

## **Achieving Long Term Goals on Sexual and Gender-Based Violence (SGBV) Protection in Lebanon**

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### **Abstract**

Lebanon's sexual and gender-based violence (SGBV) sector is dominated by nongovernmental organisations (NGOs), filling the gap left by the state, with support from international donors. The SGBV sector aims to provide holistic services across the country. However, NGOs are often unable to achieve these aims, as donor funding is largely short-term and project-based. As a result, long-term services, specifically shelters and legal aid, are difficult to access for survivors. This article uses qualitative data from semi-structured interviews with 11 NGO representatives and five Syrian refugee survivors of domestic violence to argue that the current funding structure hinders survivors from accessing vital services such as shelters and legal aid. For Syrian refugees in Lebanon, this problem is exacerbated due to a lack of legal assistance for legal residency and official registration. Without this paperwork, Syrian refugee survivors are unlikely and unwilling to access support and justice mechanisms. The present gaps in funding and services impact survivors' protection, safety, and access to justice, and hinders the likelihood of attaining sustainable solutions.

**Keywords:** Lebanon, refugees, Gender Based Violence, Gender Discrimination

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### **Introduction**

Nongovernmental organisations (NGOs) working on sexual and gender-based violence (SGBV) protection and response in Lebanon aim to provide holistic services across the country with a survivor-centred approach. Many organisations provide services in-house, while other services require external referrals through a strong referral system. However, funding is scarce and government support is negligible. This is particularly evident in the areas of shelters and legal aid.

Shelters have restrictive admission criteria and accommodate survivors on a short-term basis only. They seem to only accommodate cases that are not considered high risk, for example, survivors with no mental health concerns, and those who are unaccompanied by their children or are otherwise childless. Long-term shelters are acutely limited. In terms of legal aid, legal representation is difficult to access for cases in the personal status courts, and for refugees in need of legal residency and

paperwork. These gaps in legal assistance affect survivors' chances of receiving protection and accessing justice.

Within the present donor-funding regime, and without alternative funding streams, NGOs are compelled to prioritise short-term programming, mirroring donor priorities, which leads to gaps in protection for survivors. Long-term services, such as legal aid and shelters, which may be able to provide survivors with sustainable solutions, are elusive. Therefore, this article argues, the aims of the SGBV sector and a survivor-centred approach are difficult to achieve.

Global estimates show that domestic violence is the type of SGBV that women are most frequently subjected to (WHO 2021). For this reason, this article focuses on domestic violence support and access to justice for Lebanese and Syrian survivors, which is provided by NGOs in the context of an SGBV protection and response strategy. This article argues that the present gaps in support and justice relate to the lack of long-term funding, and have adverse consequences for survivors of domestic violence.

## **Literature review**

### *SGBV services in Lebanon*

Interventions aimed at addressing SGBV can be broadly categorized into prevention and response (Bartelink and Le Roux 2018). Response includes psychosocial support and case management, which can protect women from future violence and improve their wellbeing. Best practices in SGBV services include creating safe spaces, engaging the community in program design and implementation, conducting safe referrals, utilising a survivor-centred approach, maintaining confidentiality, and ensuring accessibility of services (Interagency Standing Committee 2011).

NGOs often step in to provide appropriate support for women survivors, whether Lebanese or Syrian refugees, to fill the gap left by the state (Human Rights Watch 2015). NGOs aim at providing holistic, survivor-centred support for all forms of SGBV through psychosocial support, economic, legal, and medical assistance (UNFPA 2010). Specialised centres and a limited number of shelters operate in Lebanon, and provide a range of primary health care services and counselling for SGBV survivors. These centres are run by local NGOs (such as ABAAD or KAFA) with the help of governmental and international organisations (AiW 2018). There is a national referral system in place for GBV services coordinated by the Government of Lebanon (GoL) and the UN-SGBV Taskforce (Munshey 2018). The UN-SGBV Taskforce is the main structure overseeing the coordination of SGBV services for both refugees and Lebanese. The taskforce gathers NGOs, INGOs, UN agencies, and various government ministries, and is predominantly tied to the availability of international donor funding (UNFPA 2020). However, several studies highlight problems with coordination, especially in ensuring that SGBV survivors have access to the numerous services they need including health care and legal aid (Holmes and Bhuvanendra 2014). Local NGOs have struggled with improving access to legal services and security for survivors due to the lack of resources (UNFPA 2018). Similarly, due to the protracted and relatively stable nature of the Syrian crisis, lines between the humanitarian and development response, and thereby also funding, are increasingly unclear (Development Initiatives, 2019).

### *SGBV and domestic violence prevalence*

Estimates published by the World Health Organisation (WHO) indicate that, globally, about 1 in 3 (30%) women worldwide have been subjected to either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Most of this violence is intimate partner violence (WHO 2021). While this trend is probably also true in Lebanon, there is limited data on the prevalence of SGBV (United Nations Human Rights 2014). One pilot study shows that 40.6% of female patients of the Resident Clinics at the American University of Beirut Medical Center (AUBMC) are physically abused by their spouse (Awwad et al. 2014). Data from the Gender-Based Violence Information Management System (GBVIMS) finds that violence perpetrated by an intimate partner or family member accounts for 71% of the incidents reported in Lebanon (2016). The GBVIMS data in 2016 further showed quarterly increases in reports of intimate partner violence, with physical assault, psychological/emotional abuse, and sexual assault being the most highly reported types of violence perpetrated by an intimate partner or family member (GBVIMS 2016).

Syrian women in Lebanon face a continuum of SGBV risks, including public SGBV risks such as harassment and assault, and private SGBV risks such as child marriage, intimate partner violence, and domestic violence by their husbands' relatives (Roupetz et al. 2020). The GBVIMS data highlights the most commonly reported forms of violence against Syrian refugees as being physical assault, domestic and sexual violence, denial of resources, and both child and forced marriage (Kevorkian 2016). Physical violence perpetrated by husbands was the most commonly reported form of intimate partner violence (IPV) among Syrian refugees (Roupetz et al. 2020). IPV is thought to be exacerbated among displaced Syrian families due to the frustration men experience when their lives are disrupted, and traditional gender roles are challenged (El-Masri, Harvey and Garwood 2013).

#### *Legal routes for domestic violence*

The Lebanese Constitution does not provide for a civil code that regulates marriages, divorce or other family matters – these are governed by the religious “personal status” courts (Panchetti 2017). There are 15 personal status laws applied by 18 different recognized religious sects in the country. This legal setting is considered to be, in and of itself, discriminatory toward women (Barakat 2018). Survivors of domestic violence may approach personal status courts to seek separation, divorce, and/or custody.

For immediate protection, the most likely legal avenue for survivors is through new domestic violence legislation passed in 2014, which penalises various forms of interpersonal violence, particularly intimate partner violence (Barakat 2018). Current assessments suggest that the new domestic violence legislation (Law 293) suffers from legal flaws and a lack of implementation (Moussawi and Yassin 2017).

It should be noted that Law 293 states that if provisions of the new domestic violence law are contradictory to the personal status laws, priority is given to the latter (UNFPA 2018). In addition, Law 293 does not include any provision explicitly addressing how to settle conflicts that may emerge between civil court rulings on domestic violence and religious personal status courts judgments (UNFPA 2018). In reality, women often have multiple legal references: criminal, civil, and sectarian, in resolving disputes over personal status and claiming their rights, given the multiplicity of jurisdictions and the complexity of the cases.

