Boston Consortium *for* Arab Region Studies

Undocumented in Lebanon: Gendered Challenges and Coping Strategies of Stateless Persons and Refugees in Tripoli

A Research and Policy Project of the Boston Consortium for Arab Region Studies

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Throughout this project, we have enjoyed a wide array of support from our network of partners and colleagues, without which this research would not have been possible.

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The workshops included representatives from local organizations in Beirut and across Lebanon, as well as from leading international organizations, working on issues of statelessness and deprivation of citizenship rights and were incubators for this research.

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It should also go without saying that this research would not have been possible without the generosity of our respondents, both the stateless individuals with whom we spoke and various representatives from local and international NGOs working tirelessly on issues of statelessness. Their experiences and expertise adds vitality and nuance to this report.

Finally, we would like to extend our sincere gratitude to Naama al-Alwani, whose tireless and dedicated assistance became the lifeline of this project.

Her perspective as a Syrian refugee woman living in Tripoli has been invaluable, and through her efforts, we were able to meet with and learn from our interlocutors.

We recognize her professional contributions, as well as those of everyone else who helped us along the way.

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I. Introduction and Context

Citizenship, in theory, is a fundamental guarantee of equal rights for citizens of a state. In practice however, experiences of citizenship, and the rights associated with it, vary widely. Today, more people than ever before are trapped without states, services, or a state-recognized status, and the Arab Region in particular faces complex issues around statelessness as it grapples with multiple conflicts and increasing migration.

The effect of these conflicts and migration means that more than half of the 26 million refugees in the world originate in the Arab Region—primarily from Syria (5.6 million), Palestine (5.5 million), Yemen (354,000), Iraq (300,000), plus Libya, Sudan, and elsewhere. Internally displaced persons (IDPs) in the Arab Region also total more than 12 million.[1]

The terms "refugee" and "IDP" are universally recognized in international discourse. "Stateless person" is not as widely used among the general public but it is a term of increasing importance, particularly in the Arab Region.

Nationals who do not have formal citizenship, ID cards, passports, national numbers, birth certificates, or other formal recognition by the state are a growing population facing unique challenges. Additionally, there are large populations of people who are "at risk of statelessness," particularly as conflict and migration continue to uproot people throughout the region.[2]

In Lebanon, the experiences of statelessness manifest in a variety of ways and present different challenges for the country's diverse populations. This report focuses specifically on Tripoli, Lebanon's second largest city. Emerging from 40 years of conflict, Tripoli is characterized by extreme poverty, marginalization by the state, political sectarianism, and the presence of a growing number of refugees.[3]

Hosting a population of over 500,000, of which nearly 70,000 are registered Syrian refugees along with over 30,000 Palestinian refugees, the city also is home to a significant population of stateless individuals.[4]

Access to basic services is a challenge for Tripoli's residents, regardless of country of origin. Specifically, 25% of households in Tripoli have weak access to education, and 35% suffer from insufficient access to healthcare.[5]

In addition to these statistics, recent research estimates the number of stateless individuals of Lebanese origin, or "stateless Lebanese," in Tripoli to be roughly 2,200, and 27,000 in Lebanon.[6] For stateless individuals, accessing services can be even more fraught due to their lack of state-recognized status, as this report will explore in detail.

Exact totals for refugees who are at risk of statelessness, including Syrians and Palestinians residing in or around Tripoli are unknown, but the number is significant.

Debates surrounding the definition of "stateless" and "at risk of statelessness" in Lebanon are politically charged and consistently debated, with country of origin and refugee status as controversial criteria for inclusion or exclusion into one of these categories.

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[1] Sullivan, Denis and Allyson Hawkins, "The Crisis and Future of Citizenship in the Arab Region," *The Boston Consortium for Arab Region Studies*. For the most up-to-date figures of refugee populations, always consult the UNHCR portal: https://data2.unhcr.org/en/situations.

[2] Defining the terms "stateless" and "at risk of statelessness" is challenging in the Lebanese context due to political and demographic sensitivities. For this report, the term "stateless" refers specifically to Lebanese individuals without citizenship. "At risk of statelessness" refers to refugees who technically have a state, but lack documentation.

[3] Ibid.

[4] Ismail et al., "Community Tensions in a Fragile Urban Economy: Syrian Refugees in Tripoli, Lebanon," *Refugees in Towns.*

[5] UN Habitat, "Tripoli City Profile," UN Habitat Lebanon.

