

Women in the Agro-Food Sector in Lebanon

A REVIEW OF THE LEGISLATIVE FRAMEWORK



December
2023

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DECEMBER 2023

Study conducted under the UN Women's Productive Sectors Development Program (PSDP)

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Introduction

According to the Food and Agriculture Organization of the United Nations (FAO), overall progress is still unsatisfactory in food and agriculture, which indicates that the relevant SDG targets are still a long way off at the global level unless urgent corrective measures are taken¹. According to FAO, securing sustainable global food systems will only be possible if women are empowered at all levels and their rights are respected and recognized. There are still gaps in our understanding of the differences between women and men in terms of roles and opportunities in the agricultural sector and how gender disparities emerge in different cultural, social, and political contexts.

Gender gaps are widening across all continents and sectors, including agriculture. Women, for example, are paid less or work unpaid in family holdings, own smaller parcels of land, and grow less lucrative crops². Although rural women are productive members of their families and societies, their voices are always marginalized: they are not involved in decision-making related to family life, community issues, money, or business. They do not even make decisions regarding the expenditure of their own income. At all stages of their lives, rural women face obstacles that prevent them from having full freedom of movement or political participation in societies that rely heavily on agriculture for food and income. Inequalities are reflected in wide gender gaps in agricultural production, which incur high prices paid by societies³.

In addition, there are other dimensions of gender inequality in agriculture:

- First: Women are less likely to maintain legal rights over land. Fewer women have property rights and/or legally guaranteed tenure rights to agricultural land compared to men. Their parcels are often relatively smaller.
- Second: Gender discrimination in credit markets makes it difficult for women farmers to generate innovative and labour-saving revenues from production. Women lack reliable and adequate incomes and face many barriers to accessing extension services, which creates a knowledge gap that prevents them from benefiting equitably from innovations. Women often have less access to appropriate vocational education and training and fewer opportunities for on-the-job training, including on occupational health and safety issues. Low skill levels and productivity are also observed. In addition, women endure insufficient access to public services, lack of organization, and ineffective participation in decision-making processes, especially given the seasonal and casual nature of agricultural work. These problems are even more exacerbated by poor working conditions in agriculture.
- Third: Investors in the agricultural sector rarely take into consideration the social or family needs of women⁴.
- Fourth: Investment projects in agriculture often tend to redistribute work between men and women, relegating women to precarious temporary jobs. Also, relying heavily on women in family-based fieldwork often leads to unpaid work or long hours of low-pay work and could expose them to hard physical labour, economic exploitation, and sexual harassment.
- Fifth: Rarely have investment projects improved the under-representation of women in agricultural cooperatives or agricultural worker groups, in internal decision-making centers, and dispute-settlement mechanisms, which are still male-dominated⁵.
- Sixth: Access to markets is a main issue. Many women participate in agricultural labour markets, but much of their work is unpaid and not counted and registered⁶.

1. [SDG Progress Report \(fao.org\)](#)

2. Gender Equality at Work: A Global Priority, Gender Equality at Work: A Global Priority ([worldbank.org](#)), 2014

3. Empowering Rural Women and Their Communities, Gender ([ifad.org](#))

4. Ramapriya Gopalakrishnan and Ashwini Sukthanka, Freedom of association for Women rural Workers, ILO, 2012, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_186808.pdf

5. Kathleen Sexsmith, Carin Smaller and William Speller, How to improve Gender Equality in Agriculture, International Institute for Sustainable Development, 2017, <https://genderinsite.net/sites/default/files/iisd%20brief5.pdf>

6. Agnes R. Quisumbing, Ruth Meinzen-Dick, Terri L. Raney, André Croppenstedt, Julia A. Behrman, and Amber Peterma, GENDER IN AGRICULTURE- Closing the Knowledge Gap, International Food Policy Research Institute, 2014, <https://reliefweb.int/sites/reliefweb.int/files/resources/ib84.pdf>

In Lebanon, women in rural areas make up 43 % of the agricultural workforce. In 2010, only 9% of farms were headed and managed by women and only 5% of the total agricultural area was cultivated by women. Gender gaps prevail when it comes to women's participation in rural legislation and rural areas program development as well as in agricultural wages, with women often earning two-thirds to half of the wages of men⁷. Around the world, this reality is due to multiple factors depending on the national context. However, regardless of the reasons, the lack of legislation and legal frameworks regulating the agricultural sector in general, and women's participation in this sector in particular, remains a key factor for discriminating against women, marginalizing their agricultural role, and denying their contributions to the production cycle. One of the most important recommendations of the national study on women in agriculture in Lebanon, prepared by the Food and Agriculture Organization of the United Nations (FAO) in 2020, is to develop legal policies and measures to address existing gender gaps, such as the wage gap, and to make changes to labour law and personal status laws in order to create an environment conducive to economic integration.

This analytical paper was prepared by UN Women Beirut. It aims to examine the extent to which the Lebanese legislation and policy frameworks take into account gender diversity and women's equitable and safe economic participation in the agricultural sector and the agro-food industries (from plant and animal origin). The authors of this paper hope that it will help in developing the most important reforms required at the legislative level in order to use it as an advocacy tool and to urge Parliament to adopt new laws or amend and reform existing laws to enhance the role of women working in the agricultural and industrial sectors. This paper is part of a three-year production sector development program implemented by six UN agencies operating in Lebanon. The report is based on analytical desk research and meetings with parliamentarians, jurists, lawyers, and two focus groups, both of which included rural farmer women affiliated with agricultural cooperatives. As a result, the main features of Lebanon's legislative framework related to the agricultural sector were set out.

The first chapter provides an overview of the situation of women in the agricultural and agro-industry sectors. It presents a framework of the international standards related to the basic rights of women farmers and the reform of Lebanese legislation. The second chapter deals with legislation that directly affects the status of women in Lebanon's agricultural sector. The third chapter covers the legislative framework that indirectly affects the status of women in the agricultural sector, i.e., laws that could be considered as "gender neutral"⁸. The last chapter reviews the national legislative context that applies to all women in Lebanon to draw up features of direct gender-based discrimination affecting all women and to highlight the shortcomings in legislation that protect women, especially women farmers. In conclusion, the report presents a summary based on reading and analyzing these various legislative dimensions and a chart outlining the most significant legislative reforms required to protect and strengthen the status of women in Lebanon's agricultural and agro-industry sectors.

7. Lebanese Women in Agriculture FAO briefing note, <https://www.fao.org/3/cb3268ar/cb3268ar.pdf>

8. This type of legislation refers to laws that do not contain explicitly discriminatory clauses or provisions and are gender neutral. However, they do not take into account the invisible barriers faced by the most vulnerable groups.



CHAPTER I: INTRODUCTION TO THE RIGHTS OF WOMEN IN THE AGRICULTURE SECTOR

International Standards for Women's Work in the Sector of Agriculture

Under international human rights law, all individuals are equal and are entitled to enjoy their human rights to access, use and control land without distinction of any kind, such as race, color, gender, age, language, religion, political or other opinion, national or social origin, disability, property or other status. According to the standards established by this law, natural resources rights are instrumental in realizing the right to adequate food, recognized without discrimination⁹.

Various international standards can be relied upon to speak about the rights of women farmers, such as:

- Rio Declaration: Principle 20 of the Declaration states that “women have a vital role in environmental management and development”, and that “their full participation is essential to achieve sustainable development”.
- Beijing Platform for Action: the Platform provides for legislative and administrative reforms to ensure gender equality in access to natural resources, including the right to inheritance and ownership of land and other property (para. 61b).
- World Food Summit Plan of Action: one of the objectives of the Plan is to ensure gender equality and the empowerment of women (Goal 1-3) and envisages measures to enhance women’s access to natural resources (para. 16b).
- UN Declaration on the Rights of Peasants: adopted by the United Nations General Assembly on December 17, 2018. It aims to protect the rights of all rural populations, including peasants, people working on land, and indigenous peoples, while recognizing their contribution to sustainable development and biodiversity and the challenges they face¹⁰.
- Sustainable Development Agenda 2015-2030: sustainable agriculture is at the core of the Agenda as an essential initial step to ensure the eradication of hunger. The fourth target of SDG 2 is to ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters, and that progressively improve land and soil quality by 2030¹¹. Furthermore, SDG 5 calls for gender equality.
- International Environmental Law: for example, the Convention on Biological Diversity recognizes the “vital role” of women in the conservation and sustainable use of biodiversity, and stresses the “need” for their participation in policies related to these issues (para. 13).
- International Labour Organization ILO standards: in particular the eight Conventions on Fundamental Principles and Rights at Work¹² in addition to the Agriculture Conventions (Nos. 11, 110, 129, and 141), the Right to Organize and Collective Bargaining Convention (Nos. 87 and 98), the Discrimination (Employment and Occupation) Convention (Nos. 100 and 111), the Forced Labour Convention (Nos. 29 and 105), the Worst Forms of Child Labour Convention (Nos.138 and 182), as well as the ILO Declaration on Fundamental Principles and Rights at Work.
- The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) is the international reference for women’s rights. The Convention has renewed the recognition of agriculture as a path out of poverty and set a course to increase support for women in rural areas¹³. Article 14 of the CEDAW Convention addresses issues relating to rural women and stipulates that:

9. Article 25 of the Universal Declaration of Human Rights and article 11 of the International Covenant on Economic, Social and Cultural Rights.
10. United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas : resolution / adopted by the Human Rights Council on 28 September 2018, <https://digitallibrary.un.org/record/1650694?ln=en>
11. Sustainable Development Goals <https://www.fao.org/sustainable-development-goals/indicators/241/en/>
12. https://www.ilo.org/dyn/normlex/en/f?p=1000:12030:0::NO::#Specific_categories_of_workers
13. A tool for gender-sensitive agriculture and rural development policy and programme formulation, FAO, 2013 - <https://www.fao.org/3/i3153e/i3153e.pdf>

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.
2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:
 - a. To participate in the elaboration and implementation of development planning at all levels;
 - b. To have access to adequate health care facilities, including information, counselling and services in family planning;
 - c. To benefit directly from social security programmes;
 - d. To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
 - e. To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;
 - f. To participate in all community activities;
 - g. To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
 - h. To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Article 14 is the only provision in an international human rights treaty that specifically pertains to rural women. However, all rights under the Convention apply to rural women, and article 14 must be interpreted in the context of the Convention as a whole. It is important to recognize the interdependence of article 14 with other articles that directly support it:

- Article 11, which requires States Parties to eliminate discrimination against women in the field of employment. The provisions of Article 11 are critical for rural women of all ages, who are often concentrated in part-time, seasonal and low-return or unpaid jobs because of widespread labour discrimination and lack of productive assets, and who face additional constraints related to their responsibilities for carrying out (unpaid) domestic tasks and care work.
- Article 13 (b) requires States parties to ensure that women have the same rights as men, in terms of access to financial credit and agricultural loans.
- Articles 15 (para. 2) and 16(h), which require States Parties to ensure that women have the same property rights as men: for rural women dependent on agriculture, land is the most important productive asset and is referred to under provision (g) of Article 14. In many parts of the world, statutory and/or customary laws restrict women's land rights; without access to and control over land, rural women's access to other resources – such as irrigation systems, credit, extension and productive cooperatives and associations requiring ownership of land for membership – may be hampered.
- Pursuant to article 14, the Convention on the Elimination of All Forms of Discrimination against Women issued a general recommendation No. 34 (2016) on the rights of rural women . In the recommendation, it stressed the direct and indirect discrimination against women farmers, in particular, access to land and related resources; discrimination against women on the basis of gender-based barriers in combination with other causes, such as economic, social, or national minority status. These criteria have therefore mapped out the measures that need to be taken, most notably legislative measures.

14. General recommendation No. 34 (2016) on the rights of rural women, CEDAW Committee, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GC/34&Lang=en

Women in Agriculture and Agro-industry Sectors in Lebanon

According to the ILO, about 75.9% of jobs in Lebanon are found in the service sector, 20.5% in industry, and 3.6% in agriculture. The shares of women and men vary in Lebanon according to economic activity. In agriculture, women make up 13.3% compared to 86.7% of men. From another perspective (percentage by gender), 91.8% of women work in services, 6.7% in industry, and less than 2% in agriculture. Similarly, most men (68.9%) work in services, but only 26.6% in industry and 4.4% in agriculture. The changing structure of employment matched almost exactly the changing structure of production in the overall economy. According to the national accounts of Lebanon, the services and banking sectors accounted for 81.2 % of the GDP, the industrial sector 15.7%, and agriculture 3.1% in 2017. Trends between 2007 and 2017 show a decrease in agriculture (-2.2%) and industry (-2.0%) in favor of the service sector¹⁵.

Social, economic and political dynamics have always influenced the development of the agricultural sector in Lebanon. The suffering of workers in the agricultural sector in Lebanon dates back to distant times. Workers in this sector in Lebanon strive to continue despite the difficulties and the absence of governmental support, as reflected in the State's public budget figures over the past years. The sector's overall vulnerability affects the socio-economic conditions of men and women farmers, making them fall below the poverty line, with poverty rates increasing in rural areas year after year.

Many structural problems limit the development of the agricultural sector, including:

- **The informal nature of agricultural work:** agricultural labour force is not regulated, as there is no legal definition of “farmer” as an occupation, nor of the concept of “agricultural investment” as a business. It is estimated that about 90% of Lebanese, and almost all Syrian refugees, who work in agriculture, carry out their work in an informal manner. Informal employment plays a big role in Lebanon since over a third of the labour force (35.2%) is in informal employment. 85.7% of the workers in the agricultural sector, most of whom are women, are informally employed. The

absence of a definition concerning the legal and commercial status of agricultural workers resulted in the absence of any form of social protection, such as health coverage or pensions. Of course, the inflation of informal activities in Lebanon cannot be understood without addressing the political economy adopted over the past two decades, which resulted in greater informality in the labour force, contributing to the expansion of this form geographically and across the different sectors. The situation is further exacerbated by the absence of labour inspection in the agricultural sector as Decree No. 3273 dated 26 June 2000 on labour inspection sets out the scope of application of the labour inspection system to employers and employees covered by the provisions of the Labour Code. This does not apply to agricultural workers. Moreover, the current occupational safety and health standards do not meet the specificities of the agricultural sector, which is an important economic sector. Regarding the informal nature of agricultural work, the conditions applicable to non-Lebanese working in agriculture must not be overlooked. Syrian citizens are allowed to work in the agricultural sector but are not protected by the Labour Code. They can enter Lebanon as seasonal agricultural workers provided they sign a “pledge of responsibility” based on which they are granted temporary residence for a fixed period and a fee waiver, once only. As for Palestine refugees in Lebanon, they are granted free work permits, but they believe that the requirements for obtaining work permits are complex, lengthy, and not fully applicable.

- **Ownership and access to agricultural land:** two-thirds of agricultural land is in the hands of 10% of landowners¹⁶. In examining land ownership, it becomes clear that most of it belongs to influential political figures and powerful feudal families, which indicates that there are no small investors and owners in agriculture. It is worth mentioning in this context the issue of land management; there is no land and cadastral surveying, and the agricultural space is insufficient and is getting smaller and smaller due to policies that promote land expansion and exacerbate desertification.