### *Barriers to accessing justice*

Most women cannot afford legal services and litigation, especially since legal proceedings are often lengthy (UNFPA 2018). Financial pressure forces many women to drop proceedings in cases of divorce and custody (UNFPA 2018). Claiming one's rights in Lebanon's religious courts is definitely expensive, costing anywhere between 1,000 to 14,000 USD in 2018 (Barakat 2018). The actual cost of justice is staggering relative to the Lebanese minimum wage, which was 450 USD per month in 2018 (Barakat 2018). The procedural fees at the Christian courts are notorious for being high in Lebanon, and are, arguably intentionally so in order to discourage divorce (Barakat 2018). Formal court fees in the Sunni courts are much lower overall (Barakat 2018). However, the cost of informal fees is also high, including transportation costs. With the effects of the recent and ongoing economic crisis, the financial burden of legal proceedings is likely to be higher and accessing justice is likely to have increased barriers.

Religious institutions do not provide adequate and sustainable legal or social support for women who initiate proceedings before personal status courts (UNFPA 2018). In Sunni courts, for example, there are provisions for the reduction of court fees; however, litigants are generally unaware of these and they are rarely used (Barakat 2018). Christian courts also have mechanisms to support low-income individuals; however, they are difficult to access (Barakat 2018).

There are provisions for legal aid provided by Bar Associations. However, they are usually not used in personal status cases since it is assumed that litigants can represent themselves in religious courts, although in reality, as Oxfam found, it is key for a litigant's success to have legal representation (Barakat 2018). Lawyers on the Bar Association's pro-bono list are discouraged to provide free services in personal status cases as they are lengthy and require significant engagement (Barakat 2018). Practically, many women are unaware of the Bar Association's existence and the relevant procedures to receive such aid (UNFPA 2018).

Syrian refugees in Lebanon have inadequate recourse to justice, and face specific barriers to accessing justice (International Alert 2017). Legal support is largely provided by NGO partners (LCRP 2021). For refugees, the procedural obstacles associated with the legal status of refugee women remain the most important impediments to access to the formal justice system (International Alert 2017). Today, approximately 70% of the Syrians in Lebanon lack legal documentation issued by the Lebanese authorities, according to a survey conducted in mid-2015 (International Alert 2017). The focus of existing legal aid programs is less on strategic litigation, and more on administrative procedures and civil documentation (Johnsen 2020). Lack of documents and low trust in state authorities also hinder refugees' access to the justice system (International Alert 2017).

### **Methodology**

This study is qualitative in nature. Semi-structured interviews were conducted with five survivors and 11 experts. Sample recruitment of both victims and professionals were made through purposive and snowball sampling by contacting various nongovernmental entities across the country based on their relevance to SGBV response in Lebanon. The following criteria were used to recruit survivors: interviewees would include Syrian refugees in Lebanon; interviewees would be or have been victims of

domestic violence; and interviewees would have attempted to access support and/or justice. In other words, they would have contacted an NGO and they would have been provided with some legal information. To maintain their anonymity, victims have been given pseudonyms, and the experts' organisations have not been named due to ethical considerations.

The sample of five survivors included:

Pseudonym	Location
Syrian Refugee A	Bekaa
Syrian Refugee B	Bekaa
Syrian Refugee C	Bekaa
Syrian Refugee D	Bekaa
PRS (Palestinian Refugee from Syria) Survivor	Burj al Barajneh Camp

The sample of 11 experts included:

Pseudonym	organisation
NGO GBV Specialist 1	International NGO
NGO GBV Specialist 2	International NGO
INGO Protection Officer	International NGO
UN Agency SGBV Specialist 1	UN Agency
UN Agency SGBV Specialist 2	UN Agency
UN Agency Refugee Specialist	UN Agency
UN Agency Legal Officer	UN Agency
Syrian NGO Representation	Syrian NGO
GBV Case Worker Bekaa	Lebanese NGO
Male NGO Representative Bekaa	Lebanese NGO
Female Social Worker Bekaa	Lebanese NGO

In-depth semi-structured interviews were conducted; interviews with experts took 30 to 45 minutes. The interviews with victims were approximately 90 minutes long. All interviews were conducted face-to-face in a professional setting, for example at an NGO office or centre. The researcher used an interpreter for the interviews with victims that were conducted in Arabic. The interviews were transcribed and translated into English by a translator, and then checked by the original interpreter. Informed consent was taken from all interviewees verbally, and an information sheet was provided to interviewees with the researcher's name, email address, and information regarding the study. Analysis of the dataset was conducted by applying thematic analysis to transcripts from the full sample.

Although efforts were made to avoid limitations in this study, some include potential translation inaccuracies and a small sample size of survivors and experts. Although efforts were made to recruit a larger sample, survivors are a hard to reach population that might be unwilling to participate and difficult to recruit (Chamberlain and Hodgetts 2018). Experts were the key to practical insider knowledge (Bogner, Littig, and Menz 2018). Although the number of interviewees was small in scale, the richness of the data collection and the process of analysis enhance the rigor of the study.



## Thematic findings

This article centres around the following themes:

1. NGO aims and donor policies, highlighting that holistic and accessible services are difficult to achieve within present short-term funding structures;
2. Gaps in protection and capacity of shelters specifically those that provide long-term options for survivors;
3. Gaps in the provision of legal aid, and additional barriers to access support and justice for refugees, which are largely based on a lack of legal documentation.

### Theme 1: NGO aims and donor policies

Sufficient allocation of resources is essential to combatting SGBV and has largely not been achieved in the Arab region. In Lebanon, governmental budgetary commitments for the implementation of SGBV legislation to support relevant NGOs' activities do not exist (ESCWA, forthcoming). SGBV cross-sectoral work largely relies on external funding, is deprioritised by national budgets, and is substantially under-funded. In Lebanon, the shortage and inconsistencies of funding promotes a project-oriented approach, rather than a sustained programmatic plan (UNFPA 2020).

Interviewees expressed the importance of geographical accessibility of holistic services for survivors of GBV. However, it is difficult for NGOs to achieve these aims due to short-term funding and donor's programmatic priorities. Interviewees from NGOs expressed difficulties in obtaining consistent funding for sustainable initiatives. Despite their aims, it is difficult for NGOs to provide holistic services across the country within the present donor-funding regime. There are also no other viable funding streams identified by interviewees.

#### *Referrals and accessibility of holistic services*

Caseworkers stated that after a woman reports SGBV, the case management process begins.<sup>11</sup> An initial assessment leads to a range of available services for SGBV survivors which may provide immediate relief, such as shelters, mental or physical health care, or more long-term services, such as training, empowerment activities, and legal services:

We provide the full spectrum of available options to survivors and they choose how to address the incident, and then we facilitate the access to the services. Areas of focus for high-risk cases include emergency shelters, mental health services, and clinical management of rape. In the longer run, services also include vocational training, empowerment activities, psychosocial support,<sup>12</sup> and legal services. So we also refer cases to shelters for example, or to other organisations, because we do not provide all the services. (INGO GBV Specialist 1)

The approach that this interviewee describes is survivor-centred, and enables survivors to make an informed decision about the type of support they wish to access. As she highlights, most organisations provide some services in-house, whereas other services require external referrals. This often means that survivors have to visit multiple locations, and must speak to multiple people to access the entire

spectrum of services (Anani 2013). The clinical management of rape, for example, would require a visit to a healthcare service provider for essential medical care, such as documentation of injuries, collection of forensic evidence, treatment of injuries, etc. (WHO and UNHCR 2004).

