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# I AM HERE

Belonging and  
Legal Identity in  
the Arab Region:  
Ensuring that  
every child,  
woman and man  
belongs and has a  
legal identity







I AM

HERE



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## Foreword

A historic moment was marked on 28 February 2018, when the League of Arab States (LAS) convened a Ministerial meeting in Tunis on “Belonging and Legal Identity” under the patronage of the President of Tunisia. The meeting resulted in the adoption of the Declaration on Belonging and Legal Identity. The Declaration calls for equal nationality rights for women and for all children to be able to enjoy their right to a legal identity.

In the past few years, I have witnessed an incredible amount of resilience of men, women and children in the Arab region, despite the many hardships, wars, conflict and displacement, reaffirming our traditions of protection and inclusion. It is with pride that I have seen countries generously hosting Syrian refugees and taking innovative actions to respond to the specific needs of this refugee population, while others have considered legal reforms in recent decades. Importantly, I have seen that women in the Arab region are leading the way in securing the future for children and families affected by conflict and displacement, while the League of Arab States works to ensure all women are protected and that their voices are always heard.

## FOREWORD

The League of Arab States, in partnership with UNHCR, is proud to issue the first publication of the “I am here” Campaign to tell the stories of men, women and children in the Arab region who make a difference, or governments that undertake new journeys to improve lives and ensure everyone belongs, is made visible, and can reach his/her true potential and in turn can make a valuable contribution to society. This publication intends to show a different side of our region and provide a picture that reflects our strengths and achievements, a picture of which we are proud.

*Ambassador Haifa AbuGhazaleh  
Undersecretary General,  
Head of Social Affairs Sector  
General Secretariat of the League  
of Arab States*

Longstanding traditions in the Arab region recognize the right of all children to belong, to enjoy their rights to family life and unity, and to have a name, a legal identity and a nationality. The Arab League, together with UNHCR and other partners, are bringing together all relevant stakeholders, including governmental bodies, the judiciary, civil registries, the health sector, as well as affected communities themselves, to uphold these principles and build a comprehensive response that safeguards the future of children and their families.

The MENA region has been a flagship model for responding to crises and extending unprecedented hospitality to refugees, inspiring innovative protection responses and solutions, including through the establishment of strategic linkages to the Sustainable Development Goals. These responses have predated the New York Declaration and the Global Compact on Refugees (GCR) by foreseeing some of their key elements, such as easing pressure on host countries through a “whole of society” approach, fostering self-reliance and livelihoods, and encouraging and widening third party solutions.

*Ayman Gharaibeh  
Director  
UNHCR Bureau for the Middle East  
and North Africa*





## Introduction

Belonging is a foundation for people to thrive, reach their potential and be secure in their families, communities and countries. Increasing the full inclusion, participation and belonging of all persons can strengthen local and national economies, lead to higher educational attainment and improve social cohesion and stability. Global and regional crises are threatening to leave millions of people, including children, in the margins. Conflict, and the resulting large-scale displacement, exposes children to risks due to increased family separation, the non-functioning of civil registration systems in conflict affected areas, and difficulties in registering new births and marriages. The relatively recent phenomenon of globalization has also led to increased mobility, migration and mixed movements. As a result, large numbers of people live outside of their country of nationality or possess multiple citizenships and live in more than one country. As a result, children with complex histories, whose parents hold different nationalities, and/or who are born outside the country of their parents' nationality are increasingly common. In these situations, children may be at risk of not acquiring a nationality at birth due to a conflict in the nationality laws of different countries.

**The Declaration builds on longstanding traditions in the MENA region which recognize the right of all children to belong, to enjoy rights to family life and unity, and to have a name and legal identity.**

In February 2018, the Ministerial Conference of the League of Arab States adopted the Arab Declaration on Belonging and Legal Identity.<sup>1</sup> The Declaration builds on good practices in the MENA region, recognizing the right of all children to belong and to a legal identity. The Declaration also reaffirms the shared commitment of LAS member States to strengthen women's nationality rights and gender equality in nationality, and to lead the way in ensuring that everyone belongs. A range of regional instruments, including the Covenant on the Rights of the Child in Islam, and the Arab Charter on Human Rights, which stipulate that all persons shall have the right to a legal identity and a life of dignity, demonstrate the commitment of the MENA region to the

protection of children and families. Additionally, the Sharjah Principles on the Protection of Refugee Children specify that all refugee children should be registered and documented at birth. Capitalizing on these regional developments in MENA, many countries in the region have enacted domestic measures to better protect women, children and families, including in relation to their rights to nationality, documentation and family unity. Notably, significant nationality law reforms have been enacted since the early 2000's across the region to grant women the right to confer nationality on their children on an equal basis as men, while innovative measures have been taken across the region to facilitate birth registration (described in detail below, in the section on Civil Registration & Birth Registration).

This publication is part of the Arab Leagues' "I am here" Campaign, which was launched in February 2018 to document and give recognition to the ongoing efforts of all countries in the MENA region undertaking the implementation of the recommendations contained in the Arab Declaration on Belonging and Legal Identity. This publication highlights positive measures that have been undertaken across MENA to ensure that all people are able to enjoy their right to belong and to enjoy a legal identity, highlighting positive developments with regard to historic nationality law reforms, civil documentation, including birth registration, as well as the acquisition of nationality.

<sup>1</sup> League of Arab States, Arab Declaration on Belonging and Legal Identity, 28 February 2018, available at: <https://www.refworld.org/docid/5a9ffbd04.html>

## BIRTH REGISTRATION IN THE SYRIA REFUGEE RESPONSE

In the context of ongoing humanitarian emergencies in the region, particularly the Syria crisis, Governments and partners in neighbouring countries have effectively responded to the emerging needs of displaced populations through generous hospitality and innovative initiatives that have dramatically improved refugees' access to civil status documentation. Particularly, there have been numerous positive developments in the countries of the Regional Refugee and Resilience Plan (3RP) in response to the Syria Crisis (Jordan, Lebanon, Turkey, Iraq and Egypt) resulting in tremendous increases in the number of refugee children being able to register at birth.

**The number of Syrian children born in the region each year without any form of identity documents has been reduced from 35 per cent in 2012 to 1 per cent in 2020.**

Although each country introduced their own specific responses and activities, the essential ingredients for the successes achieved included simplified procedures, increased access to civil registry offices, legal aid and counselling, engagement with communities as agents of change, and access to quality maternal health services. Moreover, central to all efforts has been the recognition that refugees bring critical skills, capacities and knowledge to address challenges and serve their communities.

These initiatives have had a dramatic impact on birth registration in the region, with the number of children born in the region each year without any form of identity documents reducing from 35 per cent in 2012 to 1 per cent in 2020. The number of Syrian refugee children born in 3RP countries with an official birth certificate has increased to approximately 80 per cent. This means that refugee children will grow up more likely to be able to access public services, enjoy essential protections, and fully develop their potential in support of the country in which they live.

## SYRIA

In Syria, in 1962 an estimated 300,000 Syrian Kurds were deprived of their nationality during a special census conducted in Hasakeh governorate, this number has since been reduced to 160,000. Important steps have been taken to address the situation of these Syrian Kurds deprived of their nationality. Most notably, in 2011 Decree 49 was promulgated, which has since led to the granting of nationality to over 69,000 stateless persons from the ethnic Kurdish minority. Today, the decree remains in force.

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*The granting of nationality provided Syrian Kurds, such as Alacan, a fresh start and new opportunities for a bright future.*