15. Labour Force and Household Living Conditions Survey 2018-2019 Lebanon <http://www.cas.gov.lb/images/Publications/Labour%20Force%20and%20Household%20Living%20Conditions%20Survey%202018-2019.pdf>

16. Lebanon's Agriculture: Dynamics of Contraction in the Absence of Public Vision and Policies, Kanj Hamade, <https://www.annd.org/data/file/files/13%20Lebanon%20.pdf>

- **Access to finance:** small farmers cannot easily access loans to finance their investments or operating costs due to the conditions usually imposed by banks and lending institutions, and the inability to provide guarantees that are supposed to secure loans.
- **Access to post-harvest services:** farmers do not benefit from post-harvest services, including sorting, grading, and storing their crops in refrigerators, etc. because these services are often controlled by operators active in both sectors: agriculture and commerce.
- **Local market management:** the sale of agricultural products through intermediaries on behalf of farmers is still the most common practice in crop and product sales. This practice reduces farmers' profit margins and bargaining power.
- **Weak cooperative sector:** cooperatives are often seen as a local extension of State administration or NGOs, rather than private economic institutions that provide a model for more democratic and socially equitable management and distribution of income.
- **Traditional agricultural system:** the Lebanese land market suffers from several shortcomings: registration costs are exorbitant, transactions are complex, and rents are short-term and very expensive. Most farmers inherited land and agricultural work. However, due to the absence of vocational training, they did not receive any agricultural education or training to update their production and management skills. As a result, there is limited usage of new technologies and good agricultural practices based on technology in cultivation, irrigation, harvesting, packaging, and exporting. There is also no capacity to keep pace with the evolution of agricultural methods. This sector also suffers from high production costs and the inability of local products to compete, in addition to a lack of modernization and mechanization.
- **Excessive dependence on imports and the possibility of increasing food exports:** Lebanon is capable of increasing the production of food staples and high-value crops, replacing imports with local products to achieve national food security, and

even increasing exports of high-value and quality products. However, the agricultural land is cultivated mainly with low-value crops, and Lebanon depends on inputs from imports and agricultural technology, which limits self-sufficiency in achieving abundant production. Therefore, supporting research and development in the agricultural field is a key factor in ensuring a more diverse competitive sector.

- **Food quality standards:** export possibilities are limited due to the lack of quality specifications, the absence of good agricultural practices, the failure to meet safety standards, the lack of traceability, and the absence of certification systems.

As a result of these problems, the Economic and Social Commission for Western Asia ESCWA confirmed in a study published in August 2020 that Lebanese farmers lose around 30% of their perishable products due to low post-harvest technical skills and lack of adequate infrastructure. Wholesale markets, a vital channel for around 90% of perishable products, lack proper conditioning to maintain quality and increase shelf life¹⁷.

The stifling economic crisis in Lebanon has exacerbated the situation. It is true that it has opened a very narrow window for agricultural production growth and partially met the local market's need, but growth has remained dependent on individual initiatives and did not amount to a real change towards overall upgrading of the agricultural sector, establishing the foundation of future economic growth and the transitioning from an unsuccessful rentier economy to a productive economy. The economic and financial crisis that worsened after 2018 also produced a significant shift in farmers' ability to survive in this sector. Before this crisis, farmers were able to borrow production inputs from the trader, sometimes without any agreement and based only on a relationship of mutual trust. Following the crisis, we are experiencing a different scenario, as business transactions have become limited to cash and purchases are made in foreign currency. The farmer used to pay a portion of the costs and borrow the rest from the bank. But, due to the financial crisis, s/he has to bear the full burden and costs. Therefore, farmers were forced to sell some of their assets and properties in order to continue farming under very precarious conditions. Some of them turned to paid work in a different field¹⁸.

17. ESCWA: Half of Lebanon's population at Risk of Failing to access basic food needs - <https://archive.unescwa.org/news/Lebanon-food-security-2020>
 18. The information is derived from interviews conducted with experts in agriculture for the purpose of preparing this paper.



The difficulties faced by the agricultural sector affect both women and men, but women suffer even more.

A woman farmer works to help her family with the increasing cost of living. This profession, with all its hardship, is regarded as an extension of the many duties women must perform. This belief is due to inherited ideas that agriculture is a part of house chores. In rural communities, land ownership determines social status and how control over family resources and income is exercised. The economic deprivation of women results in their structural dependence on men in accessing resources, which can expose women to insecurity. Women do not own land, and when they inherit, their share is the smallest (based on the religious text of Muslims) and is often of lower quality and productivity, as the preference is for males according to social legacies, customs, and traditions. In addition, women are often ashamed to ask their brothers for their share of the inheritance and exchange it for a small amount of money that is not equal to the actual value of the property or land. Moreover, even if a woman owns a piece of land, the management often belongs to the man (husband or brother).

Gender pay gaps prevail in agricultural wages, with women often earning two-thirds to half of the men's wages for the same work, hours, and effort. Women work 14 to 19 hours daily, including house chores and other family-related workloads. Women spend about 5.2 times as

many hours as men on unpaid house chores and care work. They handle many other tasks that are invisible and unacknowledged financially and socially. This situation exacerbates the problem of unpaid work among women and other challenges, such as the lack of social protection.

Furthermore, women do not have sufficient access to agricultural resources such as improved seeds, seedlings, techniques, agricultural mechanisms, agricultural extension, markets, technology, and technical information. Most women cannot go to markets, participate in agricultural fairs, or hold meetings, agreements, deals, and negotiations with traders, either because they have no means of transportation or because they do not have time, as they are responsible for housework, raising children, caring for husbands, elderly family members and others, especially that they do not get any help with the burden of household chores.

As a result, women are walking away from the agricultural sector. Unofficial statistics indicate that only 35% are still active in agriculture. We do not have official statistics in this regard. In any case, it is not crucial to determine the size of the remaining female labour force in this sector, but rather to identify the causes and repercussions of this decline as it negatively affects the rural economy. For example, now that many women in southern Lebanon abandoned tobacco farming, the rural economy in southern Lebanon might bear significant implications¹⁹.

“ I inherited the piece of land that I cultivate. My mother favored my brothers. When my father decided to give each girl a piece of land planted with olive trees, my mother refused and insisted that the land would go to the boys, who initially had larger shares than the girls. I have six children. My husband is deceased. My daughter is divorced and has two children. My son lost an eye while working with an international organization in removing mines laid by Israel during the years it occupied southern Lebanon. I have huge responsibilities. I grow various kinds of vegetables, such as potatoes, kale, cabbage, and cauliflower. I am the decision maker because I am a widow. All my livelihood comes from agricultural work. When my husband was still alive, we grew vegetables just for our family's needs. Now, I have to rely on myself”²⁰.

“ Male farmers' wages are greater than female farmers' wages. Society decided so without any logical justification, although women are more capable and efficient in doing most of the agricultural tasks. Society considers a man to be physically stronger and, therefore, his pay must be higher. I do not ask for equal pay with men since this practice has been going on for decades, not only in our village but in all the villages in southern Lebanon”²¹.

“ All women farmers face difficulties in obtaining agricultural pesticides and fertilizers due to high prices and the devaluation of the Lebanese pound against the US dollar. Raw materials have become very expensive and beyond our purchase capacity. For me to use pesticides properly, I have to ask the store owner who tells me how to use them. I can also read the instructions on the product itself. I participated in several courses that enhanced my experience. We are planning to open a store where we can sell our products. We participate in group fairs with cooperatives, but the marketing is not as good as we hoped because most manufacturing and productive agricultural cooperatives produce similar products, which leads to speculation. For example, at the end of 2021, our association participated in a fair in Jounieh that lasted three days. We sold only for 650 thousand LBP”²².

19. Almodon - <https://bitly.ws/33eke>

20. Speaking to a woman who participated in the focus meetings organized for the purpose of this paper.

21. Speaking to a woman who participated in the focus meetings organized for the purpose of this paper.

22. Speaking to a woman who participated in the focus meetings organized for the purpose of this paper.

Regulatory Framework for the Agriculture Sector in Lebanon

Legislative Framework for Agriculture

Legislation that supports good agricultural practices at the national level is the cornerstone for sustaining and promoting the application of optimal standards in agriculture. Besides the cooperative law, there is no legislative framework regulating Lebanon's agricultural sector. In 1955, Legislative Decree No. 31 dated 18 January 1955 designating the tasks of the Ministry of Agriculture was issued²³. In 1994, Legislative Decree No. 5246 dated 5 June 1994, currently in force, was issued²⁴.

In addition to these laws, the competent minister regulating matters related to the sector issues ministerial decisions, some of which are listed on the Ministry's web page, including decision No. 158 regulating organic production, Official Gazette No. 20, 14/5/2020.

- Decision No. 1/1033 regulating organic agriculture²⁵.
- Decision No. 1/542 establishing and regulating the National Register of Organic Agriculture²⁶.
- Decision No. 1/767 on the mechanism for joining the list of national experts in organic production²⁷.

Among the laws passed during the last four-year parliamentary session (2018-2022), the Parliament passed only a few laws related to the agriculture sector.

In addition to the laws that were passed, several proposals and draft laws are waiting to be approved and are relevant to the agricultural sector, including:

- Law proposal to regulate and register vegetable and fruit wholesale markets.
- Law proposal to charge additional fees to protect national products.
- Law proposal to establish a farmers' compensation fund against damages caused by natural disasters and all hazards resulting in damage or losses to agricultural work at all stages.
- Proposal of an accelerated duplicated law to exempt agricultural machinery, equipment, and supplies from VAT and all customs duties for a specified period.
- Law proposal for abolishing legislative decree No. 31 dated 5/8/1967 on anti-dumping and replacing it with the "Law for the Protection of National Production".

Law	Date	Information
Opening an additional appropriation in the 2020 budget.	Law No. 179 dated 12/6/2020 - Official Gazette. Annex to No. 25, 12/6/2020	Opening an additional appropriation in the 2020 Budget to address the emerging conditions caused by the coronavirus and its economic, health, social, agricultural, industrial, and other consequences. https://www.lp.gov.lb/ViewLaws.aspx?Section
Organic Production Regulating Law	Organic Production Regulating Law No. 158 - Official Gazette, No. 20, 14/5/2020	Organic production is a comprehensive system for managing sustainable agricultural production that promotes agroecosystems, including biodiversity, biological cycles, and soil biological activity. http://old.lp.gov.lb/Resources/Files/b5cfd081-2557-4bad-aad9-0e3baa11e411.pdf
Law authorizing cannabis cultivation for medical and industrial use.	Law No. 178 dated 28/5/2020 - Official Gazette No. 23 dated 4/6/2020	http://old.lp.gov.lb/Resources/Files/17cf462d-27b5-444b-a4a3-951cfd59c096.pdf
Protected areas law	Law No. 130 dated 30/4/2019 - Official Gazette, Annex No. 23, 30/4/2019	It aims to preserve the distinctive natural areas, providing good management of the natural reserve and the surrounding zone in line with the management plan.

23. Decree No. 5246 of 20/6/1994 on the organization of the Ministry of Agriculture and identifying its organogram and recruitment conditions in some of its positions and the salaries scale of the technical staff.

24. Organic Production Regulating Law No. 158, Official Gazette, No. 20, 14/5/2020

25. Decision No. 1033/1 of 2011 regulating the organic agricultural production, Ministry of Agriculture.

26. Decision No. 542/1 of 2012 establishing and organizing the National Register of Organic Agriculture, Ministry of Agriculture.

27. Decision No. 767/1 of 2012 on the mechanism for joining the list of national experts in organic production, Ministry of Agriculture.

- Law proposal authorizing Lebanese citizens to cultivate public property as a matter of tolerance.
- Proposal of an accelerated duplicated law to amend certain provisions of Law No. 326 dated 28/6/2001 and its amendments (Customs Act) (agricultural products).
- Proposal of an accelerated duplicated law to amend certain provisions of Legislative Decree No. 144 dated 12/06/1959 (Income Tax Law) concerning the export of Lebanese agricultural products.

There is no legislative framework in Lebanon that regulates the agricultural sector; however, the Ministry of Agriculture is currently working on a draft law to establish and regulate the farms' registry. One of the objectives of the Ministry of Agriculture strategy is to create a register of farmers, which will be a basis for developing and implementing agricultural policies that take into account the needs and aspirations and whose purpose is to advance the agricultural sector and ensure its sustainability and prosperity. The text of the draft law has been finalized but has not been submitted to the Council of Ministers as of this date.

The Ministry of Agriculture is in the process of creating the registry. According to the explanatory statement of the draft law, in the absence of sufficient and uniform means to collect adequate information about farmers and the different elements of their activity, it was necessary to create the farms' registry to use it in:

- Developing and implementing the Ministry's general agricultural policy.
- Ensuring the fair and effective distribution of in-kind assistance and compensation provided by the Ministry when necessary.
- Listing farmers in the administrative records of agricultural vehicle registration.
- Developing an effective, practical, and modern legal framework that helps organize farmers' work and links them to the departments concerned with agriculture.
- Facilitating the exchange of information and coordination between departments concerned with supporting farmers.

According to this draft law, a farmer is "every natural or legal person, or a group of natural or legal persons, who carries out the agricultural activity as an owner, tenant or agricultural investor, wholly and partly in an agricultural holding."

According to the draft law, Farmers include men and women. However, the draft law does not mention women farmers and is wholly neutral regarding gender considerations.

Legislative Framework for Agriculture

The Agro-food industry sector is a key sector of the Lebanese economy. In 2015, this sector accounted for 32.03% of the industrial output and generated about 4.5% of the country's GDP. This sector has an estimated size of USD 1.98 billion²⁸. This sector offers about 20,607 job opportunities, equivalent to 25% of the industrial workforce. It is the most job-creating sector in the industrial sector. The largest proportion of Lebanon's industrial enterprises is Agro-food enterprises, accounting for 21.8% of the total number of enterprises (approximately 963). The sector's exports accounted for 21.2% of total Lebanese exports in 2016 and 17.9% of total industrial exports in 2016, with an annual export growth rate of 7.6% between 2012 and 2016²⁹.

Agro-food industry workers, especially women, face many challenges that can be summarized as follows:

- Legal registration for export is a complicated procedure. Any industrial enterprise, even small enterprises, must be legally registered (Tax ID number, lease, location...), to be able to export and obtain the relevant certificates.
- Women working in this sector are not well-versed in technical matters, especially concerning merchandise registration and market access.
- Financial literacy is an essential framework for establishing start-ups and entrepreneurship, especially for women, in the absence of assets and land. Besides, due to the economic crisis, it is difficult to obtain bank loans. Financial literacy for women is essential to access financial resources provided by investors, not just donors. It is also important to empower women in project writing.
- Difficulties faced by women in exporting their products are not only related to foreign markets but also to the legal proceedings (issuance of export origin, industrial certificates, and industrial licenses). Moreover, the process of issuing legal papers is very complicated, especially when there is no access to finance and legal consultation.

At the Ministry of Industry, the Agro-Industries Authority is affiliated with the Directorate of Rural Development and Natural Resources at the Ministry of Agriculture.

28. Agro-food Industry, https://investinlebanon.gov.lb/ar/sectors_in_focus/agro_industry
 29. Agro-food Industry, https://investinlebanon.gov.lb/ar/sectors_in_focus/agri-food

The Authority handles plant and animal food industries and their development. It monitors manufacturing and packaging. The Authority supervises food and nutrition, proposes ways to increase food production and cost reduction of production and manufacturing (Decree No. 5246 of 1994). The Agro-Industries Authority consists of two departments:

- Department of Agro-Food Industry Development and Control.
- Department of Food and Nutrition.

Agro-industry laws are:

- Law No.224 dated 22/10/2012: Technical regulations and the related conformity procedures.
- Law No.216 dated 29/5/2000: Production, manufacture, sale and import of wine.
- Law No. 35 dated 24 November 2015: Food Safety Law.

There are also several decrees, such as:

- Decree No. 12253 dated 2/4/1969: Delineating conditions that must be met in canned or preserved food products.
- Decree No. 5246 dated 20/6/1994: Organization of the Ministry of Agriculture and identifying its organogram and recruitment conditions in some of its positions and the salaries scale of the technical staff.
- Decree establishing the National Codex Committee.

An important problem arises between the Ministry of Industry and the Ministry of Agriculture regarding authority over the agro-industry sector. Currently, within the Ministry of Agriculture, the Agro-Industries Authority includes two departments, as mentioned above. Some consider that the Ministry of Industry must handle all matters related to the industrial sector and that the Ministry of Agriculture's competence must be limited to updating and amending the decrees governing the work of this Authority. According to the same opinion, all agro-industries matters must remain under the purview of the Ministry of Industry.

Strategy Framework

The shortcoming in addressing the problems of the agricultural sector and the problems of women within

this sector is not limited to the legislative framework but is also a result of policies and strategies.