Interviewees noted that strong referral pathways were in place for survivors to seek support. After cases are identified or come forward, referrals reportedly take place in a range of sectors and locations. “Referrals are based on the governorate which are also broken down into villages, streets, to make sure we cover as much as possible,” said UN Agency SGBV Specialist 1. The aim, she notes, is to increase the geographical accessibility to a range of services.

NGOs aim to provide consistent access to services across the country. As a Social Worker in Bekaa said, “The services here are just like the ones offered in Beirut, holistic case management for SGBV women and children. We offer holistic case management, legal, psychological, and social services. We collaborate with other NGOs and stakeholders, service providers, and the services needed for children, we collaborate with psychiatrists, dispensaries, shelters.” This collaboration is enabled by a strong referral system. However, she acknowledged that this approach has shortcomings. “I think the approach should be more holistic. To have a hospital, dispensary, department, ISF specialised for responding to SGBV cases” (GBV Case Worker Bekaa). She explains that providing multiple services in one location would improve access for survivors.

A female survivor of domestic violence concurred with the practitioners’ views and expressed geographical proximity as being a factor in enabling access to support:

Someone introduced me to this NGO and I did not know there was an office in Bekaa. I went and I told them my story and my problem, and that I don’t have the [financial] means, and that I want my rights and I don’t want to give them up. I am not someone who he [the husband] just married for a couple of days and had his way with and then divorced [...] [The NGO] asked me where I am from, where I am staying, before they asked me anything. I told them I was in Bekaa and they told me that they have an office there, if I would like to go there to save on transportation costs. I said okay, and I took an appointment and I came and spoke to a social worker, and I signed up for some activities and sessions, and I got an appointment with a lawyer. (Syrian Refugee A)

She benefitted from the fact that the NGO had an office in Bekaa and paid for transportation costs for her to visit their center. She was able to access a range of services due to the ease of geographical access.

#### *Short-term funding and donor policies*

Despite their objectives, it is difficult for NGOs to provide holistic services across the country within the present donor-funding regime. Interviewees from NGOs expressed difficulties in obtaining consistent funding for sustainable initiatives. Instead, donors prioritise short-term programming and funding is focused on certain geographical areas.

Interviewees from NGOs reported an overall lack of funding of services for the SGBV sector. “The big gap that we have is the very limited funding, especially for [SGBV]. You need funding to have stability in

the program and to work in the communities extensively. It's also linked in terms of programs finishing. While they are being progressively strengthened, national systems are not up to providing services for the cases that we have. If tomorrow funding disappears it's a problem," said UN Agency SGBV Specialist 1. Her comment highlights the SGBV sector's dependence on foreign funding which results in. There appear to be no other substantial funding streams.

NGOs outside Beirut also expressed difficulties in obtaining consistent funding. "When you are implementing a project and then the money from the funding you received has finished then it will be very difficult for you to get more funding because it is very competitive" (Male NGO Representative Bekaa). Funding is reportedly competitive to obtain and there is a perceived inequality between the NGOs that receive funding and those that do not. Interviewees felt that NGOs in Beirut are able to obtain funding, whereas NGOs operating in more remote areas, such as Bekaa, despite being closer to Syrian beneficiaries, face greater difficulties obtaining funding (Mourtada, Schlecht and DeJong 2017).

One of the problems in this system is the channelling of funding from those who have money to those who are working in the field. [...] The NGOs in Beirut are more closely connected to the ministries. [...] Even the educational level and experience of the employees in the Beirut centers are much better than those in other rural areas and all these make a difference to funding. [...] Beirut is a capital, like all developing countries, all the focus of the politicians goes to the development of the capital, so yes you will find a difference between here and Beirut concerning funding, structure, structure of the system, the power of the Social Development Centres,<sup>[4]</sup> their work, their activities. [...] [In Bekaa] we are the biggest disaster area of Lebanon, and Baalbeck alone is a quarter of the whole Lebanese territory in terms of space, so the approach is that it will cost us more to reach the cases in remote village than in Beirut. (Male NGO Representative Bekaa)

This interviewee reported discrepancies in donor-funding allocation, and a perceived bias towards Beirut, which is problematic given the demand for services in the areas with a high concentration of refugees and low development indicators, such as Bekaa. This is contrary to NGOs' claims to provide SGBV services across Lebanon to those who are most vulnerable.

Many NGOs also found it difficult to obtain funding for everyday administrative or non-programmatic costs: "The first side [of funding] is the internal average cost of the organisation, this is done through private funding. The other side is programs funding which depends on the donors and every penny that is given to the projects is spent on that project" (Female Social Worker Bekaa). In her view, donors are not keen on funding long term or administrative costs. Instead, donors are inclined towards funding short-term projects focused on specific themes or objectives. This affects the sustainability of service provision: "When it comes to programs related to providing services, then the service is over when the funding is over [...] for service programs like water, sanitation and hygiene, or distribution, yes of course when the funding is short there will be no services and this is one of the major problems facing sustainability of projects" (Male NGO Representative Bekaa). Another interviewee added: "when we talk about concrete service provision, we need more money. We have so many emergency services that are completely missing, many survivors end up slipping through the cracks" (INGO GBV Specialist 1). Interviewees discussed how a lack of funding impacts the sustainability of initiatives and has human costs. This may explain gaps in protection for long-term interventions such as shelters and legal aid. Obstacles to women's access to justice arise because of the scarcity of resources dedicated to



addressing violence against women within the justice system, and the unavailability of other services necessary to protect survivors, such as shelters (International Commission of Jurists, 2019).

## **Theme 2: Gaps in protection and shelters**

Shelters provide temporary housing and protection for individuals who are experiencing, or at risk of experiencing, interpersonal violence (Bartels et al. 2019). Evidence shows that the use of shelters can reduce violence, especially when measured in the longer term, and can help women to feel safer, more hopeful, and more knowledgeable about safety strategies once they leave (Jewkes 2014). In Lebanon, one study found that women and girls who had accessed a shelter were statistically more likely to indicate that the major benefit derived from the shelter was safety/protection, compared to women and girls who had accessed a mobile program or a static/non-shelter program (Bartels et al. 2019).

Shelters are primarily provided by NGOs and charitable organisations in Lebanon, and have no national regulatory requirements (UNESCWA 2019). Shelters are often left to rely on outside funding to maintain their operations, with many shelters relying solely on international donors for their funding. Heavy reliance on international funding threatens their sustainability (UNESCWA 2019). Previous research in Lebanon has found that the lack of shelters remains a core gap, and constitutes an obstacle to women's access to safety, protection, and justice (UNFPA 2018).

This article finds that existing shelters are restrictive in their admission criteria and have limited capacity. Most long-term shelters have a religious nature and may be construed as exclusionary on the basis of religion. In addition, while all shelters are open to refugees Lebanese nationals, there is insufficient capacity to accommodate all potential beneficiaries. Shelters may use this justification to exclude Syrian refugees, thereby acutely limiting their options for protection. As interviewees show, limited funding and donor priorities impact the lack of shelters for SGBV survivors. This article argues that the lack of shelters correlates to short-term funding provided by donors, and ultimately has an adverse impact on survivors' ability to access sustainable solutions.

