

Committee on the Elimination of Discrimination Against Women  
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Re: Lebanon – 62<sup>nd</sup> Pre-sessional Working Group of the Committee (9-13 March 2015)

23 January 2015

Distinguished Committee Members,

We respectfully submit this letter in advance of the Committee on the Elimination of Discrimination Against Women (the Committee's) discussion of Lebanon at its 62<sup>nd</sup> Pre-sessional Working Group of the Committee (9-13 March 2015). This letter will focus on continued violations of women's nationality rights in Lebanon in violation of Article 2 (policy measures), and Article 9 (nationality) of the Convention on the Elimination of All Forms of Discrimination Against Women.

Equality Now, Equal Rights Trust, Women's Refugee Commission, and the Institute on Statelessness and Inclusion submit this letter on behalf of the Global Campaign for Equal Nationality Rights, a coalition of international and national organizations that promotes gender equality in nationality laws, so that women and men can confer, acquire, change and retain their nationality on an equal basis.

As a party to the Convention, Lebanon has obligations to ensure that women enjoy equality in the area of nationality. Article 9 states that:

*1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.*

*2. States Parties shall grant women equal rights with men with respect to the nationality of their children.*

In its recent General Comment No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee confirmed that Article 9 extends an obligation to ensure equality between men and women in the ability to confer their nationality to their spouse.

Lebanon has placed a reservation against Article 9(2). However, we share the view of the Committee that Article 9 among other articles is “central to the object and purpose of the Convention and that the reservations impact negatively on the enjoyment by women of their rights.” Furthermore, we believe that the maintenance of nationality laws which discriminate on the basis of gender are themselves in conflict with the object and purpose of the Convention and with the general obligation of all state parties to “agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women.”

Decree No15 on Lebanese Nationality discriminates against women in denying Lebanese women the right to pass citizenship to their children, unless the father is unknown or is stateless, while allowing automatic citizenship to children of male citizens. Anecdotal information suggests that even where the father is unknown or stateless, Lebanese women have not been able successfully to obtain citizenship for their otherwise entitled children. We would respectfully ask the Committee to enquire of the State Party whether this is indeed the case and, if so, what efforts they are making to ensure proper application of the law. The law also provides a pathway to citizenship for foreign spouses of Lebanese men, without providing these same rights for foreign spouses of Lebanese women.

This discrimination has resulted in severe hardship for the families concerned. Women have expressed anxiety about being separated from their children on any disagreement with their foreign husbands and families have suffered through lack of access to social services and equal economic opportunities. Such distinctions in the transmission of citizenship violate the right to equality, and constitute discrimination on the basis of sex in breach of international law. As stated above, while Lebanon has placed a reservation against Article 9, we consider this reservation to be contrary to the object and purpose of the Convention, and are also of the view that the provisions of Decree No15 on Lebanese Nationality which distinguish between men and women in respect of their ability to confer nationality contravene the general obligation to eliminate all forms of discrimination against women which arises under Article 2.

In Lebanon’s 2008 response to the Committee’s List of Issues, the government stated that there has been no opportunity for the achievement of any official progress in terms of granting right of nationality to the children of Lebanese women married to non-Lebanese due to the critical political situation in Lebanon since the war of July 2006 and the repercussions of that war. We note the Committee’s urging however that Lebanon “recognize the negative impact of its nationality law on Lebanese women married to foreigners and on the children of these women and, accordingly revise its nationality law and remove its reservation to Article 9 of CEDAW. We note with appreciation government indications in 2012 that it would grant civil rights to children of Lebanese women in relation to access to work, health care, and residency permits,

but our information suggests this largely remains to be implemented and we would respectfully urge the Committee to encourage the State Party to implement all such measures without delay as a stepping stone to amending the nationality law to allow for full equality in nationality rights between men and women.

We would respectfully urge the Committee to raise with the government of Lebanon in its List of Issues the following questions with regard to gender discrimination embedded in the country's nationality law

- Are women with children whose paternity is unknown or whose father is stateless able easily to access Lebanese nationality in accordance with the law?
- What actions are planned to implement access to civil rights by children born to female citizens with foreign husbands?
- What steps is the government taking and within what timeframe to amend the nationality law to ensure that women citizens have the same rights as men to confer nationality on their children and their foreign spouses?
- What support might be needed, if any, to further this process?

Thank you very much for your kind attention, and please do not hesitate to contact us if we can provide further information.

Global Campaign for Equal Nationality Rights  
Equality Now  
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Institute on Statelessness and Inclusion  
Women's Refugee Commission