The Ministry of Agriculture published in September 2020 the National Strategy for 2020-2025, in which it addressed for the first time strategic issues in an in-depth analytical spirit³⁰. The strategy covered five themes:

1. Revitalizing and improving the livelihoods of farmers and producers and increasing productive capacity;
2. Increasing agricultural production and enhancing agricultural productivity;
3. Enhancing the efficiency and competitiveness of agricultural and food production chains;
4. Improving adaptation to climate change and sustainable management of agriculture, food, and natural resources systems;
5. Strengthening the regulatory and institutional framework.

However, the following observations can be made about the strategy:

- Women farmers rights were not addressed from a rights perspective. Gender inequality at all levels has not been identified and analyzed. Therefore, interventions have not been developed based on differences in roles, needs, opportunities, and constraints, and the impact of these differences on the lives of women and men was not taken into account.
- The strategy did not reflect gender equality in a comprehensive and radical way but rather focused only on achieving equality between women and men in sustainable agriculture and food production, and rural development.
- The strategy included objectives, expected results, indicators, and implementing stakeholders. However, it did not include any goal or outcome specific to women. All indicators are general except for one related to the number of small farmers, youth, and women benefiting from concessional loans. Therefore, these indicators cannot measure gender-related outcomes or the number of beneficiary women.
- The National Commission for Lebanese Women was not involved in the development of the strategy as a national mechanism concerned with the advancement of women.

30. <http://www.agriculture.gov.lb/getattachment/Ministry/Ministry-Strategy/strategy-2020-2025/NAS-web-TheFinal-Arabic-3Sept2020.pdf?lang=ar-LB>

As part of the efforts of the Ministry of Agriculture, the National Observatory for Women in Agriculture and Rural (Nowara) was established in 2008. It aims to develop rural areas by valuing women's entrepreneurship and creating innovative dynamics in the work and employment of women in agriculture, food, and rural areas. Nowara works on modernizing legislation and eliminating discrimination against rural women. It adopts a multidimensional approach (social, cultural, economic, and institutional) to empower rural women and overcome barriers set up by patriarchal cultural contexts.

The Ministry of Industry set out a general vision for the Industrial Sector for 2025 with a mission aimed at nurturing Lebanon's industrial sector and contributing to its growth, revitalization, protection, and development. The vision emphasizes the creation of an industrial sector that effectively and consistently contributes to sustainable development. The strategy includes several objectives:

- An effective, dynamic, and developed Ministry of Industry capable of nurturing and guiding the industrial sector toward sustainable success;
- A new headquarters for the Ministry of Industry and new regional offices to accommodate its employees and affiliated institutions. Modern, adequate, and spacious buildings to provide the best services and satisfaction to both workers and customers;
- A Ministry of Industry credible as a reference in the areas of industrial statistics and information;
- Guidance to the Lebanese society so it can excel as a productive and effective industrial society;
- Developed national economy and high living standards;
- Reduced trade balance deficit;
- More job opportunities;
- Improved production capacity of the national industry in order to secure between 50% to 70% of the domestic consumer needs;
- Increased contribution of the industrial sector to GDP to 18%;
- Preservation and protection of the environment;
- Keeping pace with development and supporting research and innovation.

The Ministry of Industry has also developed the Industrial Sector Development Strategic Plan (2020-2025) and determined its implementation mechanisms to "Transform Lebanon into one of the Levant's leading industrialized

countries, in terms of the industry's contribution to the GDP during the next decade, making the industry a major contributor to the national income", making Lebanon "a regional pioneer specialized in high-value knowledge, technical and creative industries, and a regional hub for industrial transformation, processing, and industries that lead to sustainable value, job creation, and a permanent reduction of the trade deficit".

The Ministry has set out the objectives of the strategic plan as follows:

- Increase the industry's contribution to the national product at a minimum annual rate of 2% for the next five years, to reach 18% within five years;
- Increase industrial exports by 5% annually over the average recorded in 2019;
- Reduce the deficit in the balance of trade and in the balance of payments by 5% annually compared to its rates in 2019;
- Reduce unemployment and create new decent and sustainable job opportunities, particularly for university graduates and professionals, with at least 25,000 job opportunities within 3 years, up to 35,000 job opportunities within 5 years, designed for the Lebanese workforce, as a social safety net;
- Reduce factories' energy cost by 20% by promoting the use of alternative energy;
- Shift to a knowledge economy and launch new industries;
- Encourage sustainable and environment-friendly industry frameworks;
- Build upon the competitive capacities and capabilities;
- Integrate the Lebanese economy into international markets.

The strategy set the implementation approach and industrial sectors to target growth and development. An implementation mechanism has been developed and included the establishment of specialized committees in partnership with the private sector, as well as mechanisms to support and finance actions for the growth and development of the industrial sector.

Despite the importance of these strategies and plans, the gender equality approach was not taken into account as a basis for developing the industrial sector. The vision did not include any item targeting women in particular and did not consider women's needs. The strategic plan and implementation mechanisms did not reflect the principles of gender equality and non-discrimination

comprehensively and radically. Also, the needs, opportunities, constraints, and impact of differences on the lives of women and men were not highlighted. Therefore, these interventions do not reflect the human rights perspective to dismantle structural barriers and develop the industrial sector radically and sustainably. For example, although the Parliament has been designated as the body responsible for amending legislation, the proposed legislations are technical in nature and do not propose legal reforms aimed at eliminating discrimination against women. Benchmarks are general indicators and do not contribute to the creation of a gender-disaggregated database that can be built upon to develop suitable and appropriate evidence-based interventions by decision-makers.



CHAPTER 2: LAWS DIRECTLY AFFECTING THE STATUS OF WOMEN IN THE AGRICULTURAL SECTOR

There is no specific law in Lebanon governing the agricultural sector, and therefore the situation of women in agriculture. Still, some legislations directly affect this sector and the status of women within it. This chapter outlines these laws and highlights the gaps that should be addressed to guarantee women's rights in this sector.

Labour Code

The Lebanese Labour Code was promulgated on September 23, 1946, and was amended several times³¹. The Code contains many positive protective provisions for women. For example, the Code prohibits an employer from discriminating based on gender between employees. Article 26 of the Code states: "The employer may not discriminate between working men and working women with regard to the type of work, amount of wage or salary, employment, promotion, professional qualification, and apparel." The Code forbids the disbursement of a warning to women during pregnancy, maternity leave, or sick leave and prohibits the dismissal of women on the grounds of pregnancy³². The Code specifies cases in which the employer may terminate some or all of the employment contracts in the institution³³. It identifies cases in which dismissal is considered to be a misuse or abuse of rights³⁴. The law also specifies cases in³⁵ which an employer may terminate the contract without compensation or prior notice. Under the Code, working women are entitled to ten weeks of maternity leave with full pay, but this does not amount to the ILO recommendation that maternity leave should not be less than 14 weeks, per article 4 (1) of Convention No. 183 on the Protection of Maternity, noting that Lebanon has not acceded to this Convention yet. Concerning protection against harassment in the

workplace, Lebanon has not acceded to ILO Convention No. 190 on the Elimination of violence and harassment, and the Lebanese Labour Code does not criminalize sexual harassment; however, the law on sexual harassment and rehabilitation of its victims, adopted by the Parliament on 21 December 2020, can be applied. According to Law No. 205, sexual harassment in the workplace is punishable by imprisonment from six months to two years, and a fine from ten to twenty times the official minimum wage or one of these penalties if the crime of harassment occurs in the context of subordination or a work relationship.

Although the Lebanese Labour Code provides ample protection, there are many gaps that must be pointed out:

- The Labour Code is gender-neutral. However, in the context of the deteriorating situation of women, labour legislation cannot be neutral and unaware of the challenges faced by women. Implementing true equality requires an approach that addresses vulnerabilities based on historical social structures and power relationships which determine women's capabilities to enjoy rights, addresses stereotypes, stigma, prejudice, and violence, transforms institutional structures and practices- that are often male-oriented and disregard women's issues and experiences- and facilitates social inclusion and participation³⁶. The Lebanese Labour Code does not address in any of its articles temporary mechanisms and measures that promote equality and bridge gaps related to discrimination and inequality as enshrined in Article 4 of the Convention on the Elimination of All Forms of Discrimination against Women and General Comment No. 16 of 2005 of the

32. Lebanese Labour Code, Articles 29 and 52.

33. If force majeure or economic or technical conditions require such termination, such as the downsizing of the enterprise, the replacement of one production system by another, or the permanent cessation of work.

34. Dismissal shall be considered as being the fact of misuse or abuse of right if it should occur in the following cases: for a non-valid reason of for reason in no way pertaining to the worker's fitness or behavior with the establishment or to the sound management and smooth running of the establishment; because of pregnancy, childbirth, illness, judicial arrest, strike or for reasons not related to health; for having adhered or not to a given trade union activity, within the laws and regulations in force or within the framework of a group of individual labour agreement; for having stood for elections, or having been elected as member of a trade union office or having represented the establishment's labour force, throughout the period of such representation; for having lodged, in good faith, with the competent Services, a complaint regarding thereto, or having brought a case against the employer on the same basis; for having exercised his individual or public liberties within the framework of the laws in force.

35. The law specifies the cases in which an employer may terminate an employment contract without compensation or prior notice if the employee claims a false nationality; if the employee is on probation and if the employer is dissatisfied with the employee's performance during the three-month probation period; if the employee is found to have committed a wilfully negligent act or omission aimed at harming the material interests of the employer; if the employee, despite the written warnings, has committed violations of the rules of procedure three times in a given year; if the employee is absent without a valid excuse more than fifteen days in one year or more than seven consecutive days.

36. Intersections between Work and women's economic, social and cultural rights, paper prepared by ESCR-Net-International, Network for Economic, Social and Cultural Rights, March 2016

Committee on Economic, Social and Cultural Rights. The principles of equality and non-discrimination are not always sufficient to ensure true equality. Special temporary measures are needed to bring marginalized individuals and groups to the level of substantive equality enjoyed by others³⁷. The gender gap is particularly evident in the areas of economic participation and opportunities. Lebanon ranked 145th out of 153 countries according to the World Economic Forum's Global Gender Gap report 2020. The law provides for equal pay, but in implementation the monthly gender pay gap for Lebanese employees is clear. The gap is estimated to be 5.6% by job type and category³⁸ and widens to 34% when compared to hours worked³⁹.

- The Labour Code prohibits women from working in certain professions (Article 27).
- Maternity leave does not meet international standards (14 weeks) and Lebanon does not adopt paternity leave.
- The law lacks a clear mechanism to ensure monitoring of the private sector and set deterring penalties for every legal violation, especially those that are gender discriminatory.
- Article 50(d) of the Labour Code enshrines the right of the employee to compensation for arbitrary dismissal. The issue here is that arbitrary dismissal on grounds of gender discrimination is not mentioned.

Article 50(d) of the Labour Code enshrines the right of the employee to compensation for arbitrary dismissal. The issue here is that arbitrary dismissal on grounds of gender discrimination is not mentioned.

- Several categories of workers do not enjoy the protection provided by the Labour Code, including women and men workers in the informal or unstructured sectors and the informal economy⁴⁰. Informal employment in Lebanon is an essential component of employment. It accommodates the increasing flow of labour, in light of the limited productivity of the Lebanese economy and the

absence of any government strategy to improve productivity. In 2019, about 60% of individuals and groups in Lebanon were working in the informal sector. Informality is highly concentrated among poor workers. This gives a strong indication of how informality and poverty are interconnected⁴¹.

- Although the Lebanese law guarantees significant protection to women, a review and analysis of the Lebanese Labour Code raise fundamental points in the absence of effective protection that this legislation provides to women in general and women farmers in particular.

Regarding men and women farmers, they are excluded from the provisions of the Labour Code.

Article 7 of the Labour Code excludes certain groups:

1. Domestic female servants employed in private houses;
2. Agricultural corporations which have a connection with trade and industry and which shall be the object of a special law;
3. Institutions where only family members work under the management of the father, mother, or guardian;
4. Government departments and municipal bodies with regard to daily and temporary employees;
5. Those not covered by the staff system.

Article 5 of the Labour Code classifies trade unions into four categories:

1. Industrial unions
2. Trade unions
3. Agricultural trade unions
4. Free trade unions

There are two opinions as to why farmers are not included in the labour Code:

- According to the first opinion, the lawmakers in 1946 were businessmen and feudal lords who wanted to keep the agricultural sector out of the legal system to evade any accountability for breaking the law.

37. General comment No. 16 (2005): The Equal Right of Men and Women to the Enjoyment of all Economic, Social and Cultural Rights (Article 3 of the International Covenant on Economic, Social and Cultural Rights) - https://tbinternet.ohchr.org/_layouts/treatybodyexternal/tbsearch.aspx?lang=ar&treatyid=98&doctypeid=11

38. The Life of Women and Men in Lebanon, A Statistical Portrait, Central Administration of Statistics (CAS) of Lebanon and UNDP, 2018-2019.

39. Assessing the extent of informal employment and vulnerability among the most deprived groups in Lebanon, a survey of Lebanese, and Syrian and Palestinian refugees, ILO, Technical Report, 2020

40. As defined by the International Labour Organization, the informal economy refers to all economic activities by workers and economic units that are – in law or practice - not covered or insufficiently covered by formal arrangements, procedures, and regulatory requirements, either because this category of workers operates outside the formal reach of the law; or the laws that are supposed to protect them are not enforced. This definition was included in the Arab Watch report on informal employment prepared by the Arab NGO Network for Development in 2016. - <http://www.annd.org/cd/arabwatch2016/pdf/arabic/report.pdf>

41. Informality in Lebanon – Diagnosis and Analysis, Arab NGO Network for Development, Rabi Fakhri, <https://www.annd.org/cd/arabwatch2016/pdf/arabic/14.pdf>

- According to the second opinion, the State does not have statistics and data on the number of farmers in Lebanon and the sectors in which they work. Therefore, it is difficult to legalize the work of farmers and integrate them into the labour law. Advocates of this view say that it is difficult to regulate this sector because it is not framed in formal structures like companies, institutions, unions, etc., except for the food manufacturing sector. This view is accepted by those who oppose the amendment of the Labour Code to include women and men farmers in its provisions.

Those calling for the inclusion of women and men farmers in the Labour Code believe that this will encourage the agricultural sector and that codifying the relations should prevail. Regulations would motivate citizens to enter the agricultural labour market for they would enjoy guarantees and social and health benefits. Advocates of this opinion specifically call for the amendment of Article 7 of the Labour Code, which excludes agricultural work from the obligations of the law. It was agreed to have Article 7 amended by the competent committee examining the amendment of the Labour Code and which includes the three parties of production (employers, Ministry of Labour and Workers, workers), as well as advisers from the International Labour Organization, the Bar Association, and former judges. Representatives of the Ministries of Labour and Agriculture that we met confirmed that the debate on the amendments was not easy because agricultural work cannot be reduced to one or two articles. Every agricultural sector (i.e., beekeeping, tobacco, horticulture, citrus, etc.) needs more flexible decrees and legal texts.

Excluding women and men farmers from the Labour Code has many negative effects on them:

- Their work is not regulated by employment contracts.
- Farmers do not receive adequate compensation in the event of a work injury or illness and are denied the right to receive benefits and life insurance.
- Lack of access to appropriate services with regard to rehabilitation and return to work.
- They do not benefit from social security coverage. In countries where farmers do not benefit from such protection, the competent authority, together with employers and workers' organizations, are devising innovative methods to ensure coverage, paying particular attention to the needs of temporary, seasonal, and migrant workers.
- Working hours are not regulated. Long working hours, in addition to hard manual labour, exhaust

workers and cause an increase in work accidents. Arranging daily and weekly working hours to provide adequate rest periods, as determined by national laws and regulations or approved by labour inspectorates or collective agreements, is one of the standards of decent work.