### *Short-term shelters*

Existing shelters reportedly provide short-term solutions. "Shelters are a huge gap. A lot of them are short-term and don't allow you to have your children with you etc." said INGO GBV Specialist 1, highlighting the lack of shelters and restrictive criterion for admission. Many interviewees also highlighted that existing shelters have limited capacity:

For example we have three mid-way houses,<sup>[4]</sup> managed by ABAAD [that are] short-term solutions, 2-3 months maximum, except if it is super critical, then they stay for six months, but usually 2-3 months until you find, with the survivor, a more durable solution whether it is a longer term shelter, or linking them to livelihood opportunities to generate income, or to be able to be independent. Otherwise, they would have to go back to the violence. There aren't many options. [...] None of them [shelters] in Lebanon, none of the shelters accept survivors with mental health disorders, none of them. The mid-way houses accept survivors with mental health issues and they provide actual psychiatric consultation and psychotropic medication, which are run by ABAAD. (UN Agency SGBV Specialist 2)

This interviewee highlights the short-term nature of these shelters, and the lack of long-term options. After staying in a short-term shelter, survivors are often referred onwards to a long-term or collective shelter. Significantly, shelters largely do not allow survivors with mental health concerns.

GBV-specific shelters reportedly have limited capacity. This could result in multiple referrals for the survivor, and consequently might delay their access to protection and safety. From the perspective of the receiving shelter, a social worker explained the process that starts once a referral is received:

Sometimes, we don't have a safe space [where the survivor] can stay. We have some collaboration with UNHCR shelters but they are not safe spaces. The difference is that a collective shelter is just a building where many families live and there's no privacy or security. It's in the middle of the city, it's just there for vulnerable families but not GBV cases. Safe spaces are for GBV cases specifically. [Survivors] want a safe space where they are far away from the area [where they live] and no one knows where [it is] and there's a safe structure with rules and usually women will be under rehabilitation in these safe spaces. These collective shelters have a lot of GBV cases and sometimes we do not find places and we need to put the woman in a safe space for a short while [...] for refugees, we collaborate with Caritas. They have a lot of safe spaces. We collaborate with the focal point and we refer to a shelter in Caritas because they have three safe spaces. We put important priority to the rehabilitation program and the security of women. [...] We do not refer [women] to the region where they live; we refer them to an outside area and transportation is provided by this NGO. (GBV Case Worker Bekaa)

This interviewee highlights the compromising situation women can find themselves in if they are referred to a collective shelter, due to a lack of designated safe spaces for SGBV survivors. While safe spaces can also focus on rehabilitation, as well as physical safety of the survivors, collective shelters are not specifically set up for survivors of domestic violence, and therefore are not a preferred option. However, due to a lack of capacity, survivors may be referred to collective shelters by NGOs.

Worse, collective shelters are also reported to have strict admission criteria. One INGO Protection Officer described collective shelters as follows:

It's a shelter that accepts people transitioning out of protection risk, and who have not yet established a stable state. We provide them with training, life skills training, and we help them to transition out [of protection risk]. Our collective shelter is quite particular in its design as there are a lot of collective shelters in Lebanon. We cannot take in people who are at high risk such as a severe mental health issue because we do not have specialised people to take care of them. We accommodate the elderly sometimes or specific needs. This is the function of the collective shelter. Admission happens based on a team meeting; they assess the case and decide whether to admit or not. [...] Usually every two families are sharing one kitchen and they have their own bathrooms. We have a shelter supervisor, and caretakers to help manage the shelter. (INGO Protection Officer)

This interviewee highlights the services that are provided in collective shelters, and that the reason for denying admission to those with special needs is due to a lack of trained personnel. In collective shelters, women can stay for a maximum of six months, with "children up to nine years and for children above nine, we assess it case by case and depending on the case, we decide whether the child can

stay or not. However, we accept SGBV survivors who are not at high risk at the time of admission" (INGO Protection Officer). Admission criterion for collective shelters, therefore, exclude women with mental health issues, with children above nine years of age, and those who are at high risk. This severely disadvantages survivors facing multiple or compounded issues.

As the interviewee above mentioned, even NGOs that run their own collective shelters refer high-risk cases to other shelters (such as those operated by ABAAD) due to their own low capacity and restrictive criteria for admission to the collective shelter. Through the referral system, it appears that many organisations refer to the same handful of shelters: "We also refer cases to shelters, for example to other organisations, because we do not provide all the services. [...] For emergency shelters, we rely on some organisations because it is not sustainable for one NGO to provide all services. We refer to a shelter in the North and in the Bekaa run by ABAAD. Kafa has one in Beirut. These are the big ones," said INGO GBV Specialist 1. As she says, NGOs are unable to provide multiple services, which she attributes to a difficulty in "sustaining" the NGO in terms of resources.

There appear to be a limited number of shelters in various parts of the country, which puts survivors outside Beirut at a severe disadvantage, and is contrary to the sector's aims of providing equitable services. "Another challenge we face is the saturation of shelters where we do not have space for new cases. And the most problematic cases are the ones with mental health issues because we do not have shelters for these cases. So we don't know what to do with these cases," said the INGO Protection Officer. This demonstrates a key gap in admission to shelters – only low risk cases are accepted, and most likely, their children will not be allowed. This excludes many survivors from accessing safety and protection.

Another interviewee highlighted that options for shelters are reduced in many circumstances: "Shelters are limited. They are short-term, limited in numbers, and limited due to admissions criteria, because sometimes shelters choose Lebanese nationals over Syrian nationals or sometimes mothers and children can't be hosted in the shelters" (UN Agency Refugee Specialist). While all shelters are open to residents or nationals of Lebanon, there is insufficient capacity to accommodate all beneficiaries. Shelters may use this justification to deny admission of Syrian refugees. For Syrian victims of domestic violence, options for protection may be acutely limited, as shelter admission criteria can be restrictive and potentially discriminatory.

### *Long-term shelters*

In terms of long-term shelters, survivors are severely restricted in the options available to them. Interviewees criticised the practices of long-term shelters and highlighted the restrictive admission criteria, especially for survivors with mental health concerns, or those who do not abide by the religious nature of the shelter. Such practices appear to be discriminatory on the basis of religion, and are contrary to the sector's aims of inclusion and rehabilitation. Despite this, NGOs have not set up long-term shelters in recent years, potentially because NGOs often are forced to "follow the money" to secure their survival and are thus subject to short-term grants and a lack of core funding to engage in long-term interventions (UN ESCWA 2019, p. 46). "For the longer term shelters, we have 10-15, very few, and they have very strict and rigid guidelines. [...] Most of them are religious, and yes, if you are Muslim and you are going to a certain shelter, you have to pray with them. Even if I (the survivor) am

Christian and I don't want to pray, so like, what the hell? Plus you can't have children with you. For boys who are older than 11 years old, different criteria apply," said the UN Agency SGBV Specialist 2. These criteria, especially the prohibition on children accompanying their mothers, limits survivors' options and appears to implement a religious program on residents despite their religious beliefs.

