



LAW

Legal Action
Worldwide

Legal Guide

Law on the Protection of Women and Other Family Members from Domestic Violence



Introduction

Legal Action Worldwide (LAW) is currently working on a project titled “Improving Accountability and Access to Justice in Lebanon through Public Interest Lawyering and a Survivor-Centred Approach” which is funded by the German Federal Foreign Office.

The project focuses on improving accountability and access to justice in Lebanon for victims and survivors of gendered crimes through public interest lawyering and a survivor-centred approach, namely women and girls, migrant domestic workers, and LGBTQI+ individuals. The project provides survivors of gendered crimes with legal aid services to empower them and to facilitate their access to justice and legal mechanisms. The project also aims to encourage best practices in the legal and judicial system through a dynamic advocacy strategy on access to justice and accountability for survivors and through the establishment of the first Gender Justice Network in Lebanon which grouping lawyers to serve survivors.

Call 1745 to report it, and thus protect yourself and your kids.

There is now a law that can protect you and help you obtain a protection order, which is the “Law No. 293 of 7 May 2014 on the Protection of Women and Other Family Members from Domestic Violence,” as amended by Law No. 204/2020.



Definition of Domestic Violence

Any act, omission, or threat thereof committed by a family member against one or more family members, as per the definition of family, during or because of marital life, and resulting in murder or physical, psychological, sexual or economic harm.

What can a victim do?

- 1-** Call 1745 to report the violence occurred.
- 2-** Head to the nearest police station to file a complaint and seek help.
- 3-** Apply for a protection order before the urgent matters judge, the investigating judge dealing with the case, or the criminal court hearing the case.

According to the Law on the Protection of Women and Other Family Members from Domestic Violence, the Attorney General is entitled to receive complaints of domestic violence and to commission the judicial police, under his supervision, to take one or more of the following measures:

- 1-** Make the perpetrator sign an undertaking to not harm the victim or her children, otherwise he will be prevented from entering the family home for a renewable period of 48 hours.
- 2-** Detain the offender for a renewable period of 48 hours.
- 3-** Move the victim and other persons covered by the protection measure, if so they wish, to a safer place at the expense of and according to the ability of the offender.
- 4-** Compel the perpetrator to pay for medical expenses and treatment.
- 5-** Assign a forensic doctor at the expense of the Public Prosecution or the perpetrator.



Upon applying for a protection order before the urgent matters judge, the latter shall ascertain the facts and issue a protection order.

The Characteristics of the Protection Order:

- 1-** It is exempt from judicial fees and expenses;
- 2-** No lawyer is required;
- 3-** It will be issued within 48 hours and will be duly effective;
- 4-** It can be cancelled or modified when new conditions arise;
- 5-** It can be objected or appealed;
- 6-** A victim is allowed to apply for a protection order without the need for her guardian to be present if she is a minor.



When calling the hotline “1745”

1- The victim wants to file a complaint and is able to leave the house: The call recipient should help her go to the competent police station. (*i.e. the nearest police station to where the violence has occurred*)

2- The victim wants to file a complaint but is unable to leave the house: The call recipient should be of help and dispatch a patrol from the competent police station to drive her either to the police station or to the hospital in case her condition requires treatment.

3- The victim does not want to file a complaint: The call recipient should help her opt for a community-based organization, in accordance with the Memorandum of Service.

When heading to the police station



1- The victim should be received properly, in accordance with the Memorandum of Service

2- Inform the victim of her right to obtain a protection order and to be assisted by a lawyer, and of the rights set out in article 47 of the Code of Criminal Procedure

3- Communicate with the Public Prosecution for instructions, according to the Law on Domestic Violence

4- Call a social worker to attend the investigation

5- The victim may file a lawsuit at her permanent or temporary place of residence



What does the protection order issued by the urgent matters judge or any other competent judicial authority involve?

- 1-** Move the victim and household members covered by the protection order out of the home to a safer and appropriate temporary residence, whenever sensing real danger due to their continued occupation of the family home.
- 2-** Prevent hurting, or incitement to hurting, the victim and other persons listed in art. 12 of this law.
- 3-** Not hurt the victim and household members covered by the protection order as they continue to occupy the family home.
- 4-** Evict the perpetrator from the home for a temporary period specified by the competent authority, whenever feeling that the victim is at risk.
- 5-** Refrain from causing any damage to the home furniture and mutual movable assets, and prevent their disposal.
- 6-** In the event of leaving the home, the victim, or any person the victim chooses, shall be able to enter the home to take her personal belongings under a receipt note.
- 7-** Advance an amount, according to the offender's ability, for food, clothing and education to the persons he is committed to.
- 8-** Advance an amount, according to the offender's ability, for the expenses of medical or hospital treatment of the victim and the other persons listed in art. 12 of this law.
- 9-** Refrain from causing damage to any property belonging to the victim and all persons covered by the protection order

Whoever violates the **protection order shall be punished by imprisonment for a period up to three months and a fine amounting to twice the minimum wage, or by one of these two penalties.**

If the violation is associated with the use of violence, the offender shall be punished by imprisonment for up to one year and a fine amounting to four times the minimum wage, or by one of these two penalties. The penalty shall be doubled in case of recurrence.

FOR EMERGENCIES

CALL OUR HOTLINE

+961 81 315 001

FOR MORE INFORMATION

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info@legalactionworldwide.org

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