- No protection from violence and sexual harassment against women farmers in the workplace. Undoubtedly, women farmers can benefit from the provisions of Law No. 305, but they do not fully benefit due to two challenges. The first is the weak legal protection for women farmers since they are excluded from the provisions of the Labour Code. The second is the loopholes in Law No. 305 that provide limited protections against harassment for certain groups such as women farmers. The labour market is a vast arena for sexual harassment, given the context of subordination and the imbalanced relationship between the employer and the employee. The law does not distinguish between an employee and an employer, which calls into question the effectiveness of the text. This opens a wide door for employers to exploit this text against their employees because it did not take into account the "unequal nature of labour relations in Lebanon," as in the case of women farmers who are not covered by any protective regulatory framework.
- Lack of legal protection for women and men farmers. Sometimes the Ministry of Labour takes action within very narrow boundaries and on its initiative and not based on any authority granted by law. Based on its authority to manage labour relations, the Ministry of Labour intervenes if a woman farmer complains that her employer is not paying her. However, the employer can object to the Ministry of Labour because this move is not based on any legal principle.
- It is difficult to form trade unions for agricultural workers and therefore there is no collective bargaining that would enable them to improve their working conditions.

Female workers are individually affected. But also, the impact is significant on the Lebanese economy. Due to the chaos in the agricultural sector, there is a lack of information or data on this vital sector. Therefore, there are doubts regarding the effectiveness of any future planning. At the social level, chaos results in distorted relations between workers and employers on the one hand, and workers and the State on the other. This negatively affects the stability of the labour market and social stability in general.

For all these reasons, it is important that any update to the Labour Code:

- Include all workers in the agricultural sector and thus enable them to enjoy the minimum it offers just like workers in other sectors;
- Facilitate the transition of rural women from the informal to the formal economy;
- Expand opportunities for rural women to run businesses and other enterprises, through, inter alia, facilitating microcredits;
- Improve working conditions in rural areas, including through the provision of paid maternity leave; decent wages, urgent attention to the informal sector, and steps to prevent sexual harassment, exploitation, and other forms of abuse in the workplace;
- Protect the rights of rural women workers in collective bargaining to ensure they enjoy decent work conditions;
- Preserve the health and occupational safety of rural women through legislative and non-legislative measures protecting them from exposure to harmful chemicals;
- Provide social security for rural women, including in cases of illness or disability;
- Provide childcare services in rural areas, in order to alleviate the burden of rural women in unpaid care work, facilitate their participation in paid work and allow them to breastfeed during working hours.

According to the draft labour law prepared by the subcommittee of the Ministry of Labour, permanent agricultural workers are subject to the provisions of this law, and when benefiting from these provisions, the requirements of the nature and the nature of work in agriculture are taken into account. The working hours of agricultural workers that exceed the normal working hours approved for ordinary workers shall not be considered additional working hours if carried out according to the requirements of nature and the type of agriculture, and to the extent necessary, provided that the average of the working hours, when calculated over two weeks, shall not exceed 48 hours per week.

The Social Security Law

In accordance with international standards for the elimination of discrimination against women farmers in the economic and social spheres, States should adopt gender-sensitive social protection floors and ensure that rural women have access to essential health care and childcare facilities, in line with paragraphs (b) and (h) of Article 14 of the Social Security Law and ILO recommendation No. 202 on Social Protection Floors of 2012.

In Lebanon, the National Social Security Fund is an independent institution of a social nature established by law on 26 September 1963. The Fund consists of four branches:

- The End-of-Service Indemnity.
- Sickness and Maternity Care.
- Family and Education Allowances.
- Work-Related Emergencies and Occupational Disease. This branch is not activated to date. It has been replaced by a special law that requires the employer to compensate the employee who has suffered an emergency at work⁴².

According to the Court of Cassation, the primary purpose of the social security law, its institutions, and its provisions is to provide social security⁴³. The Fund's contributions were supposed to include all Lebanese and residents on Lebanese soil, but that was not possible due to the Lebanese war (1975-1990) and the subsequent economic and security crises. The fund has repeatedly tried to expand the beneficiaries' fan to include new categories, sometimes succeeding and failing at other times. The Fund tried to provide comprehensive social protection to non-beneficiaries of its contributions, such as self-employed workers, employers, and former insured persons through the optional security system, but the desired success was not achieved for several reasons.

The Law discriminated against women in many areas. Indeed, the word "secured" in Article 14 of the Social Security Law means both men and women without any discrimination⁴⁴, however, there are still some aspects of discrimination against women in the Lebanese Social Security Law in the following areas:

42. https://www.ilo.org/wcmsp5/groups/public/-/arabstates/-/ro-beirut/documents/genericdocument/wcms_246604.pdf

43. Court of Cassation Civil Chamber, 8th Civil Chamber, No. 46, 19/12/1997

44. Law No. 483 of 2002, Social Security Law

- Discrimination in the provision of sickness and maternity benefits: according to Article 14 of the Social Security Law, the secured persons and their family members benefit from the sickness and maternity benefits. The wife of a secured working husband enjoys social security benefits for sickness and maternity without conditions. Whereas the husband of a secured working wife can benefit only if he is over 60 years of age or if he has a disability that prevents him from working, although women's contributions are equal to the contributions of men employees or workers. Acknowledging the right to equality in benefits is a demand. The husband of a woman who works and contributes to the fund, who is not working and is not secured, must benefit without conditions, in the same way as the spouse of a man benefits unconditionally.
- Discrimination in entitlement to sickness benefits: According to Article 16 of the Social Security Law, for a secured female worker to benefit from maternity compensation, she must have been affiliated with social security at least ten months before the childbirth due date. The requirement to link maternity benefits with the female employee 10 months affiliation must be abolished by unifying the period of affiliation for both men and women to enjoy maternity benefits.
- Discrimination against secured women in maternity compensation: according to Article 26 of the Social Security Law, every secured woman has the right to maternity compensation equivalent to two-thirds of the average daily earnings, for the whole 10-week period during which delivery takes place, provided that she stops from work and refrains from receiving any remuneration during that period.
- Discrimination in Family and Educational Allowances: According to article 46 of the Social Security Law, the employed husband benefits from family and educational benefits if the legitimate wife who resides in the household does not engage in paid work, whereas the employed woman does not benefit from family and educational allowances if her husband is not engaged in paid work.
- Discrimination in the way family and educational allowances are paid: according to Article 47 of the Social Security Law, family allowances for children are paid to the father if the father and mother meet the legal conditions. The aforementioned article does not recognize that a female public employee

or a private employee is the breadwinner of her family, and therefore deprives her of family benefits, unless the husband is found to be incapacitated or absent, or if she is a widow⁴⁵. The law does not give a secured woman the right to child allowances, even if the husband is not secured or unemployed, except after "social investigation".

In addition to the discrimination between men and women (in the law), there are contradictions which indicators can be drawn from the following points:

- Secured men and women pay the same contribution rates. However, secured women do not enjoy the same benefits, and some of their rights are restricted.
- Family and Educational allowances for single girls are maintained until the age of 25. Whereas Sickness and Maternity are granted until the age of 18 only.

With regards to farmers (women and men), the Social Security Law, as well as the Labour Code, excludes women and men farmers. Therefore, the Fund excludes all workers in agriculture, whether they work on a temporary, daily, or seasonal basis.

The law establishing the National Social Security Fund enacted by Decree No. 13955 dated 26/9/1963 has set three phases for the implementation, at each phase, new categories would be introduced among the beneficiaries:

- Phase I: ended in early May 1965, according to which those working in agro-industrial enterprises or businesses or in the trade of agricultural materials would benefit from the fund's contribution.
- Phase II: Article 10 of the Law establishing the National Social Security Fund allowed all Lebanese workers, employees, trainees, or apprentices working on Lebanese soil, in an agricultural institution, for one or more employers, Lebanese or foreigners, to benefit from the fund. However, the Administration did not implement this article and workers in purely agricultural enterprises did not benefit from the Fund.
- Phase III: Not yet implemented, according to which those who have not yet been subject to its provisions in phases I and II would benefit from the Fund.

45. Women's Guide to Social Security, 2015 - https://www.sfcg.org/wp-content/uploads/2015/12/nssf-how-to-guide_short.pdf

Based on the above, agricultural workers are divided into three categories:

1. Those who work in enterprises and companies dealing with the marketing and manufacturing of agricultural products do benefit from the contributions of the National Social Security Fund.
2. Workers in purely agricultural enterprises who should have benefited from the Fund's grants since 1967. But, for unknown reasons, the necessary regulations were never issued.
3. Agricultural workers who are not affiliated with an institution and who have been waiting for the third phase to be implemented in order to benefit from social security benefits. But, to date, this has not happened.

Because of this situation, women and men farmers and their families do not benefit from any health coverage and property insurance against accidents and natural disasters. Although a joint fund has been established to secure the agricultural sector against natural disasters, it has not yet been implemented because legislative and regulatory frameworks are not complete, and membership is not mandatory.

In an interview with women farmers at an agricultural production and manufacturing cooperative, they confirmed that they do not have any health coverage from any insurance.

The president of the cooperative said:

“We tried hard to get health insurance for the members and to secure the cooperative building against fire, but all insurance companies refused. We are a group of women who rely on self-capacities and make little money in return without the support of the State. We struggle alone and depend solely on our work. How can we get some sort of insurance?**”**

Another woman says:

“I was injured at work and my face and hands were all burned. I underwent treatment for two months and paid all the costs out of my pocket⁴⁶.**”**

For several years now, a draft law is being discussed to include farm workers in the National Social Security Fund. According to the Explanatory Statement, the

Social Security Law did not omit farm workers, but rather required their inclusion in social security in the second and third phases, and considered that failing to implement these two phases created inequality between workers in agricultural manufacturing or agricultural trade, and agricultural workers in the field and orchard, etc. This disparity calls for strict enforcement of the law and the strengthening of the agricultural sector by granting farmers the guarantees set out in the law and in the international conventions that uphold these rights. Therefore, a draft law was proposed to ensure that farmers and workers in agricultural enterprises benefit from the National Social Security Fund.⁴⁷

In addition, one of Lebanon National Agriculture Strategy (NAS) 2020-2025 is to develop a social protection system for farmers, farm workers, producers, and fishermen. Under this programme, interventions aim to secure social security coverage for all relevant actors, including medical insurance, in addition to ensuring coverage of the National Program to support the poorest families.

For all these reasons, it is important that the legislation regulating social security help adopt social protection policies that ensure the elimination of discrimination against women, especially the most vulnerable among them, including women farmers, whether Lebanese or non-Lebanese.⁴⁸

Real Estate Law

Women's ownership of land is crucial to achieving the economic dimension of gender equality. Land ownership reduces women's dependence on male partners and relatives, increases their ability to negotiate in the market and within the family, gives them access to extension services and credit, and encourages them to advance their investments, scale up and join producer organizations. Studies have shown that women's access to land on an equal basis with men significantly reduces poverty and food insecurity worldwide. There is a direct relationship between women's right to land, economic empowerment, food security, and poverty reduction⁴⁹. Property is essential for gender equality and the well-being of women; it is a determining factor in the living conditions of women, especially in rural economies, and is also a factor in the daily survival, economic security, and physical safety of women and their children. However, this vision is still far from being realized.

46. Women participating in a focused group organized for the elaboration of this report

47. Draft law on the access of agricultural workers and workers in agricultural enterprises to the National Social Security Fund, Ministry of Labour - <http://www.labor.gov.lb/temp/files/5a64df3d-e50b-4600-a6e5-38125fb66f03.pdf>

48. <https://www.annd.org/data/item/cd/aw2014/pdf/arabic/three11.pdf>

49. Women and Land Rights, SIDA, March 2015 - <https://cdn.sida.se/publications/files/-women-and-land-rights.pdf>

FAO data shows that in most countries, less than 50 percent of women own agricultural land and/or have secure tenure rights⁵⁰. This is often because the property is registered in the name of a man: father, husband, or brother. In rural societies, land ownership determines both financial and social status and how women exercise control over family resources and income. Women enduring bad financial situations are structurally dependent on men for resources, which might expose them to insecurity and violence.

Over the past three decades, many countries have changed their legislation to promote gender equality. Based on evidence from countries reporting on SDG 5.a.2, further progress is needed to advance women's rights in legislation and practice⁵¹.

At the international level, documents issued by United Nations treaty bodies and special rapporteurs not only provide human rights standards relevant to land and tenure, but also more specific guidance, focusing on specific groups (such as the urban poor and indigenous peoples) or specific situations (such as evictions, informal settlements, or agricultural reforms).

In 2017, the Human Rights Council Working Group discussed the latest draft of the United Nations Declaration on the Rights of Peasants and Other People Workers in Rural Areas. The Human Rights Council has responded to the current economic and social challenges of rural populations, such as environmental damage, climate change, resettlement, eviction, or agricultural industrialization by investors.

In Lebanon, civil laws, such as the Code of Obligations and Contracts and the Code of Civil Procedure, do not contain specific provisions that apply exclusively to women. Therefore, there is no distinction between men⁵² and women in civil proceedings. Lebanese women can legally enjoy the full capacity to contract, register businesses, and own property without any restrictions. Every person who has completed the age of 18 is eligible for commitment, according to Article 215 of the Code of Obligations and Contracts.

Inheritance laws differentiate between Lebanese men and women according to their respective religious communities and deny women inheritance and property. In addition to the differences between civil law and religious law with regard to common lands and owned

lands, several different laws regulate women's right to land. The provisions of personal status laws, particularly those relating to inheritance, are directly discriminatory. Women often inherit fewer shares, especially among communities that follow Islamic law in the division of inheritance. Regardless of inheritance provisions, husbands and male family members often have a strong influence on women in terms of property management, income, and other financial assets. There is a common belief that family property, including land, should remain within the family itself, and therefore must be registered in the name of the male. Land-related inheritance continues to follow a patriarchal pattern, and women sometimes transfer their inheritance to brothers or uncles to receive security and shelter. Discriminatory traditional inheritance practices can be traced primarily to gender-stereotyped expectations of the social role and life paths of daughters and sons.

Lebanon has not adopted any temporary special measures to support the realization of women's right to land, in line with the recommendations of the Committee on the Elimination of Discrimination against Women. Back to the 2030 Agenda for Sustainable Development, the indicators of the SDG 5.a.2 include two positive measures, one related to the allocation of financial resources to facilitate women's purchase of land, and the second is related to the establishment of mandatory quotas to promote women participation in land corporations.

Furthermore, neither the Constitution nor the law make any reference to customary law and its relation to the Constitution, in case it conflicts with the official law. Cultural, religious, and customary practices can have an impact on women's rights to land, property, and housing. Such practices often exist in parallel with statutory laws. These practices often discriminate against women in the areas of property, land, and housing, and sometimes prevail over national laws⁵³.

For all these reasons, it is important to respect women's property rights, by not discriminating against them directly or indirectly, and by developing legislation to prevent and combat violations of land rights by private parties, for example, the seizure of property from relatives or violations of property and possession from other persons. In addition, stipulating temporary special measures in legislation is one measure that could be taken. Legal frameworks must provide adequate guarantees for gender equality in land ownership and/or management.

50. <https://www.fao.org/sustainable-development-goals/indicators/5a1/ar/>

51. <https://www.fao.org/sustainable-development-goals/indicators/5a2/ar/>

52. Code of Obligations and Contracts enacted on 11/4/1932

53. Women, Housing, Land, and Property, OHCHR, Women's Human Rights and Gender Equality - <https://www.ohchr.org/ar/issues/women/wrgs/pages/land.aspx>

According to the FAO, 15 out of 36 countries have included joint registration provisions in their laws, and joint registration of the property is now mandatory in 14 out of 36 countries, while one country has put in place financial incentives to encourage this practice. If the woman's name and rights are not on the land registration document, the woman's property rights will remain unsecured, especially in case of divorce or death of the husband or partner. The most positive features relate to legal frameworks that guarantee women's rights to land, marital property management, and inheritance rights.