Long-term shelters presently are primarily of a religious nature, and differ from the wider SGBV sector in terms of case management and approach. "You have alternative options that don't fit with the mission of the organisation [UN Agency]. There is one run by a religious mission, and to my knowledge, we are not working with this alternative shelter now" (UN Agency Refugee Specialist). Most long-term shelters are affiliated with particular religious communities or associations, deterring women of different faiths from reaching out to them (ABAAD 2017). The UN Agency SGBV Specialist 2 gives more insights into the realities of long-term shelters in Lebanon:

All the long-term shelters in Lebanon, none of them accept any survivors with mental health disorders, which is ironic of course [...] and even the services in the shelters, to be transparent, are not the best. I am not sure what kind of case management they do provide. [...] If I decided I don't want to talk to God, or I am an atheist, then what? And it is not evidence- or trial-based, and it is definitely not participatory.

In her view, the safety and case management plans used in long-term shelters are not based on empirical research or modern methodology.

Interviewees demonstrated that short-term funding correlates with a lack of shelters in Lebanon. One interviewee gave the example of Bekaa, where the majority of Syrian refugees live: "There were two safe shelters, at least that we know of. One was closed due to funding problems. [...] There was an Islamic organisation as well that started a shelter, but there was an issue with funding, and it was shut down. So, these shelters receive funding at first and they open, and then when the funding stops they close" (Female Social Worker Bekaa). "The cost of shelters is perceived as a lot by the donors so usually, unfortunately, it is difficult to find funding," said UN Agency SGBV Specialist 2, linking the lack of long-term funding available with the limited number of shelters for SGBV survivors. As interviewees show, limited funding and donor priorities impact the lack of shelters for SGBV survivors. Unsurprisingly, donors lean towards short-term interventions rather than long-term projects, such as shelters, with relatively high running costs.

### **Theme 3: Gaps in legal aid for survivors**

Previous research has shown that women face many social and economic barriers in accessing justice in cases of domestic violence (Gallagher 2012). In Lebanon, a significant barrier to accessing justice includes the lack of legal aid (Barakat 2018). Barriers to access justice are exacerbated for Syrian refugees as they may fear biased treatment from Lebanese state authorities, and they largely lack legal paperwork. Obtaining legal paperwork is often complex and difficult, and without this, Syrian refugees are practically excluded from accessing the justice system.

#### *Legal awareness sessions and counselling*

In terms of providing legal aid, the process described by NGO representatives begins with legal

information provided at awareness-raising sessions, continues to individual legal counselling, and potentially progresses to legal representation for matters relating to protection orders under Law 293, or divorce and custody proceedings in personal status courts (Munshay 2018). For refugees, there is an additional layer of procedures for legal documentation, registration, and paperwork, which can be overwhelming and confusing for a layperson.

NGO representatives explained that legal information is provided to communities as part of awareness-raising sessions. “If there is a need by the community members to know about some legal aspects, we can discuss them in the awareness sessions, whereby we tell them that in case you are experiencing this type of (domestic) violence, then there is this law which can protect you” (Female Social Worker Bekaa). This is often the beneficiaries’ first interaction with legal information relating to domestic violence.

Practitioners described a range of reactions when legal information related to domestic violence is provided to the community:

When it comes to women, the majority will try to take part and react positively to the topics. In some cases, they try to do this on their own before taking the legal path. Others do not react, either because they are afraid, or because they know that community ties are stronger than the law itself. Other people react negatively, and say this is men’s right and that it is normal, and so they don’t make any comments. (Female Social Worker Bekaa)

This interviewee also reported that while some beneficiaries were responsive to awareness sessions on domestic violence, others may be skeptical because of their own experience of living in a closed community with limited rule of law. Others accept or justify the violence that either they have experienced themselves, or someone they know has. In addition, legal cynicism contributes to a lack of faith in pursuing legal remedies.

Similarly, another interviewee highlighted how difficult such awareness-raising sessions can be: “We face a lot of arguments and criticism of our work and approach. We do not aim to convince [participants and beneficiaries], but at least, we can let them know about the laws and their rights. You cannot change their mentality in a single awareness session,” said the GBV Case Worker Bekaa in reference to entrenched societal thinking. “There are women who also justify men’s actions; who think that if a woman hadn’t behaved a certain way, then the man wouldn’t have hit her, and that therefore, it is her fault,” noted the Male NGO Representative Bekaa, highlighting the fact that women beneficiaries, in some instances, engage in victim-blaming, as well.

Awareness-raising sessions also focus on providing legal information, as the INGO Protection Officer highlighted at length:

During awareness sessions, we provide information regarding Law 293. But sometimes, the information can be too technical, and that’s why after each session, we provide individual legal counselling for each case, so that the participants can understand what options are available for their particular case, and this is something that the participants have expressly said is important. Under our legal program, we engage in all types of counselling, assistance, and registration targeting GBV survivors. Counselling



is also targeting all laws present in Lebanon related to violence and families, Law 422, 293, domestic violence, and residency, birth registration, and civil documentation assistance, as well.

Counselling sessions also aim to provide women with information about all of the legal options available to them. As the GBV Case Worker from the Bekaa noted, “Most women come asking for legal consultation at the beginning. They want to know their rights in civil and religious courts. Usually, we offer legal consultation so the women can know what choices they have, and after that, they can take the legal procedure if they wish, or go back to her husband, or stay pending. It’s up to the women to decide.” Although the options are provided during counselling, “Very few survivors accept being referred to legal services” (INGO GBV Specialist 2). NGO interviewees say that very few women opt to approach civil courts for protection orders under Law 293, or initiate divorce proceedings in personal status courts. This is consistent with victimization data from around the world, which shows that women are often reluctant to report domestic violence and initiate legal proceedings (WHO 2015).

### *Legal representation*

Survivors of domestic violence may seek justice through civil courts by obtaining protection orders under Law 293, and/or through personal status courts if they seek divorce and/or custody of their children. Previous research shows that cases in personal status courts in Lebanon are lengthy and expensive (Human Rights Watch 2015). Approaching a civil court using Law 293 does not require a lawyer, and all legal expenses and fees can be waived (UNFPA 2018). However, in both situations, this article finds that a lawyer’s role in navigating the system is beneficial for women survivors of intimate partner violence who are attempting to exit abusive marriages. In addition, NGO support throughout the legal process is key to empowering survivors.

During case management, legal information is provided to beneficiaries to help them decide which legal route they wish to pursue, if any.

If the case is a survivor of domestic violence, we explain their rights and their options and the services that are available. If the case is a high risk one in need of protection, we try to issue an immediate protection order. If the survivor decides that she wants a divorce and she is aware of all the consequences, we refer [her] to legal counselling and representation. (INGO Protection Officer)

As described, survivors of domestic violence require legal assistance on multiple fronts: immediate measures such as protection orders; long-term solutions such as divorce and custody; and for refugees, procedural measures such as civil registration and paperwork.

As many interviewees discussed, whether in a civil or personal status court, legal and associated costs can be burdensome for litigants. Costs are especially high in personal status court proceedings: “In personal status courts, you have to pay a lot of money because it is super corrupt” (UN Agency SGBV Specialist 2). Personal status courts are widely perceived to be corrupt, and bribery is involved at multiple levels of any court procedure (Barakat 2018, p. 39). Even in civil courts, interviewees reported litigants’ incurring costs. As one interviewee noted: “A protection order does not need a lawyer, so it does not cost much, but not many women would go on their own, mainly because they don’t know it is available, or because they are afraid that it is something new to them. [...] Of course it will cost them

money" (UN Agency Legal Officer). She refers here to legal fees, as well as other informal or transport-related costs.

