*, 23 December 2019, available at <https://reliefweb.int/sites/reliefweb.int/files/resources/73118.pdf> [accessed 30 November 2020]. [↑](#footnote-ref-5)
6. Michael Saja, Roupetz Sophie, and Bartels Susan, *Caught in Contradiction: Making Sense of Child Marriage Among Syrian Refugees in Lebanon*, ABAAD Resource Centre for Gender Equality, May 2018, available at <https://www.abaadmena.org/documents/ebook.1532340307.pdf> [accessed 30 November 2020]. [↑](#footnote-ref-6)
7. World Food Programme, *Assessing the Impact of the Economic and COVID-19 Crises in Lebanon*, June 2020, available at <https://reliefweb.int/sites/reliefweb.int/files/resources/WFP-0000116784.pdf> [accessed 30 November 2020]. [↑](#footnote-ref-7)
8. Atef Al-Naqeeb, General Theory of the Responsibility of Personal Action, Juridical Publications, 1999, p. 268. [↑](#footnote-ref-8)
9. Atef Al-Naqeeb, General Theory of the Responsibility of Personal Action, Human Rights Publications, 1999, p. 268. [↑](#footnote-ref-9)
10. Lama Karame, “توجّهات المحاكم في قضايا الاغتصاب في بيروت وجبل لبنان” [The Approach of Courts to Rape Cases in Beirut and Mount Lebanon], *The Legal Agenda*, 26 May 2020, available at: <https://legal-agenda.com/%D8%AA%D9%88%D8%AC%D9%91%D9%87%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%83%D9%85-%D9%81%D9%8A-%D9%82%D8%B6%D8%A7%D9%8A%D8%A7-%D8%A7%D9%84%D8%A7%D8%BA%D8%AA%D8%B5%D8%A7%D8%A8-%D9%81%D9%8A-%D8%A8/> [accessed 6 December 2020]. [↑](#footnote-ref-10)
11. Knoema, available at: <https://knoema.com/atlas/Lebanon/topics/Crime-Statistics/Assaults-Kidnapping-Robbery-Sexual-Rape/Rape-rate> (accessed 6 December 2020). [↑](#footnote-ref-11)
12. The data in this section is derived from an essay by Lebanese lawyer Lama Karame, a senior researcher and former board member of the Beirut-based regional NGO and research center, The Legal Agenda: Lama Karame, “توجّهات المحاكم في قضايا الاغتصاب في بيروت وجبل لبنان” [The Approach of Courts to Rape Cases in Beirut and Mount Lebanon], *The Legal Agenda*, 26 May 2020, available at: <https://legal-agenda.com/%D8%AA%D9%88%D8%AC%D9%91%D9%87%D8%A7%D8%AA-%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%83%D9%85-%D9%81%D9%8A-%D9%82%D8%B6%D8%A7%D9%8A%D8%A7-%D8%A7%D9%84%D8%A7%D8%BA%D8%AA%D8%B5%D8%A7%D8%A8-%D9%81%D9%8A-%D8%A8/> [accessed 6 December 2020]. [↑](#footnote-ref-12)