22 out of 36 countries enacted provisions requiring the wife's consent for land transactions, and 25 out of 36 countries protect equal inheritance rights for married people, daughters and sons. However, persistent social and cultural norms continue to be an obstacle to implementing and claiming inheritance rights, particularly in countries where the legal framework provides for the supremacy of personal status law and/or custom law in matters of inheritance⁵⁴.

Examples of measures taken by some States include:

- Facilitating land registration transactions in the name of both spouses, charging reduced land registration fees when spouses agree to joint ownership registration, and organizing open days during which women are allowed to register their real estate transactions at reduced incentive fees;
- Electronic link between personal status records and the cadaster to facilitate inheritance transactions;
- Developing Data and collecting information and data by gender, registering the ownership of livestock (such as cows) with breeders and farmers as the woman's property, allowing her to use it as collateral for a bank loan which would enable her to carry out productive economic activity.

Law of Agricultural Cooperatives

According to the global concept of cooperative action, agricultural cooperatives are there to help farmers economically and socially, especially small and medium-scale farmers, by facilitating economic challenges in rural areas. In Lebanon, the cooperative sector did not live up to expectations, in terms of performance, governance, active participation in the rural economy, or gender equality, despite several successful experiences⁵⁵. The weak performance of agricultural cooperatives is often considered one of the reasons why this sector did not advance, and one of the factors hampering the growth of agricultural projects, according to the National Strategy of the Ministry of Agriculture published in 2015.

The cooperative movement in Lebanon began in 1939, but it was only when the Law of Cooperative Associations was passed in August 1964 that the movement was given a legal framework. Under this law, cooperatives were subject to the supervision and control of the General Directorate of Cooperatives in the Ministry of Agriculture. At the legislative level, the cooperative sector in Lebanon is regulated by a set of legal texts, including:

- Decree No. 17199 date 18/8/1964 (Law of Cooperative Associations);
- Decree No. 3401 dated 11/12/1965 (regulating the operation of cooperative associations in Lebanon);
- Decree No. 2989 dated 17/3/1972 (Executive decree for cooperative associations);
- Decree No. 8355 dated 10/7/1974 (organization of cooperative training);
- Decree No. 9569 dated 19/12/2012 (Ministry of Agriculture procedures to provide financial aid to cooperatives);
- Budget Law- budget of the Ministry of Agriculture - General Directorate of Cooperatives.

In 1973, the General Directorate of Cooperatives in the Ministry of Housing and Cooperatives was established by Law No. 9 dated 31/1/1973. The number of cooperatives before that date was 63, noting that the first cooperative was established on 20/5/1966. In 2000, the General Directorate of Cooperatives was merged into the Ministry of Agriculture by Law No. 247/2000⁵⁶. The number of cooperatives reached 1238 in 2017, distributed throughout Lebanon. The General Directorate of Cooperatives has

54. Tracking progress on food and agriculture-related SDG indicators 2021: A report on the indicators under FAO custodianship, FAO, 2021

55. Al-Basta Jamal, Introduction to Cooperative Associations in Lebanon, FAO and the Directorate General of Cooperatives in the Ministry of Agriculture, 2020 <https://www.fao.org/3/cb0214ar/cb0214ar.pdf>

56. <http://www.agriculture.gov.lb/media/%d9%85%d9%88%d8%a7%d9%82%d8%b9%d9%86%d8%a7/dgcoops>

revoked the licenses of dozens of cooperatives that do not operate or do not comply with legislation. The chaos that has dominated the cooperative sector over the past decades was caused by the licensing of fake cooperatives that have exploited political expediency. Many cooperatives were founded by institutions or women with a social, political, party, or financial influence. These cooperatives did not adhere to the requirements and the concept of cooperative work, but their goal was to obtain in-kind and financial assistance from local and international donor organizations, from the Ministry of Agriculture and before that from the Ministry of Housing and Cooperatives (it was abolished in 2000 and the Directorate of Cooperatives was merged into the Ministry of Agriculture).

An ILO study published in 2018 showed that half of the cooperatives are agricultural and a quarter work in the agro-food sector. There are 125 women's cooperatives, most of which produce traditional food products⁵⁷. We can deduce that men dominate cooperative work in Lebanon. Women cooperatives as previously mentioned, make up about 9% (an informal estimate) of the total number of cooperatives. Women workers face constraints due to patriarchal, social, and cultural norms and gender-role stereotypes. In patriarchal societies, women may be expected to be subordinate to men within the family and to male employers outside the family. In addition, there may be restraints on the mobility of women and their ability to access public spaces and engage in social interactions. Such factors could limit the ability of women to exercise their right to freedom of association. Even when women workers join trade unions, it may be difficult for them to reach leadership positions⁵⁸. Women face several economic and social obstacles that prevent them from adhering to cooperatives as compared to men and establishing women's cooperatives generally requires a lot of effort to attract women⁵⁹. Women working in cooperatives also face some forms of exploitation by some cooperative founders. In addition, they often do not know the profit ratios, how the wages are distributed, and the working style, and they do not benefit from all cooperative services. As such, the woman becomes a hired hand for the woman in charge of the cooperative, since there is no oversight on the association's funding sources and their budgets, and many donors grant aid to cooperatives without checking how it is spent, contributing therefore to the easy and illicit profit that some cooperatives make.

According to a woman farmer:

“A delegation from the Ministry of Health came to check the sanitary conditions in the building of the agricultural cooperative. Despite the praise for the settings under which we operate, we received a notice and an order to close the cooperative because some members did not renew their medical certificates. The same day, the women rushed to renew their certificates to avoid closure and the loss of the Mouna product season that we were preparing. These tests are expensive and must be renewed every six months, which is a huge financial burden on the cooperative. Why is it only six months? Why doesn't the Ministry of Health or the Ministry of Agriculture provide free medical tests to support women farmers?”

As for the law, in a meeting arranged for the purpose of writing this report, the Director-General of the General Directorate of Cooperatives and the head of its legal department described the current law as excellent because it is based on the global foundations of cooperative work, and in her opinion, the problem lies in the lack of implementation of the law. However, we cannot overlook some key points that must be amended in the law:

- First: Although the law does not clearly discriminate against women, per Article 58 of Executive Decree No. 2989 of 17/4/1974 the woman was given the right to delegate the man to vote on her behalf in cooperative elections. Article 58 must therefore be amended because women must represent themselves without an agent or intermediary. The said article states: “Members shall attend in person and shall not appoint or delegate others to attend and vote, except for women and legal persons who are entitled to delegate a representative by an official or ordinary power of attorney signed before the Director or Chairman of the Board of Directors of the cooperative and approved by him, and it shall be included in the minutes of the meeting.”
- Second: The law of the Cooperatives does not take into account the challenges faced by women in agriculture. For example, the Directorate of Cooperatives has already asked the government, through the Ministry of Agriculture, to include

57. The Cooperative Sector in Lebanon? What Role? What Future? https://www.ilo.org/beirut/publications/wcms_644726/lang--ar/index.htm

58. Ramapriya Gopalakrishnan and Ashwini Sukthanka, (n4), https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_186808.pdf

59. The Cooperative Sector in Lebanon? What Role? What Future?, ILO, 2018 - https://www.ilo.org/beirut/publications/wcms_644726/lang--ar/index.htm

cooperative cars in tax exemptions in the public budgets, similar to many other exemptions, but no legal measure has been taken in this regard.

- Third: the Law of Cooperatives is neutral toward the most vulnerable women farmers, such as women with disabilities.
- Fourth: The law only allows the establishment of two agricultural cooperatives in each village, and there are demands to increase the number in order to expand cooperative work.

Therefore, it is strategically important to expand the law of cooperatives to enhance solidarity and establish socially oriented enterprises, as well as to reform the law

to facilitate the establishment of cooperatives, define the criteria and rules for financing cooperatives and regulating their financial accounts, and to delete the provisions in the previous law that undermine the autonomy of the cooperatives and their capacity to grow. Any reforms should aim to better attract small-scale women farmers and allow cooperatives to support a new dynamic of the agricultural and agro-food workforce and thereby develop their capacity to embrace innovation and increase competitiveness. Particular attention is needed to reinforce women's cooperatives through projects that help reduce gender inequality and access to resources.



CHAPTER 3: LAWS INDIRECTLY AFFECTING THE STATUS OF WOMEN IN THE AGRICULTURAL SECTOR

At the legislative level, the problems faced by women farmers do not pertain to specific discriminatory provisions, directly related to the agricultural sector, but rather to whole national legislation described as “neutral”. Regarding women in the agricultural sector, there are many legislations that follow a neutral and deficient approach, an approach that recognizes that women and men do not have similar needs, interests, and priorities. This approach may respond more to men priorities than to women needs.

These legislations are formulated in broad, loose, and vague terms disregarding gender-specific stances and power relations between women and men. Also, these legislations do not acknowledge women’s limited capacities that prevent them from enjoying equality in the agricultural sector, whether in getting loans or participating in investment and trade.

Code of Money and Credit

According to international standards, laws should:

- Ensure equal and independent access to loans and credits, in order to enable women to have access to land and other productive resources, regardless of their marital status, and without a male guarantor (husband, father, brother, etc.).
- Encourage public and private financial institutions to develop and promote gender-sensitive financial products and services to facilitate women’s access to loans and credits.

Based on international standards, in particular one of the SDG 1 targets, States are required to ensure that women have access to, own, and dispose of economic resources, and have access to basic services, as well as technological and financial empowerment tools. They must also ensure that all men and women, especially the poor and the

vulnerable have the right to access financial services, including micro-financing.

Financial constraints are one of the reasons why women use less agricultural inputs. Studies show that the proportion of women borrowers from microfinance institutions was 84% worldwide in 2016, and 60% in the Middle East and North Africa. According to several studies, empowering women reduces gender discrimination, improves household living standards, and helps promote women’s financial inclusion. Based on an analysis of available data on banks’ financing practices, women-owned businesses account for less than 10% of loan portfolios. Women’s participation in the labour force in the region is the lowest in the world⁶⁰.

In Lebanon, women are legally entitled to open a bank account, access a bank, get loans, and enter into financial contracts. However, such actions are, to a large extent, subject to social and cultural norms.

Lebanon’s financial and banking legislation are numerous⁶¹ but in general disregard the difficulties faced by women farmers. There is indeed no direct discrimination between men and women in the law. But since women are short of assets, money, bank deposits, benefits, and real estate, they are not able to provide guarantees to lenders to obtain loans. They are forced to borrow under their husbands’ names.

According to the statistics of the Association of Banks and the Central Bank, agricultural loans do not represent more than 1% of the total public loans. In some years, the percentage went down to 0.4% and 0.5%. Small farmers do not benefit from “Kafalat” loans, because they need small-scale loans, and because their risk of default is high (weather and nature control production; a marketing crisis can lower prices and raises costs). Small-scale farmers also want to benefit from small and micro-scale loans that “Kafalat” cannot provide. According to experts, the problem of the Agricultural Credit Bank is mainly in its

60. Equality in the New Global Agenda: Integrating a Gender Perspective in the Implementation of Sustainable Development Goals 1 and 2 in the Arab region, ESCWA - <https://archive.unescwa.org/sites/www.unescwa.org/files/publications/files/equality-global-agenda-arab-region-arabic.pdf>

61. Facts about the Lebanese Banking Sector, Main Banking and Financial Regulations, Association of Banks in Lebanon - <https://www.abl.org.lb/arabic/lebanese-banking-sector/main-banking-amp-financial-regulations>

According to an institution that provides soft loans to citizens, before the economic crisis that intensified since 2018, agricultural loans represented between 3% to 5% of all loans. It is a small percentage, and it reflects the economic reality in Lebanon. 15% to 20% of borrowers are women. The loans are often to finance productive agricultural projects or agro-industrial manufacturing products. After the crisis, the demand for agricultural activities increased, and consequently, the demand for small loans increased slightly. This led to the creation of a special loan for individual agricultural activities. The unprecedented financial and economic crisis in Lebanon's history has forced banks to stop granting small and large loans.

Agricultural loans are seasonal, the profit margin from such loans is very small, and the repayment guarantees are lower and different from the rest of the sectors. For women to receive subsidized interest-free or low-interest loans or loans with cash or in-kind donations would require donors willing to provide interest-free loans.

financing method, which could be developed by increasing the State share to 70% versus 30% to the private sector (currently the private sector share is 80% and the State share is 20%). Also, an investment guarantee institution could be established to guarantee farmers and their loans. The vast majority of Lebanese farmers have little or no capital at all. The high operating costs of microcredit and the inability of most small farmers to provide collateral have deterred the country's commercial banks from lending to the agricultural sector for a long time. Banks do not provide collateral-free loans to newly established companies owned by women. Mothers cannot benefit from their credit accounts to open accounts for their minor children without the consent of the child's guardian.

Small farmers, especially women, have limited access to credit for several reasons, including:

- Lack of adequate collateral (lack of land title and real estate title);
- Failure to meet safeguards requirements;
- Lack of financing and lack of knowledge of the limited resources available;
- Lack of familiarity with banking procedures;
- Loan repayment difficulties⁶².

Women's access to microfinance services is limited in Lebanon. An analysis of the preliminary data showed that some loan-granting institutions discriminate against women in Lebanon by lending to men at higher amounts than women and allocating a lower percentage of loans to start-ups. In 2015, 51% of businesswomen in Lebanon applied for loans and only 17% received financing. The gender gap is due to several factors, including cultural concepts, traditional perspectives on women's work, and the limited opportunities for women to develop their entrepreneurial experience⁶³.

Although most lenders discriminate against women in granting financial loans, there are few exceptions and limited initiatives adopted by some lending institutions. One of these institutions has set up incentives for small-scale loans and gave 56% of its loans to women. This institution is lenient with regard to guarantors (spouse or other male sponsorship), collateral, mortgages, and land, as it relies on the good reputation of women in their commitment to repay debts. Things are different for big loans. Such institutions cater to the needs of women and replace banks that demand difficult and complex guarantees, not within the reach of women⁶⁴.

In summary, although Lebanon National Agriculture Strategy (NAS) 2020-2025 identified access channels to inputs and loans to achieve agricultural recovery, women farmers were not guaranteed access to credits and loans. Laws must therefore include provisions enabling women farmers to access savings, credit, insurance, and payment services, as well as economic, financial, and business literacy skills, and must support the transition from informal to formal financial services. Laws should ensure the development of financial services, including credits and loans, in accordance with gender-sensitive mechanisms, and should consider, for example, credits and loans for smallholdings or for poor rural women who have no collateral to obtain loans.

62. Country Gender Assessment of the Agriculture and Rural Sector, FAO, Beirut, 2021 - <https://www.fao.org/3/CB3025EN/cb3025en.pdf>

63. https://www.unescwa.org/sites/default/files/event/materials/ltmkyn_lqtsdy_llmr_br_bwb_ltmwyl_lsg.pdf

64. Interview with the director of the loan department at the lending institution

Land Trading Legislation

Businesses with real gender diversity, especially at the leadership level, perform better and generate significant increases in profits, according to a 2019 ILO report⁶⁵.

Lebanese women enjoy a high entrepreneurial spirit but, according to the World Bank, have not yet reached their full potential to participate in the workforce and start their businesses. Women's participation in the labour force in Lebanon is highly limited to paid employment. Even in this area, they lag far behind men, with a 26% labour force participation rate⁶⁶. According to the World Bank Enterprise Survey 2019, SMEs account for 95% of all enterprises in Lebanon and 50% of the national workforce. 9.9% of these enterprises are owned by women or in partnership with women. At the legal level, Lebanon has signed several bilateral agreements that aim to promote and protect investments. Trade policy, alongside production support, is the second most important intervention means in the agricultural sector. The Investment Development Authority of Lebanon (IDAL) supports agricultural exports of local producers and provides incentives to improve production quality, packaging, promotion, and marketing. Only 11% of women are self-employed entrepreneurs, compared to 25% of men⁶⁷.