Interviewees report that obtaining legal representation from NGOs for personal status court cases is difficult, whereas for shorter procedures like protection orders, it is easier to obtain legal aid through NGOs. As the UN Agency SGBV Specialist 1 noted:

They [survivors] have access to protection and safety depending on needs, and [access to] legal services. Progressively we have strengthened legal service provision. Services available include birth and marriage registration for civil documentation. For family laws, the services are much more limited. There are legal counselling services provided but there are not a lot specialized in family laws, only CARITAS, Legal Agenda, and a few other organisations. But a lot of organisations have their own lawyers on call to support protection orders if needed.

There appears to be a lack of SGBV-specific legal assistance in civil courts (relating to obtaining a protection order under Law 293) and personal status courts (relating to divorce or custody), and NGOs do not offer comprehensive legal services for female survivors of domestic violence.

Presently, legal assistance for personal status courts is reported to be outsourced. "There is legal protection, but unfortunately there is no one working on this topic [in our organisation] [...] what we do is introduce them to other agencies that will tackle these legal issues" (Female Social Worker Bekaa). A representative from one INGO said: "We have legal assistance that is available, and it covers everything from legal awareness sessions, the broad prevention stuff and individual counselling including administrative support. Sometimes, our beneficiaries might require legal representation, but for that we get someone to do the work, including in religious courts" (INGO GBV Specialist 1).

NGOs often provide the beneficiary with a referral to a lawyer. INGO GBV Specialist 1 further shed light on the model that is used by NGOs when engaging lawyers: "Any organisation cannot hire a full-time registered lawyer as per the law in Lebanon. That means everybody is basically [working as] a consultant, except for the awareness sessions. So everybody is a freelancer." As she notes, this freelance or consultancy model requires a further referral to a lawyer, which may entail the survivor making further visits to multiple locations.

However, interviewees say, after a legal referral, the NGO must follow-up to ensure that the beneficiary has access to legal services: "For legal services, we refer and follow up, and it's very difficult. We know that even when we want the legal service, and even the beneficiary is trying her best, she can't go with the legal service. So we push a lot, and it takes a lot of time, and even when it starts, it's very slow" (INGO GBV Specialist 2). This support continues throughout the legal process:

We are working on empowering women and are always pushing them to get their rights on their own. After every session at the court, they come for a consultation session. If we reach a moment when a woman loses her strength or the judges are being discriminatory, we go to the court representation with them. (GBV Case Worker Bekaa).

Survivors need continued support from NGOs while attempting to access justice through difficult judicial

processes, especially in cases of custody where women face the threat of losing their children. As one interviewee said, “Custody is the biggest pressure, and it depends on the religious courts and then psychological factors depending on the cycle of violence and how much they want to divorce. So these are challenges, and you need to put a lot of effort into counselling before proceeding” (INGO Protection Officer). She emphasizes the need for mental health support before proceeding with legal routes, as they are psychologically difficult for the litigant. The legal system itself presents challenges to women through discriminatory laws, which has associated implications and costs for the SGBV protection sector. Within such a discriminatory legal system, survivors face multiple financial, social and psychological pressures when accessing justice, which NGOs attempt to alleviate.

Interviews with survivors of domestic violence show that hiring a lawyer is a key economic burden, especially for refugees. As Syrian Refugee A reported:

I wanted to [hire] a lawyer, but I don’t have the means to hire one, and people told me that I would have to spend [my entire dowry] all on the lawyer, and we are displaced Syrians. I have been looking for a job for a year and a half, and I haven’t been able to find one.

Without the assistance of NGOs, survivors spoke of being unable to access legal representation. “KAFA supported me psychologically and emotionally, and they provided a lawyer who is following up on my case, because I don’t have the means to pay for [a lawyer], so he is handling my cases and he is representing me in court” (Syrian Refugee B). She said she was hesitant to begin the legal process at first due to the financial strain of hiring a lawyer, and has been able to continue legal proceedings due to the multifaceted support provided by the NGO.

Interviews also highlight the long process of obtaining legal representation, and speak of multiple referrals by organisations before finally obtaining representation. PRS Survivor narrated her experience of initially approaching an NGO in the camp, who then referred her to ABAAD, who then referred her to an INGO, who finally referred her to a lawyer. She had to visit each office separately, which was time consuming and difficult as she lives in a Palestinian camp. She mentioned that her transportation costs were paid for when she visited ABAAD. However, at the INGO, they “covered my expenses, but not the transportation costs” (PRS Survivor). While PRS Survivor was provided a lawyer by an NGO, however, she described their interaction as distressing. “A problem occurred, and I was very upset because I didn’t understand why he [the lawyer] hadn’t informed me about [the problem] before, and they kept making me go back and forth, and I started crying because [the lawyer] took away any semblance of hope I had before” (PRS Survivor). According to her, the lawyer did not communicate effectively, provide emotional support, or deal with her case with sensitivity. This is an aspect that might be different if lawyers were able to be employed over the longterm by NGOs, thereby building exclusive expertise in domestic violence cases, and/or benefit from sensitivity training by experienced social workers enabling them to better support litigants through the legal process.

The support provided by NGOs during legal processes is important to interviewees: “ABAAD has supported me a lot. Even though I don’t have any work or relations with them anymore, they still contact me and ask about any progress in my case, and they encourage me to keep moving forward” (PRS Survivor). She demonstrates that continuing support and encouragement by NGOs is a determining factor in providing strength to women survivors of GBV.

The lack of legal assistance offered by NGOs is also linked to the lack of longterm funding:

It is not a reluctance [to work in personal status courts], but a lot of it is related to the resources available, and cases [in personal status courts] are very expensive and take a long time [to litigate]. When resources are scarce, which is the case right now, what we maintain is core services, which are life-saving services. We can expand when we have additional resources but when we don't, we prioritize the immediate intervention of the person. These cases [personal status court cases] are not only costly and lengthy, but often, the survivors start the case and then drop it, which is also another barrier. (GBV Case Worker Bekaa)

While interviewees recognized that survivors find it difficult to engage in the justice process, they advocated for donor attention to legal representation for survivors. "According to current research, people are saying that funds should not be allocated to legal services anymore because no one is being referred to such services. In my opinion, funds should support legal services, and should work on the national level to change policy in order to have more cases enter the system and make any real change," said INGO GBV Specialist 2. This interviewee highlighted resistance to allocating resources to legal aid, and countered this with emphasizing the need for additional funding to increase survivors' use of legal services. Further, they mention the importance of enacting nation-wide policies to improve access to justice for women survivors of SGBV in Lebanon.