[6] March Lebanon and Siren Associates, "The Plight of the Rightless: Mapping and Understanding Statelessness in Tripoli," pg. 11.

I. Introduction and Context

This renders the total number of persons who are stateless or at risk of statelessness in Lebanon impossible to know for certain. Taken together, these factors compelled our team to use Tripoli as a base from which to conduct research on the challenges faced by both of these groups in Lebanon, since in many ways their lack of official state recognition makes their day-to-day struggles similar.

While several key dynamics perpetuate statelessness and increase the risk of statelessness throughout the country, their interconnected nature caused us to hone in specifically on issues of gender discrimination in Lebanon's nationality law and how these discriminatory measures, combined with a lack of awareness of civil registration procedures, uniquely impact women and, by extension, their children.

We also recognize that the consequences of being stateless or at risk of statelessness extend to and are equally unique for men and children, but their experiences serve as contextual elements, rather than the focus of this report.

Summary

Our interlocutors highlighted **five** key areas of impact due to being stateless or at risk of statelessness in Tripoli:

ACCESS TO RIGHTS • ACCESS TO SERVICES • MOBILITY
PERSONAL SECURITY • MARRIAGE AND FAMILY PLANNING

These impacts are explored at length in this report. Additionally, our interlocutors and key informants identified **six** key coping strategies:

RELYING ON BRIBERY OR *wasta* • UTILIZING FALSE DOCUMENTATION
SEEKING HELP FROM NETWORKS • PURSUING INFORMAL LABOR
STRATEGIC FAMILY PLANNING • SMUGGLING

Finally, our report concludes with **four** key policy recommendations:

IMPROVE DATA MANAGEMENT • RAISE AWARENESS
IMPROVE GOVERNMENT ASSISTANCE • INCREASE EXTERNAL ASSISTANCE

These impacts, coping strategies, and policy recommendations create the backbone of this report, with experiences from our interlocutors illustrating their significance throughout. For more information about the research motivation and methodology, please refer to **APPENDIX 1**. For details about our interlocutors, please refer to **APPENDIX 2**.

I. Introduction and Context

Demographic Context and Background on Statelessness in Lebanon

In Lebanon, plurality abounds. The struggle to unite so many people with different national origins, religious backgrounds, and political leanings has come to define the country over time.

In this context, those who are without state-issued or recognized documentation are among the most vulnerable and marginalized people in the country, facing a range of restrictions on their access to basic rights and services. Stateless Lebanese, Palestinians residing in Lebanon, refugees, migrants, trafficked individuals, and children all experience statelessness or are at risk of statelessness, placing their citizenship rights in jeopardy.

Lebanon's political system is based on sectarian power sharing and statelessness has been a recurring issue in this system since the era of French administration. Lebanon's last official census was conducted in 1932, and certain people were never recorded, which subsequently established them as stateless for generations to come.[7] By 1951, Lebanon created the Law of Documenting Personal Status to attempt to address this issue.

This law would regulate civil registration procedures under religious divisions, and was and remains particularly important because lack of documentation due to non-registered births and marriages,[8] as well as lack of awareness about civil registration procedures, remain some of the leading drivers of statelessness to this day.

Despite several controversial attempts to reduce statelessness, such as creating the "nationality under study"[9] category in 1960, along with successive naturalization decrees, the Lebanese government has not succeeded in eradicating the issue. According to a recent study conducted in Tripoli by March Lebanon and Siren Associates, the stateless Lebanese population is currently estimated at 2,200, and is projected to double in 15 years.

However, this figure does not include children of Lebanese mothers and foreign fathers, which would significantly increase the total.[10] Lebanese nationality law, as it currently stands, is patrilineal, meaning that if a child is unable to acquire citizenship from its father, the child becomes stateless. Reasons for this are discussed further in the report.[11]

There are additional demographic dynamics to consider. Lebanon is also host to large populations of Palestinian and Syrian refugees who are at risk of statelessness, and who are viewed as threatening Lebanon's delicate demographic balance. The influx of Palestinian refugees in the mid-20th century has influenced how the Lebanese state absorbs and integrates foreign populations,[12] which is to say that it is often a challenging and politicized process that impacts different refugee groups to this day.[13]

[7] Author interview with representative from NRC, July 18, 2019.

[8] Author interview with representative from Frontiers Ruwwad, July 31, 2019.