In the early years of the 1990s, there were several attempts to amend the Lebanese Commercial Code of Commerce until Law No. 126 was adopted on 29 March 2019, modifying several articles of the land commerce law, in force since July 1, 2019. The Lebanese legislator was keen to update the commercial law by abolishing procedures and concepts, whether to simplify transactions, encourage investments, or keep pace with social development.

The Code of Commerce included discriminatory provisions against women. A woman planning to conduct a business activity needed her husband's consent. Today, under article 11 of the Code, a married woman has full capacity to engage in commerce. The legislator was building on his discriminatory perception by establishing in the bankruptcy law the principle of "joint property liability between spouses" in regard to the wife's private property only and contravening the rule adopted in Lebanon, which separates properties.

The legislator amended article 625 et seq. of the Commerce Law, repealing the previously established presumption that considered any property of the bankrupt's wife acquired during marriage as funds obtained by the money of the bankrupt husband and were therefore included in the bankruptcy assets unless the wife provides proof to the contrary. The amended Article 625 kept the non-bankrupt husband's assets out of the bankruptcy assets unless they were proven to be acquired with the bankrupt money during the five years preceding the date of the bankruptcy declaration. The amendment of article 627 abolished the presumptive doctrine from the Commerce Code according to which the wife's repayment of her bankrupt husband's debts was considered a payment from her husband's money unless proven otherwise. Article 627, as amended, stipulates that the non-bankrupt spouse could claim the debts paid on behalf of the bankrupt spouse, just like other creditors in bankruptcy, unless it was proven that the debts were paid out of the bankrupt spouse's money. The legislator seized the opportunity to amend these articles to equate the rights of both women and men in this area, at least, since replacing "bankrupt's wife" with "non-bankrupt spouse" would protect the rights of working and business women workers⁶⁸ and therefore encourage their investments.

Despite the importance of the amendments to the Commerce Law in relation to women's rights, Article 14 of the Commerce Law continues to state that "the rights of a married woman shall be determined, where necessary, by the provisions of her personal status law and her marriage contract". Although the scope of application of the rule makes it useless, at least for Lebanese women married in Lebanon since no personal status law restricts the commercial rights or eligibility of women, this article is still restrictive for women, at least at the theoretical level. In practice, it is restrictive⁶⁹ for foreign women in case an amendment is made to their personal status systems.

Another dimension that needs to be pointed out is that the Commerce Law does not take gender into account, as it has not succeeded in identifying and acknowledging gender-based differences and gaps. Therefore, it is important to change the approach of the law to make it more gender and human-rights-sensitive and to encourage women to do business⁷⁰.

65. Women in Leadership Bring Better Business Performance, ILO, 2019 - https://www.ilo.org/beirut/media-centre/news/wcms_704394/lang-ar/index.htm

66. Revolutionizing Women-Led Businesses in Lebanon Through E-Commerce, World Bank, 2019 - <https://www.albankaldawli.org/ar/news/feature/2019/09/25/revolutionizing-women-led-businesses-in-lebanon-through-e-commerce>

67. The Status of Women in Lebanon: Assessing Women's Access to Economic Opportunities and Human Capital Accumulation, World Bank Group, 2020.

68. <https://legal-agenda.com/%d8%aa%d8%b9%d8%af%d9%8a%d9%84-%d9%82%d8%a7%d9%86%d9%88%d9%86-%d8%a7%d9%84%d8%aa%d8%ac%d8%a7%d8%b1%d8%a9-%d8%a7%d9%84%d9%84%d8%a8%d9%86%d8%a7%d9%86%d9%8a-%d8%ae%d8%b7%d9%88%d8%a9-%d9%86%d8%a7%d8%ac/>

69. <https://legal-agenda.com/%d8%b9%d8%b4%d9%8a%d9%91%d8%a9-%d8%a7%d9%84%d9%8a%d9%88%d9%85-%d8%a7%d9%84%d9%84%d8%b9%d8%a7%d9%84%d9%84%d9%85-%d8%b1%d8%a3%d8%a9%d8%8c-%d8%a7%d9%84%d9%85%d8%ac%d9%84%d8%b3-%d8%a7%d9%84/>

70. Empowering Women Towards Gender Equality in the MENA Region Through Gender Mainstreaming in Economic Policies and Trade Agreements: Gender & Trade, Cawtar and Sida, 2019 - https://docs.euromedwomen.foundation/files/ermwf-documents/8876_5.68_gender&trade.pdf

Tax Legislation

According to the Bogota Declaration on Tax Justice for Women's Rights,⁷¹ adopted in 2017, tax policies in most countries affect women, as they provide limited funding for public services needed for human development. The overall focus of tax policies on promoting economic growth has empowered and rewarded male-dominated businesses and secured tax havens that provide tax-exempt areas for wealthy and corporate owners. The Declaration calls for a series of measures, including:

- Correcting the negative gender-specific impacts of all taxes, spending, international policies, and fiscal laws.
- Conducting assessments of tax impact on the poorest women.
- Implementing gender tax justice within the framework of gender social justice to eliminate discrimination between women and men in the economy as a whole.
- Accelerating the transition from "line-item budget" to "gender-sensitive budget".
- Developing all revenue systems to become gender-equal taxes systems.
- Abolishing all tax, cash and in-kind benefits that support women's unpaid work and create tax barriers to women's paid work.
- Redistributing market income from those with the highest incomes to those with the lowest and modest incomes.

In Lebanon, despite many amendments made to the legal texts related to tax, the main characteristics of the tax system remained almost the same. The legislative framework governing taxes in Lebanon does not address gender issues and does not contain clear provisions for removing biases against women. It does not grant separate tax cuts to each breadwinner within families in accordance with articles 1, 2, 5, 13, 15, and 16 of CEDAW, and General recommendation No. 21, which calls for the prohibition of any gender discrimination in the tax system. Lebanon's tax-related legislative frameworks can be described as neutral from a gender perspective. The adopted tax system reflects worse on the most vulnerable women. Reconsidering tax laws in favor of a more egalitarian system and the application of gender-specific tax incentives

and exemptions are essential steps to strengthen laws according to gender approaches.

Furthermore, the tax information does not give us an insight into the direct and indirect taxes paid by women and men so we can determine the effects of income taxes according to gender, estimate the relative burdens in a gender approach and examine gender tax equity. Gender-sensitive indirect tax policies are not being implemented; i.e., taxes on goods and services essential for women have not been abolished. We must push for preferential tax treatment for those goods and services to strongly promote gender equality and social welfare in areas such as reproductive health. As for the deductions and allowances provision in Article 31 of the Tax Law of 1959, amended in 2003, it particularly discriminates against women since married men are entitled to a deduction for dependent wives and up to five children, but this does not apply to married women unless they can prove that they are heads of household in situations where the husband is dead or suffers from a condition that prevents him from working.

For all these reasons, it is necessary to restructure the tax system to make it more just and equitable and to enhance tax compliance by promoting the values of integrity⁷² and fiscal citizenship.

Public Procurement Law

International reports indicate that women are not "good enough" or "qualified enough" to enter a competitive bidding process. They do not know how to access the procurement market and where to find opportunities. International standards call for ensuring that rural women have access to markets and marketing facilities and are explicitly consulted, as farmers and producers, on the problems they face in accessing and using markets effectively so that marketing facilities can better respond to their needs.

By these standards, countries should seek to improve women's marketing skills to add value to their products. States should also establish specific programs of agricultural support, extension, and advisory services to enhance rural women's economic and trade skills and improve their access to markets and value chains. Therefore, international standards call for regulating public procurement issues to ensure transparency, competition, and equal access to all.

71. Bogota Declaration on Tax Justice for Women's Rights, 2017 - https://www.globaltaxijustice.org/sites/default/files/AR_Bogota-Declaration-Tax-Justice-for-Womens-Rights.pdf

72. Which Tax Policies for Lebanon? Lessons from the Past for a Challenging Future, Alan Bifani, Karim Daher, Lydia Assouad and Ishac Diwan, Arab Reform Initiative, 2021 - <https://www.arab-reform.net/ar/publication/%d9%85%d8%a7-%d9%87%d9%8a-%d8%a7%d9%84%d8%b3%d9%8a%d8%a7%d8%b3%d8%a7%d8%aa-%d8%a7%d9%84%d8%b6%d8%b1%d9%8a%d8%a8%d9%8a%d8%a9-%d8%a7%d9%84%d8%aa%d9%8a-%d9%8a%d9%86%d8%a8%d8%ba%d9%8a-%d8%a7%d8%b9%d8%aa/>

On June 30, 2021, the Lebanese Parliament passed the Public Procurement Law, a big step toward the governance of public funds disbursement in State tenders and a fundamental international requirement for any foreign financing or investment in Lebanon. The law puts an end to the chaos in tenders and procurement that range from lack of transparency and oversight to the consensual formulas in practice in public sectors giving rise to voices demanding clear standards, organized terms of reference, and transparent and public tenders. Previously, the Tenders Department was assigned supervisory and administrative tasks in relation to deals. Under Article 74 of the new law, a public procurement authority has been established instead of a tender department.

Although gender considerations are not explicit, the Public Procurement Law provides all the necessary legal foundations to inspire a transformative perception of gender-responsive procurement policies that support equal market opportunities for women enterprises to access public markets as well as equal outcomes for women in the labour market. The law should have been more outspoken regarding gender considerations, especially concerning setting a quota for women's nomination in the committees and bodies provided for by the law and ensuring equitable representation in decision-making positions.

Therefore, considering equal opportunities for men and women in setting up tender committees is an incentive for gender equality. In addition to the explicit text on gender considerations within the planning process, the procuring entity considers pursuing specific political goals and objectives such as gender mainstreaming. During the planning phase, procuring entities may harness the power of public procurement to shape markets promoting women's entrepreneurial development and economic empowerment⁷³.

Low budgets are not the only issue. Budgets in Lebanon are not yet adopted with a gender-sensitive perspective. Promoting gender equality in the budget law helps policymakers address inequalities. Gender-sensitive budgets are budgets formulated based on an estimate of the difference in the roles of women and men in society. These budgets are designed to reflect the needs of women at all policy-making stages. A gender-responsive budget, a gender-sensitive budget, a gender budget, or a women's budget do not imply a separate budget for women, but a budget that plans, implements, monitors, and evaluates

in a gender-sensitive manner and responds to the needs of both women and men. Preparing a gender-responsive budget is a method designed to incorporate the qualitative dimension at all stages of the budget cycle, to analyze the effects of the State's fiscal policy in terms of expenditures and revenues and their impact on women and men. This method includes proposals to re-examine revenues and expenses priorities while taking into account the different needs of women and men.

Therefore, it is important to start adopting gender-sensitive budgets given their importance in:

- Encouraging the most effective use of resources to achieve equality between women and men and achieve human development.
- Using available resources to improve the life quality of men and women equally.
- Investing in the country's human resources (women and men) to maintain its competitiveness.
- Identifying gaps in the distribution of public resources.
- Identifying needs according to the priorities of both women and men.
- Reallocating resources to respond to the needs of different population groups.
- Giving special attention to the situation of those women who are most disadvantaged, marginalized, and in greatest need.
- Achieving fairness, gender justice, and equal opportunities.

Investment Promotion Law

Investment from a gender perspective is gaining significant interest among investors seeking to promote gender equality and empower women. This approach is about more than just social good. Experience has proven that investing in gender-diverse enterprises, women-owned businesses, and businesses that address women's interests and needs brings significant financial returns. Such a double benefit presents an opportunity for all types of investors. Investment from a gender perspective depends on a range of financing strategies because gender considerations can be integrated into all aspects of the investment process and strategies. For this reason, more investors are helping to build a feasibility study on investing from this perspective.

73. This information is derived from an analysis of the procurement law developed by Ms. Lamia El-Mobayeid Bsat in collaboration with UN-Women

In order to encourage investment and regulate investment activity in Lebanon and provide incentives and facilities for investors, Law No. 360 was promulgated in 2001. Under this law, a public institution called the “Investment Development Authority of Lebanon” IDAL is established and enjoys a legal personality and administrative and financial independence. It is linked directly to the President of the Council of Ministers, who exercises guardianship authority. The Authority enjoys many powers including the support, promotion, and marketing of Lebanese products, especially agricultural and food manufacturing materials. Law No. 360 identified a range of key sectors that enjoy growth potential based on their ability to attract investment and their impact on social and economic growth. These sectors include industry, agriculture, food industries, tourism, information and communication, technology and media. In addition to its role as an investment promotion body, “IDAL” promotes and markets Lebanese exports, especially agricultural products and agro-food products. Indeed, the law and the Authority play a significant role in promoting investment in Lebanon, but obviously, they are neutral from a gender equality perspective. We do not have adequate data disaggregated according to gender by sectors and objectives supported by IDAL. There is no data concerning the agricultural sector or the agro-industrial sector supported by the Authority under Law No. 306.

The law does not include any article to promote investment from a gender equality perspective. It does not stipulate any measure or procedure to encourage investments by women in either the agricultural sector or the agro-industrial sector. Investing from a gender perspective is more than achieving financial returns. It is about securing social welfare and economic opportunities for women and is designed to make a positive, social, and environmental impact. It is a way to raise the voice of women and girls, increase their visibility and create positive change in society. Investing from a gender perspective is an investment practice in which enterprises are evaluated on how they handle gender balance. Not only the financial performance of the enterprise is looked at, but how the company achieves a balance between female and male employees is also assessed. How the enterprise is promoting investment among women is also being considered. Amending this law and turning it into a stimulating framework for women is of paramount importance.



CHAPTER 4: LEGISLATIVE FRAMEWORK FOR GENDER-BASED DISCRIMINATION ISSUES

The laws reviewed are not directly related to the situation of women working in the agricultural and agro-industrial sectors. However, our goal is to point out the strategic importance of amending these laws given that they contain articles and provisions unfair to women and girls in Lebanon. Any amendment to these provisions would have an impact on the capacities and conditions of women in these two sectors.

In Lebanon, some laws include provisions that discriminate against women, and some other regulations even allow discriminatory practices and tolerate their perpetrators. This is a violation of the Lebanese State's obligations to the principles enshrined in international charters and the International Bill of Human Rights. This chapter provides an overview of the most serious gaps in the legislation delaying and impeding Lebanon's fulfillment of its obligations to achieve equality and eliminate all forms of discrimination against Women.

In International Conventions

The international standards that Lebanon adheres to do not directly address women farmers; however, the Lebanese government's interaction with the international framework concerning women's rights would provide an umbrella for the rights of women farmers, especially since the international treaties ratified by the Lebanese Parliament are part of the international legal system. They take precedence over domestic laws according to Article 2 of the Code of Civil Procedure .

Lebanon contributed to the drafting of the Universal Declaration of Human Rights, included in the preamble to the Constitution, and interacts with the international human rights framework through the many relevant conventions ratified.

Lebanon is committed to the following fundamental Conventions:

- The International Convention on the Elimination of All Forms of Racial Discrimination, 1971.
- The International Covenant on Civil and Political Rights, Lebanon only signed the Optional Protocol to the Special Covenant on the admissibility of individual complaints procedures and did not accede to the Second Optional Protocol to the Covenant on the abolition of the death penalty.
- The International Covenant on Economic, Social and Cultural Rights, but did not join the Optional Protocol on the admission mechanism of individual complaints.
- The Convention on the Rights of the Child. Lebanon acceded also to its Optional Protocol on the sale of children, child prostitution, and child pornography. The Optional Protocol on the involvement of children in armed conflict was only signed.
- The Convention on the Elimination of All Forms of Discrimination against Women, but still maintains reservations regarding certain articles. The Optional Protocol thereto has not been ratified. This means that individuals cannot resort to the international adjudication mechanism in complaints against Lebanon.
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol.

With regard to ILO conventions, Lebanon has acceded to only seven core conventions⁷⁵. It is bound by the Geneva Conventions and their Protocols⁷⁶, excluding Protocol III of 2005⁷⁷. Lebanon has ratified the Arab Charter on Human Rights and is committed to the UN's

74. The courts must adhere to the principle of the hierarchy of rules. When the provisions of international treaties are in conflict with the provisions of ordinary law, the former prevails over the latter. However, according to this article, the courts may not declare the acts of the legislative authority invalid just because ordinary laws do not apply to the Constitution or international treaties.