#### *Socioeconomic barriers to accessing justice*

Survivors face multiple social and economic barriers when accessing justice. In fact, data from the GBVIMS demonstrates that 54% of survivors declined relevant and accessible legal services, most likely due to fears of negative consequences (GBVIMS 2016). As the INGO GBV Specialist 1 noted:

For survivors who want to go to court, we are finding a kind of reasonable caseload to expect, because the motivation to go to court is linked to civil documentation and registering divorce, marriage, custody, or alimony. These are the top requests we get. Halfway through the process, they face social pressures from their families or because their husband threatens them or exerts influence, or because the process is taking way too long, so they get discouraged. (INGO GBV Specialist 1)

The pressures from their families and communities have a tangible effect on the survivor's access to immediate services, and they can also prevent survivors from pursuing long-term legal charges. According to the INGO Protection Officer, "What we often face is that you register the case for [legal] representation, but after a while, you find that [the survivor] dropped [the case]. First, it is related to the social pressure that she is a divorced woman, so they try to escape this. Second, socioeconomic factors, because in Lebanon, sustainable solutions are not available unless it is resettlement." Within personal status courts, "it's difficult. Not many judges are sympathetic, because there are not a lot of options after you get a divorce, for example. You need to be supported in relocating somewhere else, which is a massive issue in the country. This factor influences the decision of the survivor to not seek justice" (GBV Case Worker Bekaa). Further, there is a "lack of sustainable strategies for GBV survivors," who leave long term intimate partners, specifically spouses, and "that's why [case workers] have cases where after six months or one year, they want to go back to their perpetrator. This is a big gap" (INGO Protection Officer). There are many social and financial barriers to accessing justice, and it

is evident that survivors lack viable long-term options, such as long-term shelters, when exiting abusive marriages.

#### *Additional barriers for refugees*

Interviews with social workers and Syrian refugee survivors show that the lack of legal residency and registration has practical implications for women's rights. Refugee women in Lebanon are less likely to report SGBV if they do not have legal documentation: "For Syrians and Palestinians, it is a challenge to report to court or the police because of a lack of documentation in terms of residency" (UN Agency SGBV Specialist 1). Without requisite paperwork, Syrian refugee survivors of SGBV are unable to access justice in the form of any legal proceedings. Law 293, specifically, does not adequately protect refugee women in the face of these challenges (Moussawi and Yassin 2017, p. 3). Interviews with social workers and Syrian refugee survivors show that the lack of legal residency and registration has practical implications as survivors are less likely to report domestic violence or take up legal services as doing so incurs extra costs, which NGOs are often unable to cover, potentially due to limited funding.

Lack of legal paperwork has multiple practical and legal implications: not only is their movement restricted, but their legal rights are limited, and they are often missing important paperwork – for example, birth certificates and marriage licenses. "[The] majority of Syrian refugees do not register anything and stay in camps. [There are] many cases of unregistered marriages and unregistered children. [...] They need documents and they need money," said one interviewee, a Syrian NGO Representative. Obtaining a marriage certificate or other documentation is costly and challenging. "The problem is with practices, so in terms of fees it is different in different areas in Lebanon. [...] In Akkar, it is enough for the judge if he has witnesses. In other areas, the husband and wife need to have legal residency" (INGO Protection Officer). Interviewees further noted that registration processes are not uniform, which creates difficulties for refugees. A key recommendation that emerges is to standardize procedures for refugees to obtain legal paperwork.

Interviewees also noted that many NGOs do not provide assistance for registrations for refugees. "Assistance with paper and legal documents is in high demand in the refugee community [...] But unfortunately we don't provide this service. [...] We refer them to other organisations," said a Female Social Worker Bekaa. Interviewees said a major reason for this gap in services is the cost. "NGOs are not willing to work on civil documentation because they think it is expensive," said the INGO Protection Officer. This interviewee demonstrated the link between provision of key legal services for refugee beneficiaries and a lack of funding received by NGOs.

In terms of marriage and birth registration, the rules have reportedly eased. "In 2018, the government accepted that if [Syrians] don't have a legal stay in Lebanon, they can still get a certificate. Before that, it was a challenge for birth registration and marriage. Now, the government wants to help people get a proof of marriage, because ideally, this will help them return to Syria" (INGO Protection Officer). General Security's new policy means that a lack of residence papers does not preclude a refugee from obtaining a marriage or birth certificate. However, in practice, refugees are unlikely and afraid to approach state institutions for legal registration, as they fear being sent back to Syria in accordance with the Lebanese Government's policy.



The current residency regime for Syrians is based on sponsorship. General Security is the institution responsible for immigration and approving or denying residence permits. Interviewees noted that residency is difficult to find and to fund.

Now, there are different categories. Syrian citizens who want to enter Lebanon need to decide under which category they are applying. Each category has different requirements and a different duration of time. A tourist visa is valid for two weeks; a medical visa for 48 hours; a transit visa for 48 hours; and longer periods require sponsorship, for which you need a Lebanese sponsor. This visa can last up to one year so it will become an annual thing and renewable, of course, as long as the sponsor is available and happy to take you. The category does not go into details about who needs to pay the required fee of 200\$ per year. [...] It is difficult to find sponsors. (UN Agency Refugee Specialist)

Due to the low average income of Syrians, \$200 is a large amount of money to pay, and reports show that many refugees face exploitation by their sponsors. The UN Agency Refugee Specialist also added that according to new rules, Syrians are able to change their sponsor and renew their residency without incurring additional costs, which is described as a “positive thing” (UN Agency Refugee Specialist). However, experts are skeptical about the practical effect of these policy changes: “Most of the time in Lebanon, this is not being applied in practice. Legal stays are still not issued, there is also very limited capacity to process legal stays, even the ones that have been accepted. This is the major issue; the process is slow and not uniform” (INGO GBV Specialist 1).

Interviews with Syrian women refugee SGBV survivors show that the lack of legal papers presents a major hurdle:

Now my main goal is to register my marriage and child, because when people from different nationalities marry, they need approval. I am not a legal resident here, so I need to go through a lot of procedures. (Syrian Refugee C)

As Syrian Refugee D noted:

I went to court [...] but because I am here illegally, I couldn't do anything, so they referred me to an NGO [...] I also saw a lawyer independently, and he told me he would need a copy of my marriage contract in Syria. There is a new law in Syria that only the wife or husband can get a copy of the marriage contract, so my lawyer could not get it, but he got me other documents like the civil registry record and the family civil registry record. But he could not get me the marriage contract.

Syrian Refugee D noted that initially, when she approached the personal status courts, they refused to hear her concerns due to a lack of legal residency. After accessing a lawyer, she realized that without the marriage contract, her case could not proceed. The policies in Syria also compounded her challenges. Her case shows that even when survivors take the difficult decision to pursue justice, they are faced with multiple challenges on account of not possessing legal residency and registration.

Additionally, Syrians lack trust in state actors and fear deportation, as many do not have formal paperwork such as residence permits, and marriage and birth registration certificates. Interviewees noted various forms of discrimination by state actors towards Syrian refugees:

However, in practice, we see cases where General Security rejects the file [of a Syrian refugee]. So basically, I (the applicant) go to General Security to renew my certificate, and they tell me, “No you need to go get a sponsor.” They do this for different reasons. For example, they find out that [the applicant] is working, and then they refuse to renew their stay, and ask them to get a sponsor. This is always part of our [UN Agency] problem with General Security, and we expect that this will positively change because at the start of this year, General Security issued an internal decision and a memo to stop these investigations. So previously, whenever an application is presented, General Security goes and investigates this person, including asking if [the applicant] is working. So now this investigation has stopped. They did not stop it in good faith, to be honest, but only because it is costing them money and a lot of work and time, so they decided to minimize this process. I would say that it will positively affect the refugees because now there is no way for them [General Security] to know if they are working. Previously, some General Security officers would not investigate. They would just look at the hands of the man and then they would know if he is working or not, and these are true stories, so we will see if this new decision has a positive outcome or not. (UN Agency Refugee Specialist)

The UN Agency Refugee Specialist recounts instances of General Security acting unfairly to refugees in cases of residence renewal, including flouting any due process rules when assessing whether the applicant is employed. Some of the investigative practices he mentions appear to be primarily based on officers’ prejudice towards refugees. He states that the process has now been simplified; however, he is unsure whether this will make a practical difference to officers’ attitudes.

