



**Arab Declaration on  
"Belonging and Legal Identity"  
Under the patronage of His Excellency President of the Republic of Tunisia**

**We** are the participants in the ministerial conference on "belonging and Legal Identity", which was held on February 28, 2018, under the patronage of His Excellency the President of the Republic of Tunisia, Béji Caid Sibsi, in the presence of the Ministers of Social Affairs and Justice and Representatives from the Ministries of Interior and Foreign Affairs, in addition to Representatives from mechanism in the Arab States dedicated to women's and children's issues, and regional and international organizations,

**We** express our profound gratitude to the Tunisian President Béji Caid Sibsi for hosting the Ministerial Conference on "Belonging and Legal Identity" under his patronage and appreciation to the Republic of Tunisia for the hospitality, the good organization and all the provided resources for the success of this conference,

**We** highly appreciate the efforts of the Secretariat of the League of Arab States and the Office of the United Nations High Commissioner for Refugees to organize this important conference,

**Underlining** the conclusions of the Arab Charter on Human Rights stipulating that all persons shall have the right to a legal identity and a life of dignity, and in reference to the "Sharjah Principles on the "Protection of Refugee Children", which specify the measures necessary to ensure that refugee children enjoy their full legal rights, issued during the "Investing in the Future Conference" (October 2014); as well as the UN Sustainable Development Agenda which requires States to provide legal identity for all, including birth registration by 2030;

**And in accordance** with the recommendation of the Committee on Stopping Violence against Children in its 13<sup>th</sup> meeting, stipulating: "Requesting the technical Secretariat to hold a regional meeting on the situation of children under asylum and displacement conditions in collaboration with the UNHCR and the concerned regional and international organizations, in order to take into account the right of refugee children to obtain identification document and certificates, and the importance of family unity and supporting visits to camps with a view to identifying refugees' needs and providing them with health, psychological and moral support services";

**In reference** to the first "Arab Conference on Good Practices and Regional Opportunities to strengthen Women's Nationality Rights" which took place in the League of Arab States premises in October 2017, that reaffirmed the importance to build on existing efforts to strengthen women's nationality rights and gender equality in nationality, in line with Member State's national laws and international human rights conventions ratified by Member States, to prevent discrimination and the risk of exploitation and abuse of women and children and, also, to study challenges and develop frameworks for solutions based on the **"Cairo Declaration on Arab Women and Strategic Action Plan: Women's Agenda in the Arab Region**

**2030"**, and the decisions of the first Ministerial Conference on "Women and the achievement of peace and security in the Arab region", held by the League of Arab States and UN Women in Cairo in September 2016, and the Regional Expert Meeting "Our children...Our Future: Belonging and Legal Identity", held by the League of Arab States in partnership with the United Nations High Commissioner for Refugees in October 2016 in Cairo, as well as the 1995 Beijing Declaration and Platform for Action, and the 2030 Sustainable Development Plan.

**Noting** that the longer conflicts and conditions of instability and occupation persist, the greater the number of refugees and displaced persons will be in the Arab region and beyond, which threatens the rights and safety of children and affected families, who are increasingly suffering in the absence of legal documents that determine their identity, nationality and social status. Consequently, this will create a future generation of children who do not have birth certificates or identity papers, which may expose them to exploitation in all its forms.

**And based** on the discussions and deliberations of the Ministerial Conference, which focused on establishing and protecting the rights of refugee children, who bear the greatest burden and the negative repercussions of armed conflicts, terrorism and occupation witnessed by a number of Arab countries, by adopting strategies and action plans that guarantee their rights and protect them in the situation of displacement and asylum; and these discussions emphasized the importance of building on existing efforts to promote women's rights in the area of citizenship and to promote gender equality in the acquisition, change, retention or conferring of nationality in the region, in line with the commitments of Member States, the international human rights conventions ratified by Member States, and their national laws, thereby limiting discrimination and the risk of exploitation and the abuse of women and children.

**And in recognition** of everyone's right to legal identity, as provided for in the Universal Declaration of Human Rights and ratified by Member States and the International Convention on the Rights of the Child.