[9] The 1932 census served as the basis for political representation and personal registration in Lebanon's ethnically divided society. Restrictive citizenship policies enacted by the Maronite Christian-dominated regime until the outbreak of civil war in 1975 were a mechanism to ensure political representation based on demographic proportions, effectively leading to the politicization of demographic data in Lebanon. Many villages in the northern and southern regions were annexed when Greater Lebanon was still forming its national boundaries, and many of the people inhabiting those villages were overlooked on the census. This created the categories of "*al maktoum*," meaning 'the concealed', and "*Qaid al-Dares*" meaning 'nationality under study.' Al Maktoum signifies those historically not registered in the 1932 census, Qaid al-Dares signifies those registered in the 1932 census as 'no nationality. For more information, please refer to Rania Maktabi's article, "The Lebanese Census of 1932 Revisted. Who are the Lebanese?" published in *The British Journal of Middle Eastern Studies*.

[10] March Lebanon and Siren Associates, pg. 8.

[11] Additionally, please refer to Bennett and Fried's piece, "The Campaign to End Statelessness and Perfect Citizenship in Lebanon" from Boston University's International Human Rights Clinic.

[12] Author interview with representative from NRC, July 18, 2019.

[13] For example, many Syrians residing in Lebanon lost their documents on their journeys, and live undocumented in Lebanon, restricting their access to rights and services. Complicating matters is birth registration for children born to Syrian parents, which has become burdensome for many families who may lack awareness due to impoverished living conditions and xenophobia. Bennett and Fried, 2019.

I. Introduction and Context

Legal Context and Key Terminology

Critical to addressing statelessness in Lebanon is understanding the legal parameters governing stateless persons and those at risk of statelessness. The second challenge is understanding the international, regional, and domestic legal landscapes that influence how Lebanon approaches the issue of statelessness within its own borders. Lebanon has obligations under international conventions that it has ratified, however, Lebanon has not reformed domestic law to meet international standards, and consequently no legal framework for stateless populations exists.[14]

Additionally, due to the lack of agreement on the definition of statelessness, opponents can and do make the argument that statelessness isn't a problem in Lebanon, making the political will to address these problems even more difficult to establish.[15] Key tenets of international, regional and domestic laws pertaining to statelessness relevant in the case of Lebanon are highlighted to the right and on the following pages.

International Law

Universal Declaration of Human Rights (1948):
recognizes nationality as a human right

Convention Related to the Status of Stateless Persons (1954):
defines the term "stateless" under customary international law, requires states to provide stateless persons with basic human rights

Convention on the Reduction of Statelessness (1961):
requires states to establish safeguards against statelessness in their respective nationality laws

Lebanon *is not* a signatory to any of these conventions, namely for historical and political reasons concerning the resolution of the Palestinian situation.[16]

Consequently, protection for stateless persons and refugees in Lebanon extend only so far as the domestic and regional legal instruments allow.

Nonetheless, Lebanon is a party to other international conventions, such as the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Rights of the Child (CRC), the Convention on the Elimination of all forms of Racial Discrimination (CERD), and the Convention on the Elimination of Discrimination Against Women (CEDAW), which contain provisions relevant to stateless women.[17]

[14] Author interview with representative from Frontiers Ruwwad, July 21, 2019.
[15] Akram, Susan, "The Search for Protection for Stateless Refugees in the Middle East," *International Journal of Refugee Law*.
[16] Akram, 2018, pg. 3.
[17] Bennet and Fried, 2019.

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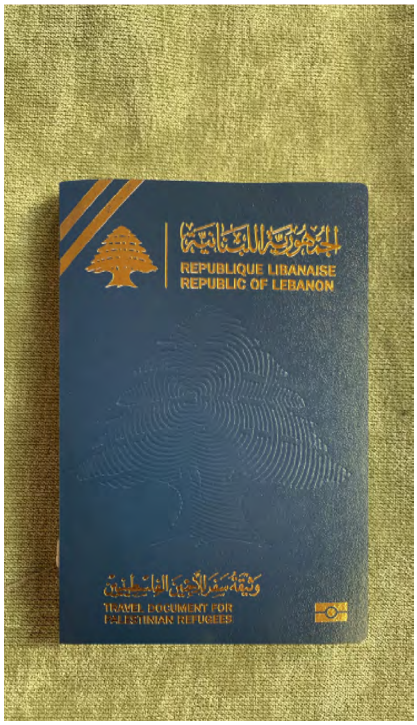
Legal Context and Terminology