75. International Labour Organization - http://www.ilo.org/beirut/countries/lebanon/wcms_561694/lang--ar/index.htm

76. Treaties, States Parties and Commentaries, ICRC https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=LB

77. Geneva Convention relative to the protection of civilian persons in time of war, <https://treaties.un.org/pages/showdetails.aspx?objid=0800000280158b1>

17 Sustainable Development Goals, which were adopted by the UN General Assembly on 25 September 2015⁷⁸. Lebanon has also adhered to Security Council resolution 1325 on women, and peace and security, and has adopted the national plan for the resolution. In 2020, Lebanon participated in the Nairobi Summit and made fifteen commitments, including a commitment to eliminate gender-based violence and violence against women and girls by 2030. Nevertheless, there are key agreements that Lebanon has not yet acceded to.

Lebanon interacts with the international human rights framework, through the submission of its national reporting to the treaty committees and with the Human Rights Council through the Universal Periodic Review mechanism. It also interacts with the Special Procedures System and receives special rapporteurs and United Nations experts.

In terms of interaction with the international framework, we can refer to the following:

First: Regarding the Lebanese State's sixth periodic report in 2020, the Committee on the Elimination of Discrimination against Women addressed a list of issues, of which, issues related to rural women. The Committee requested updated disaggregated data on rural women's participation in the agricultural sector and to be informed of steps taken to address discriminatory laws and practices that prevent rural women from inheriting land.

Second: The voluntary national review presented by Lebanon touched on Goal 2 of the SDG in a descriptive way without addressing the situation of the agricultural sector, its challenges, and difficulties. The review touched on the agricultural strategy and its objectives without addressing the results of the strategy implementation in practice. It also discussed ways to support this sector through medium and long-term agricultural loans. Concerning Goal 5, the review was limited to some strategies and initiatives, presented some amended laws, and focused on women's participation in political and economic life, without addressing the situation of women and the systematic discrimination against them at all levels.

In the Lebanese Constitution

Paragraph "G" of the preamble to the Constitution states the following: "The even development among regions on the educational, social, and economic levels shall be a basic pillar of the unity of the State and the stability of the system." No progress has been made to date, at the legislative or executive level, to translate this on the ground.

Article 7 of the Constitution states the following: "All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction⁷⁹." Regarding property, Article 15 of the Constitution states that property is protected by law and that no one may be expropriated except for reasons of public utility in the cases established by law and after fair compensation.

Despite the importance of these provisions in the Constitution, some gaps limit the effectiveness of the constitutional protection of women's rights in Lebanon, including women farmers. The most significant gaps are as follows:

- The Lebanese Constitution does not define gender-based discrimination, nor does it explicitly prohibit it as dictated by Article 2(a) of the "CEDAW" Convention. Lebanon has received several recommendations from treaty bodies in that regard.
- Articles 9 and 10 of the Constitution enshrine the right of communities to regulate matters of personal status, which has resulted in discrimination against women and girls and discrimination among women themselves according to the community to which they belong⁸⁰.
- It is true that the Constitution takes precedence over laws, but it does not address the validity of personal status laws in the event of a conflict with constitutional provisions, nor does it specify the rank of such laws in relation to the Constitution. The Constitution gave the heads of religious denominations the right to recourse to the Constitutional Council to challenge the unconstitutionality of personal status laws approved by the Parliament. This right was not granted by law to citizens. The right holders to review are exclusively the President of the Republic, the

78. <https://sdgs.un.org/ar/goals>

79. The Lebanese Constitution of May 23, 1926, with all its amendments - https://www.un.int/lebanon/sites/www.un.int/files/lebanon/the_lebanese_constitution_arabic_version.pdf

80. Article 9 of the Constitution states: " There shall be absolute freedom of conscience. The state in rendering homage to the God Almighty shall respect all religions and creeds and shall guarantee, under its protection the free exercise of all religious rites provided that public order is not disturbed. It shall also guarantee that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected."

Speaker of the House of Representatives, the Prime Minister, at least ten deputies, and the heads of religious denominations.

- The Constitution’s approach to all economic, social, and cultural rights has been weak and predominantly focuses on civil and political rights. The Lebanese State has not adequately provided constitutional protection for women’s rights, including women farmers.

In Protecting from Gender-Based Violence

According to international standards, States must combat and eliminate all forms of violence against rural women and girls and must do the following:

- Raise awareness of women, men, girls, and boys in rural areas, as well as local leaders and religious leaders, about the rights of rural women and girls, with the aim to eliminate discriminatory social attitudes and practices that condone gender-based violence.
- Take effective measures to prevent, investigate, prosecute, and punish acts of violence against rural and migrant women and girls, whether committed by the State, influential perpetrators, or ordinary people.
- Ensure that women victims in rural areas have access to justice, legal assistance, compensation, and other forms of reparation or relief. Provide authorities in rural areas, especially the judicial authority, judicial administrators, and civil servants, with the necessary resources and political will to address violence against rural women and girls and protect the latter from retaliation when abuse is reported.
- Ensure that women and girls in rural areas have access to integrated services provided to victims, including emergency shelter and comprehensive health services. Such services should avoid stigmatization and protect the privacy and dignity of victims.
- Addressing the root causes of trafficking in women by empowering rural women economically and raising public awareness in rural areas of the dangers and luring methods of traffickers as they may fall victim to trafficking networks. States parties should ensure that anti-trafficking legislation

addresses the social and economic challenges faced by rural women and girls and that gender-sensitive training on preventive measures, protection, and assistance to victims is provided to judicial staff, police, border guards and other law enforcement and social workers, particularly in rural areas.

In Lebanon, women in the agricultural sector, like everyone else, are subject to the provisions of the Lebanese Penal Code and benefit from the adoption of protective laws. In recent years, the Parliament repealed and amended some articles of the Penal Code and passed laws to protect women from certain forms of violence. However, these laws still contain many discriminatory articles and multiple loopholes that have limited their effectiveness in providing the intended protection for all women, especially women farmers. We specifically mention women farmers because of their fragile economic and social conditions and because they, like other women, are exposed to various forms of violence inside their families and within the public sphere. Examples of these shortcomings in the laws include:

- Lebanese laws do not define sexual violence, nor specify its forms.
- Rape outside marriage is a crime punishable by imprisonment for a period no less than five years, but the law expressly excludes, in its definition of rape, coercion to have sexual intercourse within marriage (Articles 503 and 504 of the Penal Code)⁸¹.
- Lebanon does not have a law that prohibits or punishes political violence against women. Neither the Penal Code nor the Law on Protection against domestic violence nor the Electoral Law, nor any other law, addresses the political violence women face in Lebanon.
- The approach to the legal status of sexual orientation in Lebanon makes lesbian, gay, bisexual, transgender, queer, and intersex people more vulnerable to violence.
- The Lebanese Parliament passed on April 1, 2014, Law No. 293 on the “Protection of women and other family members from domestic violence.” On December 21, 2020, the Parliament approved several amendments to this law. Despite the importance of adopting Law 293 and approving the 2020 amendments, there are numerous challenges preventing the implementation of the law, many of which are due to gaps in the legislative text itself or its applications⁸².

81. Article 503 of the Penal Code states that “whoever who coerces by violence and threatens any person other than his spouse into sexual intercourse shall be punished by hard labor for at least five years, and the penalty shall not be less than seven years if the victim is under 15 years of age.”

82. <https://legal-agenda.com/%D8%AA%D8%B9%D8%AF%D9%8A%D9%84-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AD%D9%85%D8%A7%D9%8A%D8%A9-%D8%A7%D9%84%D9%86%D8%B3%D8%A7%D8%A1-%D9%88%D8%A3%D9%81%D8%B1%D8%A7%D8%AF-%D8%A7%D9%84%D8%A3%D8%B3%D8%B1/>

- Regarding the protection against human trafficking, Lebanon has acceded to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Palermo Protocol). In 2002, Lebanon ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography. Law No. 164 of 2011 strengthened protection against trafficking⁸³. Despite the importance of the law, it raises concerns regarding the protection of the victim and the prevailing punitive aspect.
- Discourage the practice of women giving up the inheritance to male family members (spouse and siblings) and take effective steps to sensitize women and men to the repercussions of this practice.
- Address inequalities between women and men in marriage provisions, such as the management of marital property, so that these aspects do not undermine women making an independent decision on inheritance.
- Recognize the equal rights between spouses regardless of whether marriage, union, or partnership is civil, religious, or customary (including polygamy, regardless of whether it is legal or not).
- Ensure that women in customary or de facto unions enjoy the property and inheritance rights enjoyed by married women under civil law.
- Ensure equal land and property rights for women and men in cases of divorce and dissolution of marriage.

In Personal Status Laws

According to international standards on women’s rights, laws should:

- Ensure joint management of marital property, especially in relation to immovable property, and ensure that there are clear consent requirements for the transfer or sale of such property, which require the informed written consent of the spouses.
- Ensure equality between women and men in the management of housing, land, productive resources, and property in marriage. This may require abolishing the notion of conjugal power that allows for an unequal power relationship between women and men in marriage, avoiding de facto discrimination against women in the application of the concept of “head of household” in legal appointments and entitlements, including in the provision or allocation of land and other productive resources. Recognize women as “heads of households” on an equal footing with men so that they enjoy the same legal, financial, or social entitlements, and in consulting heads of household and other rights holders in all legal, civil, economic, and social transactions (such as land registration, property valuation, censuses, and household surveys).
- Ensure women enjoyment of human rights and land rights on an equal footing with men through specific measures, including temporary special measures.
- Ensure equality between women and men as well as between girls and boys in matters of inheritance.

In Lebanon, there are many issues affecting the rights of women at the family level, therefore affecting the rights of women farmers. Lebanon does not have a unified civil law that applies to all its citizens. There are 15 laws that regulate the personal status of the followers of the 18 officially recognized denominations and communities, each having its own religious courts. Lebanese men and women are subject to sectarian religious legal systems in regulating their personal statuses, and their personal status records are regulated accordingly.

This system was confirmed by the Constitution and subsequently by the High Commissioner’s Resolution No. 60 and by all religious courts. The Sunni and Ja’afari Sharia courts⁸⁴, as well as the Druze sectarian judiciary system⁸⁵, are part of the State’s judicial organizations. As for the Christian communities, the spiritual courts are administratively and financially independent from the State.

Personal Status laws in Lebanon generally include discriminatory provisions against women and girls. These provisions put women in Lebanon, including women farmers of different denominations and communities, in a vulnerable situation, and limit their opportunities because of the suffering imposed by these laws on their daily family relationships.

83. Lebanon has promulgated several laws related to human trafficking since 2002, including laws 2002/408, 2002/474, 2005/682, 2006/739, Decree No. 2010/3631, and Decree No. 2010/4986.

84. The Law on the Organization of the Sunni and Jaafari Courts dated 16/7/1962 - <http://www.legallaw.ul.edu.lb/lawview.aspx?opt=view&lawid=244292>

85. <http://legallaw.ul.edu.lb/lawview.aspx?opt=view&lawid=243879>

The most problematic issue in the personal status provisions affecting the status of women in the agricultural sector is related to inheritance issues. The man inherits twice as much as the woman (i.e., the daughter receives half of what the son inherits) according to the Sunni Personal Status Law (Hanafi doctrine). In the Shia community (Ja'afari), the share of the estate depends on the distribution of heirs and their ranks. The advanced rank prevails over the ones that follow. The Druze, like Sunni Muslims, follow the Hanafi doctrine in all matters related to inheritance. In 2017, an important amendment was made to the personal status law of the Unitarian Druze Community, in favor of the deceased's daughter. If the deceased had no male children, only females, the girl would be considered an heiress, and inherits the entire estate⁸⁶. Christian denominations adopt the law of inheritance for the non-Mohammedans, which establishes equality in the distribution of inheritance shares.

Likewise, the minimum age of marriage varies from one religious community to another, with all communities allowing the marriage of girls under the age of 18. Lebanon has not made reservations about the provisions of the Convention on the Rights of the Child and the articles related to the age of marriage in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Moreover, there is no civil law prohibiting child marriage in Lebanon; there are several draft laws and legal proposals, related to the prevention of child marriage, that were submitted to the Lebanese Parliament many years ago and were never enacted into laws⁸⁷. Rules of divorce and dissolution of marriages differ between religions. The grounds necessitating divorce under the personal status laws reinforce women financial dependence on men and impose stricter controls on women than men in obtaining a divorce. Alimony provisions do not support women economic autonomy in the event of divorce. The personal status laws relating to alimony after divorce do not recognize the wife's economic and non-economic contributions to the marriage or the concept of marital property⁸⁸. In Christian denominations, both spouses would face tremendous difficulties to end a marriage, albeit by mutual consent. They cannot terminate, annul, or dissolve the marriage except in very few cases. Catholic, Orthodox, and Evangelical communities each have their rulings in this regard. Some of them were amended, such as the laws of marriage nullity in the Eastern Churches. As for children, the man, in all Lebanese sectarian communities has the right of custody, even after divorce. Custody is not limited to the father. In his absence, it devolves to the grandfather, the guardian chosen by the father, or the legal

guardian appointed by the court. Provisions governing custody vary from one sectarian community to another and are determined mainly based on the child's age. The mothers' rights to custody, but not the father's, are usually severely restricted, especially in cases such as remarriage, or if she follows a religion other than the father's.

In the Nationality Law

Lebanon has not ratified the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Lebanon also has reservations about the second clause of article A of the Convention on the Elimination of All Forms of Discrimination against Women relating to nationality.

Lebanese citizenship is acquired through the blood ties of paternity, naturalization, and if a foreign woman marries a Lebanese man. This law affects the lives of children and spouses in all aspects, including legal residency, access to employment, education, social services, and health care. Some children even risk statelessness.

Of course, the impact of this discriminatory law on women farmers if they marry a non-Lebanese cannot be overlooked in terms of financial costs. In their daily lives, at the professional and legal level, non-Lebanese sons, daughters, and husbands suffer from severe difficulties, of which:

- They must regularly renew their residency papers;
- They need a work permit;
- They are prohibited from engaging in certain professions;
- They are subject to discrimination in the labour market;
- They are denied access to health insurance or government-subsidized medical services;
- They face bureaucratic obstacles if they want to attend public schools or the Lebanese University. Obstacles also include travel, hospital admission, and children registration in the registration records, etc⁸⁹.

We call upon Lebanon to comply with international standards and lift its reservation to Article 9 of the CEDAW Convention and amend the nationality law to guarantee equality and enshrine citizenship.

86. https://ar.wikipedia.org/wiki/%D8%B9%D9%84%D9%85_%D8%A7%D9%84%D9%81%D8%B1%D8%A7%D8%A6%D8%B6

87. An amendment concerning the age of marriage within the Sunni community dated 22/4/2021 and published in the Official Gazette. The Islamic Sharia Council approved by a majority, the amendment of the Family provisions Law No. 46/2011 to include a new chapter on the marriage of minors. The summary of the aforementioned reads as follows: to be eligible for marriage, the engaged man and the engaged woman must be 18 years of age. It is prohibited to marry off a minor, male or female, who has not completed 15 years of age. The law permits the marriage of a minor, male or female, who has completed 15 years of age, with the permission of the legal judge, if their physical and mental/psychological condition allows it, and if their guardian authorized the marriage.

88. Human Rights Watch Submission to the CEDAW Committee of Lebanon's Periodic Report, 62nd Session (2015)

89. Lebanon: Discriminatory Nationality Law— Grant Lebanese Women's Children, Spouses Citiznships Rights, Human Rights Watch, 2018 - <https://www.hrw.org/ar/news/2018/10/03/322724>

In Political Participation

Although international humanitarian standards related to women's rights do not address specifically the issue of women farmers' political participation, there are recommendations for ensuring the active, free, effective, meaningful, and informed participation of rural women in political and public life, and at all levels of decision-making, which can be beneficial for farming.