Refugee SGBV survivors are unlikely to approach state institutions as they fear being returned to Syria, in line with Government policy. As one interviewee explained:

In late 2018, we witnessed a drop in self-identified GBV cases. To understand this, we conducted focus group discussions with girls and women to understand this change. Results showed that people have become more careful when approaching NGOs because of the fear of forced return. They think that if they disclose something regarding their general situation, they might be forced to leave. This was one of the underlying reasons. (INGO Protection Officer)

The drop in self-referrals coincided with the Lebanese government’s policy of returning Syrian refugees back to Syria, the voluntary nature of which was questioned by human rights organisations (Amnesty International, 2019). This policy, as the interviewee noted, disincentivized Syrians from approaching public authorities or legal institutions, and ultimately means that refugee survivors are unlikely to seek recourse to legal institutions when escaping SGBV.

Reportedly, Syrian refugees are increasingly unwilling to accept legal services. “When it comes to legal assistance we have seen that there has been a decline in accepting services, whether they are legal or health services. [...] I think that it is related to the process. Refugees want things [to be done] as fast as possible, and people are afraid. We see that most legal cases are paid for, for now, but in cases of survivors it is all basically based on validation and documentation, marriage certificates or birth certificates and a whole bunch of documents, which might not always be present,” said the UN Agency Refugee Specialist. In his view, the unwillingness to accept legal services may be due to the lengthy nature of legal proceedings, and fear of authorities or deportation. She highlights that Syrian refugees’ lack of key documentation makes it particularly difficult for them to access justice in Lebanon.

In cases where Syrian refugees do decide to pursue legal remedies, interviewees say they face multiple obstacles.

It's about the obstacles we are facing with the Syrian refugees. Their registration cards are not always renewed, and their legal papers aren't always present. It may take a lot of time, and sometimes, it's impossible to go to the court, so we move to shelters. They cannot go to court if they don't have legal papers, or maybe they don't want to claim because some Syrian refugees come from a cultural background that gives the man the authority to beat the woman. They don't know their rights, and so they don't want to go to court. (GBV Case Worker Bekaa)

This GBV Case Worker (Bekaa) highlights that while Syrian women may face their own cultural challenges in accepting legal representation, those who do approach legal institutions face additional challenges and lengthy legal procedures. Much of this can be attributed to the lack of legal paperwork.

Refugees also face additional costs when executing legal decisions, given that notice oftentimes has to be sent to Syria. Syrian Refugee A spoke of her own case and said: "There is no way of communicating. Even if we want to execute the decision, we would have to send it either through the embassy or by mail or through the ministry of foreign affairs, which costs a lot of money, and the organisation can't cover these expenses." Interviewees noted that most NGOs do not offer financial assistance for these additional expenses that refugees incur. For refugee women, socioeconomic factors, along with a lack of documentation and distrust of state authority, exacerbate vulnerabilities and increase barriers to accessing justice at multiple stages of the process.

## **Conclusion**

This article focuses on SGBV support and access to justice for Lebanese and Syrian survivors, which is provided by NGOs in the context of an SGBV protection and response strategy. This article argues that the present gaps in support and justice relate to the lack of long-term funding, and have adverse consequences for survivors of domestic violence.

NGOs working on SGBV protection and response in Lebanon aim to provide survivor-centred, holistic services across the country. Many organisations provide services in-house, while other services require external providers that are accessible through a strong referral system. However, funding is scarce, and government support is negligible. Within the present donor-funding regime, and without alternative funding streams, NGOs are compelled to prioritise short-term programming, mirroring donor priorities, which leads to gaps in protection for survivors. Long-term services, such as legal aid and shelters, that may be able to provide survivors with sustainable solutions, are elusive. This, to some extent, makes the aims of a survivor-centred approach unattainable.

Although the importance of shelters for survivors has been established, there are a limited number of shelters operating in Lebanon. Shelters have restrictive admission criteria and accommodate survivors on a short-term basis. They appear to only accommodate cases that are relatively uncomplicated, as they do not accept women who are at high risk, have mental health concerns, or are accompanied by their children. It could be argued that this perpetuates the concept of an ideal survivor. In addition, shelters may exclude refugee survivors seemingly based on a lack of capacity. Further research is also

required into the religious basis and rehabilitation practices of long-term shelters in Lebanon.

In terms of legal aid, legal representation is difficult to access for cases in personal status courts and especially for refugees in need of legal residency and paperwork. These gaps in legal assistance relate to the lack of funding provided for long-term programming, are contrary to the SGBV sector's aims, and have adverse consequences for survivors.

There is a lack of legal assistance for matters related to personal status courts, such as divorce and custody. These are the remedies that many women are seeking to make a tangible difference in their lives. Most women perceive the system as inaccessible without a lawyer, especially in the case of Syrian refugees, who perceive the legal system as untrustworthy and have further hurdles of accessing documentation from Syria without which their cases cannot proceed. For example, if a marriage occurs in Lebanon and one party does not have legal residency papers, it is difficult to register the marriage officially, and subsequently the birth of a child; or later on, to bring a cause of action in a civil (relating to domestic violence for example) or in a personal status court (relating to divorce or custody). Procedures for legal registration are not uniform, which presents further issues for refugees, thereby creating additional barriers to access justice for refugees.

Survivors should be provided with additional assistance and support when accessing justice in cases of SGBV either through the civil or personal status courts. Survivors find the emotional and psychological support provided by NGOs as key to navigating the legal process. In addition, as lawyers cannot be hired by NGOs on a full-time basis due to Bar Association regulations, there is a risk that only a few committed lawyers are overburdened with cases related to SGBV. A recommendation that emerges is that lawyers working on domestic violence cases should have sensitization training prior to engaging with survivors to avoid the risk of re-traumatization.

Discussions need to be held within the sector on alternative funding streams, as donor funding becomes more restrictive, and the Government must be lobbied to provide financial support to survivors and fulfill their duty towards women in Lebanon.

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<sup>[1]</sup> For a definition of case management, please see: Interagency GBV Case Management Guidelines 2017.

<sup>[2]</sup> The term psychosocial is used to emphasize the interaction between the psychological aspects of human beings and their environment or social surroundings. Please see: Interagency GBV Case Management Guidelines 2017.

<sup>[3]</sup> Social Development Centres (SDCs) exist in different regions of Lebanon, tasked with the implementation of MoSA's policies on the ground. In some governorates, SDCs are responsible for

extending their health and education services to Syrian refugees. Please see: Huelzer and Divine 2020.

<sup>[4]</sup> Please see: Abaad 2013 at <https://www.abaadmena.org/direct-services/safe-shelters>