

## THE COMMITTEE ON THE RIGHTS OF THE CHILD

75th Session (15 May – 2 June 2017)

### LEBANON

#### **Additional information for the consideration of the Committee on the right of every child to acquire a nationality under Article 7 CRC**

14 April 2017

1. The Institute on Statelessness and Inclusion (Institute) welcomes the opportunity to submit additional information for the consideration of the Committee on the Rights of the Child regarding Lebanon's compliance towards every child's right to acquire a nationality under Article 7 CRC.
2. The Institute on Statelessness and Inclusion (ISI) is an independent non-profit organisation committed to promoting the human rights of stateless persons and fostering inclusion to ultimately end statelessness. Addressing childhood statelessness is one of the core thematic priorities of the Institute. See further: <http://www.institutesi.org/ourwork/children.php>.
3. In July 2016, ISI made a thematic submission on Lebanon to the Committee, which focused on the child's right to acquire a nationality in accordance with Article 7 of the CRC. The submission focused on access to birth registration and gender discrimination as barriers to every child's right to acquire a nationality.<sup>1</sup>
4. The Institute wishes to note that Lebanon is yet to respond to the list of issues and we may provide further additional information to the Committee in light of any future responses from Lebanon.
5. We are encouraged by the List of Issues adopted by the Committee. We are particularly encouraged by the specific questions on access to rights of all children in vulnerable groups, and on the birth registration of migrant workers. The committee has asked Lebanon to:

*'Please provide information on measures taken to ensure the equal enjoyment of the rights set out in the Convention by all children, particularly girls, migrant children and refugee children, especially Palestinian and Syrian children, children with disabilities, children born out of wedlock, and children from the Bedouin and Dom communities. Please indicate the measures taken to ensure the birth registration of children of migrant workers.'*

6. While the Committee has asked the state party for information on measures taken to ensure the birth registration of migrant workers, it has not specifically raised questions related to access to birth registration of other vulnerable groups. Article 7, particularly read with Articles 2 and 3 CRC requires

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<sup>1</sup> The submission can be found here: [http://www.institutesi.org/CRC\\_Lebanon\\_2016.pdf](http://www.institutesi.org/CRC_Lebanon_2016.pdf)

that all children are registered immediately after birth. In order to achieve this Lebanon must ensure that birth registration is available and accessible to all children without discrimination. Currently, the most vulnerable of children, such as refugees, those born out of wedlock, the dom, children of the 'maktoum' and 'under study'<sup>2</sup> face many difficulties accessing birth registration. Many of their births are therefore not registered. The civil registration system in Lebanon, particularly the birth registration procedure, is complex and often expensive, and is not accessible to those whose parents do not have legal stay in the country.

7. Additionally in relation to birth registration, in response to the cumbersome and costly procedure of registering a birth after the one year deadline has passed, paragraph 6 of the Institute's submission to the Committee states that:

*'While the Institute acknowledges that it is important to educate parents on the importance of birth registration, it is of paramount importance that children are not penalised for the oversights of their parents. Therefore, a careful balance needs to be struck between prescribing a time-limit and ensuring that all children have their right to birth registration and a nationality respected.'*

8. Another important issue is the impact of gender discriminatory nationality laws on the child's right to acquire a nationality. This discrimination creates barriers to the enjoyment of rights of many children, and often leads to statelessness. In addition, the risk of childhood statelessness as a result of gender discrimination is further complicated by the Syria crisis, as many Lebanese women are married to Syrian men.
9. In this context, the Institute would like to take this opportunity to request that the Committee emphasise through asking the state the three questions below, the relevance between these issues and the child's right to acquire a nationality. In line with the Institute's previous submission we would like to take this opportunity to request the Committee to seek further information and clarification from Lebanon on the following:
  - I. What steps has Lebanon taken to strengthen its birth registration system to ensure that no child is left unregistered in line with its obligations under the CRC and the SDDGs,, regardless of their background and the status of their parents?
  - II. What steps has the state taken to ensure that children whose births are not registered within one year are not denied the right to birth registration or a nationality. What measures will Lebanon be taking to ensure that those children who already have not had their birth registered before the one year deadline have reasonable and proportional access to regulate this situation.
  - III. What measures will Lebanon take to ensure that children of Lebanese mothers are not discriminated against and access the same rights as children of Lebanese fathers and on what basis does Lebanon continue to justify maintaining its reservations to CEDAW Article 9?
10. Finally, we would like to draw the Committee's attention to the further recommendations proposed by the Institute under paragraph 28 of the its July 2016 submission.<sup>3</sup>

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<sup>2</sup> The dom are a nomadic tribe found in the Levant, the maktoum are those who have never been registered in Lebanon's civil registry (despite residing there for generations) and the 'under study' are those whose claim to nationality has been under analysis by the authorities for decades.

<sup>3</sup> See [http://www.institutesi.org/CRC\\_Lebanon\\_2016.pdf](http://www.institutesi.org/CRC_Lebanon_2016.pdf)