Article 12 of the Lebanese Constitution states that every Lebanese has the right to hold public office. No one has an advantage over the other except in terms of entitlement and merit under the conditions laid down by the law.

Law No. 44 on the Election of the Members of Parliament of 2017 allows eligible candidates for Parliament to run for any electoral district but does not emphasize positively the right of women to hold public and political office. The Lebanese legislative framework does not specify a quota for women in Parliament, in seats, or on lists of candidates, nor does it contain incentives to encourage women to run for parliamentary elections.

For all these reasons, it is essential to ensure that women farmers and relevant organizations are able to influence policy formulation, implementation, and monitoring, at all levels and in all areas that affect them, including through participation in Parliament, the Government, political parties, and local bodies.

Unequal power relations between women and men in community decision-making and in political processes should be addressed; barriers to rural women's participation in community life should be removed through the establishment of effective decision-making structures responsive to gender needs at the rural level.

It is also necessary to ensure the participation of rural women in the elaboration and implementation of all agricultural and rural development strategies and to ensure their ability to participate effectively in planning and decision-making processes related to rural infrastructure and services.

Not only do legal texts fail to integrate a gender perspective, but this is also found in women-specific national strategies. For example, although the National Strategy for Combating Violence against Women and Girls in Lebanon (2019-2029) covers all Lebanese and non-Lebanese women and girls on Lebanese territory, women farmers are not explicitly mentioned as a target group and are not targeted through the various interventions and activities of the National Plan. In turn, the National Action Plan for the Implementation of Resolution 1325 (2019-2022) did not explicitly mention women farmers.



CONCLUSION AND RECOMMENDATIONS

Without a systematic analysis of gender equality at all levels of agricultural and rural policy, the role of women will remain officially unrecognized⁹⁰. Rural women's rights in the agricultural and industrial sectors can only be guaranteed if concrete steps are taken at certain legislative levels and in several legislative areas. Legislation is a tool in the hands of States to guarantee the rights of women farmers. States are expected to reform their legislative system to help reduce the challenges faced by women farmers or women working in the agro-industry and ensure they have access to and control various other resources. Therefore, it is crucial that the principles and standards derived from international human rights instruments guide the legislative processes and that the drafting of the laws adopts a human rights-based approach.

The Lebanese State is called upon to take appropriate measures to eliminate discrimination that prevents and hinders the acquisition, use, and control of land and other productive resources. To this end, there are three approaches to the concept of equality that should be adopted:

- 1. First:** Substantive equality. Eliminating both official discrimination (de jure) and substantive discrimination (de facto) is important. Indicators of equality here are not policies, laws, and institutions created to provide opportunities for women, but rather what these policies, laws, and institutions have achieved in terms of women enjoying the same opportunities.
- 2. Second:** Transformative equality. Eliminating discrimination in practice requires more than just laws. Therefore, practices, customs, and traditions that discriminate against women must be eliminated. Special measures may be needed to facilitate the social and cultural changes that empower women and allow them to claim these demands.
- 3. Third:** Sustainable equality. Measures guaranteeing women's land ownership should not merely aim at short-term improvement but should contribute to substantive equality in the long term. This is

called sustainable equality. Therefore, isolated measures, limited to formal (legal) equality, can have de facto long-term negative effects if they are not taken from a comprehensive perspective and if important social, economic, and cultural factors are not considered.

In light of the problems afflicting the agricultural sector in Lebanon, and affecting women farmers, and in light of the gaps in the legislative framework regulating the agricultural sector, the Lebanese agricultural and industrial sectors need deep legislative and institutional reforms. Undoubtedly, there are technical reforms and structural reforms, the adoption of which will affect women farmers. But the rules of the game in the sector must be changed in a way that helps strengthen the existing institutional framework of the agricultural sector, as well as strengthen the status of women farmers and women working in the industrial sector.

Appropriate policy-making is crucial and needs to be done by the executive branch in parallel with legislative work. The difficult economic situation has led to reliance mainly on international loans and aid and affected policy-making. Therefore, incentives and policies in international loans and aid would activate the role of women in the economy, not only in the agricultural sector but in all sectors. International aid and loans that contain conditions such as the Sustainable Development Goals, would help shape these policies in the various sectors.

Based on this reading, Lebanon can work on several interrelated levels:

- **Level 1:** The importance of legal reforms through integrated approaches. Legislative reforms may sometimes consist of special measures for the advancement of women in order to address past and present discrimination, such as prioritizing women in the land distribution or in accessing public agricultural credit programs, and not simply repealing direct discriminatory provisions against women in legislation.

90. Country Gender Assessment of the Agriculture and Rural Sector, FAO, Beirut, 2021 <https://www.fao.org/3/CB3025EN/cb3025en.pdf>

- **Level 2:** The importance of reforming legislation within the spirit of its intersection and interdependence. For example, reforming land legislation to address gender inequality in land rights can only be effective if combined with structural reforms of relationships within the family under the principle of equality.
- **Level 3:** The importance of working to implement existing laws and approved reforms. The factors that limit access to justice must be addressed. A Strong political will to implement legislation and women's access to law enforcement institutions are key elements. Access to law enforcement institutions by the most vulnerable groups, including women farmers.
- **Level 4:** The importance of understanding law in its broader social context. In general, it doesn't just take good laws. The issue of implementation raises the broader issue of the complex relationship between legal change and social change. On the one hand, social and economic change may create new needs in society, addressed by law through the emergence of new rules or the adaptation of existing ones. On the other hand, legal change often needs to influence social norms and structures to make them more equitable⁹¹.
- **Level 5:** Besides the legal aspect, it is important to work on the operational aspect, especially since agricultural work is informal, the agricultural sector workforce is low-skilled, and most workers are refugees. Therefore, a safe environment must be created, especially for female minor workers who are being exploited. The approach adopted must be intersectional and protective because refugee women farmers are being exposed to verbal violence and sexual harassment.

In conclusion, a normative legislative framework regulating the agriculture sector must be formulated. The adoption of a law regulating agricultural work is one of the most significant reforms that could transform the agricultural sector. Such a law would bring about many positive transformations, including facilitating business creation and ensuring the rights of small farmers in a sector where business size is decisive in determining the economic bargaining potential. The law should regulate agricultural work and enforce decent work standards for

Lebanese and non-Lebanese alike. Agricultural sector regulation should also be accompanied by health care and retirement plans. In the same context, structural reforms are also needed to enforce competitive market laws and regulations, leading to the abolition of cartels in the agricultural sector and improving wholesale market management and post-harvest services. Establishing effective and fair wholesale markets is still a difficult and challenging task, requiring clear rules, transparent price information, pricing of goods based on quality, and enforcing controls⁹². These legislative reforms must be formulated from a gender perspective and not only from a technical and structural perspective reform of the agricultural sector. Therefore, the State should implement legislative agricultural policies that support rural women farmers and protect them from harmful pesticides and fertilizers. The State should ensure that women farmers have effective access to agricultural resources, including high-quality seeds, tools, knowledge, and information, as well as equipment and resources for organic farming. In addition, legislation should support and ensure that the special needs of women farmers in relation to pregnancy, breastfeeding, and reproductive health are taken into account⁹³. According to international standards, employers should provide daycare, childcare, and breastfeeding facilities in the establishments where women workers are employed. The location of such facilities should be chosen to prevent exposure to workplace hazards and those facilities must be maintained in a good sanitary condition⁹⁴.

91. Lorenzo Cotula, *Gender and Law*, (n28), <https://www.fao.org/3/y4311e/y4311e.pdf>

92. <https://carnegie-mec.org/2020/12/10/ar-pub-83427>

93. C184 - Safety and Health in Agriculture Convention, 2001 (No. 184) - https://www.ilo.org/dyn/normlex/en/f?p=normlexpub:12100:0::no::p12100_ilo_code:c184

94. Safety and Health in Agriculture, International Labour Office Geneva and Arab Institute for Occupational Health and Safety, Damascus, 2013 - https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/normativeinstrument/wcms_443018.pdf

ANNEX TO LEGAL AMENDMENTS

Additional legal amendments that can be made	
<ul style="list-style-type: none"> • Adopting a law regulating agricultural-related work and regulating labour in the agricultural sector to ensure the full development and empowerment of rural women and to ensure that they exercise and enjoy human rights and fundamental freedoms on an equal basis with men. The law should guarantee the rights of small farmers, support rural women farmers, protect them from harmful pesticides and fertilizers, ensure their effective access to agricultural resources and inputs, and take into account the special needs of female farmers with regard to pregnancy, breastfeeding, and reproductive health. • Integrating and mainstreaming a gender perspective into all agricultural and agro-industry policies, strategies, programs, and plans (including operational plans). The State should also ensure that such policies, strategies, plans, and programs have evidence-based monitoring frameworks and clear evaluation frameworks. • Establishing gender units with senior staff in the ministries concerned with agro-food, supported by adequate budgets, institutional procedures, accountability frameworks, and effective coordination mechanisms. 	<p>The legal and policy regulatory framework for the agricultural sector in Lebanon</p>
<ul style="list-style-type: none"> • Adopting a legal framework to include women farmers within the categories covered by the Labour Code; women farmers were excluded from the provisions of the law. The Labour Code must therefore be amended (in particular Articles 5 and 7), in addition to a comprehensive review and the inclusion of specific provisions regulating work in the agricultural sector. • Including a clear provision in the Labour Code that refers to gender. • Including in the Labour Code of a definition of discrimination as adopted by the Committee on Economic, Social and Cultural Rights as “any discrimination in access to and maintenance of employment on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status (including HIV/AIDS), sexual orientation, or civil, political, social or other status, which has the intention or effect of impairing or nullifying exercise of the right to work on a basis of equality”. • Extending the maternity leave to meet agreed international standards (14 weeks). • Including in the Labour Code of a provision on paid paternity leave in line with international standards. • Repealing Article 27 of the Labour Code, which still restricts the employment of women in certain occupations. • Including a stipulation for flexible employment in the Labour Code. • Amending Article 50 of the Labour Code related to arbitrary dismissal in terms of increasing the compensation that can be awarded in the event of arbitrary dismissal and expanding the grounds for dismissal to include any discrimination based on gender. • At the level of strategies, developing a national strategy that includes labour inspectors and farm workers, formulating a national policy on occupational safety and health, and conducting a national survey of the working conditions and the challenges and needs of farm workers. 	<p>Labour Code</p>

<ul style="list-style-type: none"> Expanding the scope of the National Social Security Fund to provide social protection to all categories of workers, including women farmers. Ensure that women farmers who work unpaid or in the informal sector have access to non-contributory social protection, especially in cases of illness or disability. Amending Article 16 of the Social Security Law to grant secured women maternity compensation directly upon joining the Fund and abolishing the 10 months requirement. Recognizing women employed in the public sector or employed in the private sector as the breadwinners of their families and amending Article 47 of the Social Security Law, which deprives them of family allowances unless the husband is proven to be disabled or absent, or if they are widows. Transferring payment responsibility of maternity benefits from the employer to the Social Security Fund to prevent discrimination against women in the labour market. Amending Article 26 of the Social Security Law, and increasing maternity compensation by giving the secured woman full pay during the ten weeks leave, not two-thirds of the wage. 	The Social Security Law
<ul style="list-style-type: none"> Repealing Article 58 of the Executive Decree No. 2989 dated 17/3/1972, to abolish the right of men to vote on behalf of women in cooperative elections, and stipulate that women represent themselves without an agent or intermediary. Changing the terminology used in legislation and using a feminine linguistic form, where necessary, so that language is gender sensitive. 	Law of Cooperatives
<ul style="list-style-type: none"> Including in the Real Estate Law temporary special measures necessary to achieve de facto equality for women working in the agricultural and agro-industrial sectors with regard to land and natural resources. Ensuring that land reform and agrarian reform programs include gender-specific goals, targets, and measures, and ensuring that they promote formal and substantive equality, for example, through joint ownership, and the requirement of the wife's consent to sell or mortgage jointly owned land or to engage in any financial transactions related to the land. Developing and implementing measures, including temporary special measures, so rural women can benefit from the distribution, lease, or public use of land, water bodies, fisheries, and forests, and agricultural reform policies, rural investments, and natural resource management policies in rural areas. Priority is given in the allocation of public land, fisheries, and forests to rural women who do not own land. Protecting rural women from the potential negative effects of land acquisition by national and transnational corporations, development projects, extractive industries, and mega-projects. 	Real Estate law
<ul style="list-style-type: none"> Repealing Article 14 of the Commerce Law, which states that the rights of married women shall be determined, where necessary, by the provisions of their personal status law and their marriage contract. Adopting temporary special measures to address obstacles faced by women in the field of commerce, such as requiring companies to have women on the board of directors. 	The Commerce Law
<ul style="list-style-type: none"> Increasing the share of the Ministry of Agriculture in the general budget of the State. Adopting a gender-sensitive budget. Including in the Budget Law the necessary resources to implement national strategies and plans related to women's issues. 	Budgets
<ul style="list-style-type: none"> Including in the law a provision for direct temporary measures that help meet the short-term liquidity needs of small businesses and ensuring that small and medium-sized enterprises receive loans by lowering interest rates. Ensuring that women working in the agricultural and agro-industrial sectors have access to credit, loans, spousal savings, and insurance services. Ensuring women's access to mobile financial services run by associations and small enterprises, by giving them loans without the collateral requirement, applying simplified low-cost banking practices, and facilitating rural women's access to public financial service providers. Financial services, including credit and loans, should include gender-sensitive mechanisms and are not to be withheld from rural women for absence of a male guarantor. 	Code of Money and Credit

<ul style="list-style-type: none"> Adopting a law exempting micro, small and medium-sized enterprises wholly owned by women from any kind of taxation. 	Tax Law
<ul style="list-style-type: none"> Considering equal opportunities for men and women in the formation of statutory tender committees. Mentioning gender considerations explicitly in the planning process. The procuring entity shall consider pursuing specific political goals and objectives, such as gender mainstreaming. 	Public Procurement Law
<ul style="list-style-type: none"> Including in the Real Estate Law temporary special measures necessary to achieve de facto equality for women working in the agricultural and agro-industrial sectors with regard to land and natural resources. Ensuring that land reform and agrarian reform programs include gender-specific goals, targets, and measures, and ensuring that they promote formal and substantive equality, for example, through joint ownership, and the requirement of the wife's consent to sell or mortgage jointly owned land or to engage in any financial transactions related to the land. Developing and implementing measures, including temporary special measures, so rural women can benefit from the distribution, lease, or public use of land, water bodies, fisheries, and forests, and agricultural reform policies, rural investments, and natural resource management policies in rural areas. Priority is given in the allocation of public land, fisheries, and forests to rural women who do not own land. Protecting rural women from the potential negative effects of land acquisition by national and transnational corporations, development projects, extractive industries, and mega-projects. 	Real Estate law
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<ul style="list-style-type: none"> Adding a clear and explicit provision in the Constitution stipulating gender equality; defining and prohibiting discrimination based on gender in accordance with Article 2(a) of the Convention on the Elimination of All Forms of Discrimination against Women. Amending Article 9 of the Constitution, which gave religious communities the right to legislate in the field of personal status. Explicitly Recognizing in the Constitution gender equality in all areas, including the security of land tenure and housing, and prohibiting discrimination in matters of property and inheritance. Lifting all reservations to the Convention on the Elimination of All Forms of Discrimination against Women. Adhering to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Adhering to all ILO Conventions, in particular Conventions Nos. 87, 129, 144, 102, and 110. Ratifying Convention No. 190 on the Elimination of Violence and Harassment in the World of work. Amending Penal Code articles that discriminate against women. Adopting a single mandatory civil code of personal status for all Lebanese citizens. Amending the Nationality Law to grant Lebanese women married to non-Lebanese men the right to pass their nationality to their children and husbands. Setting provisional quotas and targets for the representation of women in decision-making positions, including in land and forest management bodies, as well as natural resource management bodies. 	Other Legislative Reforms





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