***We the participants at the Ministerial Meeting on "Belonging and Legal Identity"***

**Recalling** also the traditions of the Arab region and the principles set out in the Arab Charter on Human Rights, the UN Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, which promotes the right of all persons to legal identity, family life and family unity, as well as the 2014 Sharjah Principles for the Protection of Refugee Children, which sets out measures to ensure that refugee children enjoy these rights in particular;

**Affirming** the commitment of the Arab region to ensure life with dignity, and to recognition as an equal person before the law for all without discrimination, as enshrined in the Arab Charter on Human Rights, including articles 5 and 9;

**Commending** the experiences of the Arab States and the steps taken to promote women's rights and equality with regards to nationality;

**Welcoming** also recent actions by States to reform their nationality laws or to give a clear commitment to reform to grant equal nationality rights for women and men;

**Recognizing** that each State has the right to legally determine its nationals in conformity with international standards and obligations;

**Recognizing** that situations of conflict, asylum and forced displacement threaten the rights and safety of women, children and affected families, that impacts negatively on family composition, family unity, identity and personal status.

**Emphasizing** the importance of finding solutions to address the gaps in “Belonging and Legal Identity” as one of the most important causes of despair and frustration which leads to the increase of crime and terrorism;

**Reaffirming** the importance of promoting the rights and protection of refugee children and taking special measures to strengthen civil registration systems affected by armed terrorism, crises, conflicts, disasters and conditions of insecurity, and the need to register marriages to maintain family unity and to promote the protection of marginalized women, including widows, and those forcibly separated from their husbands, upholding their fundamental rights in accordance with the relevant international instruments and the development of women's health programmes;

**Recalling** the United Nations Sustainable Development Goals, the fifth of which calls for gender equality and the empowerment of all women and girls by 2030, and target 10.3, which calls for the repeal of laws and the elimination of discriminatory policies, and goal 16.9, which calls for universal access to legal identity, including birth registration of all children by 2030, as a basis for improving social protection for all and, in particular, of the most marginalized groups, and thereby, facilitating access to assistance in crises and promoting women's empowerment and reducing mortality for especially newborns, which can be avoided;

***We underscore the following:***

1. Urge member States to provide an enhanced protection to refugee children, especially unaccompanied and separated children, emphasizing the provision of services that meet children's needs and providing them with psychological and moral support in particular.
2. Call upon LAS Secretariat to enact an Arab Model Law that reflects best practices in granting nationality at birth, including to displaced and refugee children.
3. Call upon Member states to enact legislations, and review and enforce their national laws on nationality; to ensure, without exception, that all children, including unaccompanied children are registered upon birth and are able to acquire a nationality, in particular by promoting laws enabling women to pass their nationalities to their children in compliance with the relevant international Conventions and Covenants.
4. Encourage and support the effective implementation of laws that safeguard the rights of children in the region to enjoy a legal identity, including a name, a nationality and family relations, with relevant measures including awareness-raising, publicity, training and capacity-building for those concerned and competent to take into account the achievement of gender equality, including judges, local leaders and relevant civil society;

5. Call upon the Member states to spread awareness of laws relating to nationality and to provide all children upon birth with all identification papers through conducting awareness campaign to all social segments to register all births.
6. Urge Member States to cooperate in the establishment of a database consisting of the laws relating to personal status, civil status and nationality in the region, with the technical support of the United Nations High Commissioner for Refugees.
7. To take necessary measures to strengthen civil registration during humanitarian emergencies.
8. Examine possible approaches to strengthen national civil registration systems through the use of innovative technology to facilitate greater access to persons in remote locations and to preserve records.
9. Call upon Member States to put an end to all forms of discrimination in the area of nationality and to take concrete steps to amend laws and legislation relating to nationality in order to grant women and men equal rights in conferring nationality to children and spouses and to acquire, change or retain nationality in conformity with international standards and not contrary to national interests;
10. Promote the lifting of reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in relation to provisions which protect the equal rights of women and men to acquire, retain or change their nationality and confer it to children;
11. Urge the League of Arab States Secretariat to coordinate with Member States for the exchange of experiences, good practices and innovative responses to the promotion of women's rights in the area of nationality;
12. To emphasize the importance of addressing the issues of women's rights and gender equality within the framework of the 2030 Sustainable Development Plan, while recognizing the need to ensure gender equality, the empowerment of women and girls and legal identity for all; and to encourage development actors to support the capacity of governments to enforce these efforts;
13. Ensure that Member States are committed to ensure that Palestinian refugees residing in their territories are enjoying the same social and economic rights granted to national citizens, without prejudice to LAS Resolution 1547 of 1959.
14. Urge Member States to make every effort to reduce statelessness in the context of the international obligations of Member States and the application of the Sustainable Development Goals; and to update the 1954 Arab Convention on Nationality in line with political, social and economic developments;
15. To develop a regional plan of action to implement the recommendations of the "*First Arab Conference on Good Practices and Regional Opportunities to Strengthen Women's Nationality Rights*";