Regional Law

Arab Charter on Human Rights (1994):
requires states to provide certain rights to anyone living within their territories, including the right to legal remedy, protection from physical or mental torture, and the right to liberty of movement and freedom to choose place of residence within the limits of the law

Casablanca Protocol (1965):
requires states to safeguard the rights of Palestinians and issue valid travel documents

Covenant on the Rights of the Child in Islam (2005):
requires states to provide access to education to children regardless of nationality, outlines right of children to have a nationality

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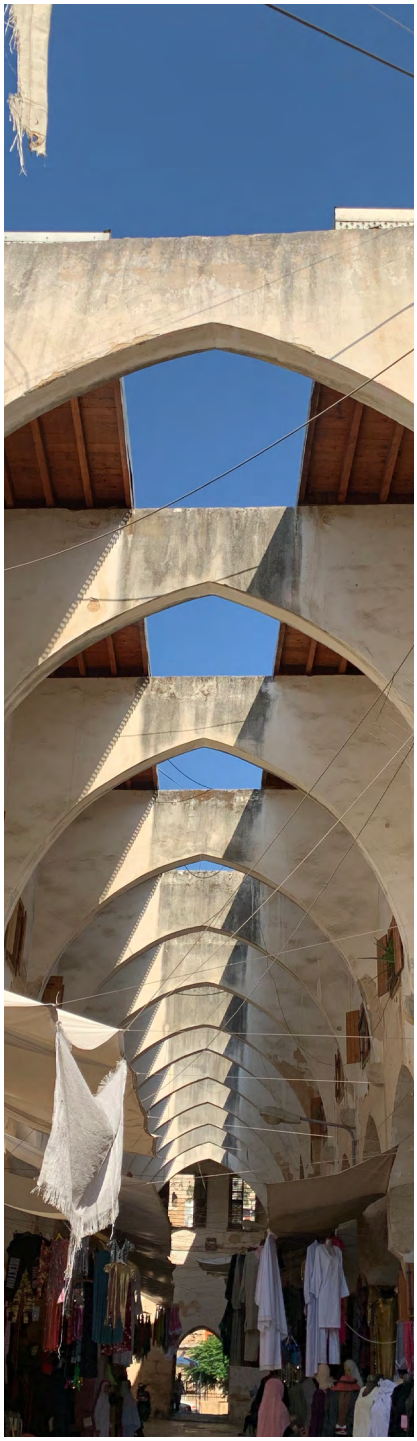
Lebanon *is* a signatory to the above mentioned agreements, which adds more legitimacy to Lebanon's obligations to address the issue of statelessness. Yet, despite provisions contained to protect the rights of stateless persons and refugees, Lebanon fails to implement many of them.[18]

[18] Akram, 2018, pg. 25.

I. Introduction and Context

Legal Context and Terminology



Domestic Law

Lebanese Constitution (1926):
states that all Lebanese are equal before the law and enshrines their rights to education and employment

Nationality Law of 1925 (amended in 1934, 1939, and 1960):
allows foreign spouses of Lebanese men, but not women, to obtain citizenship after one year

Law on Documenting Personal Status (1951):
defines the powers of the ecclesiastical authorities and gives denominational jurisdictions authority over marital conditions and obligations, and the authority to determine the validity of marriage

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There is no civil code to regulate personal status matters in Lebanon, and instead there are 15 separate personal status laws that apply to each religious community, including Christians, Muslims, Druze, and Jews. This means that citizens are segregated along sectarian lines into religious-political communities. Despite national and international commitments to protect women's rights, all of Lebanon's personal status laws, in one form or another, entail some type of gender discrimination, especially in matters related to divorce, child custody, and conferral of citizenship.[19]

While protections for stateless persons exist, implementation gaps persist. Lebanon neither adequately fulfills its international or regional legal obligations by incorporating them into its domestic laws, nor does it consistently apply its domestic laws across different populations within the country.

[19] Geagea, Nayla and Lama Fakih, "Unequal and Unprotected: Women's Rights Under Lebanese Personal Status Laws," *Human Rights Watch*.

II. Research and Findings: Challenges and Coping Strategies for Women

Preview of Challenges

While men and women alike, who are either stateless or at risk of statelessness in Lebanon, share many challenges in acquiring legal documentation, some challenges are disproportionately experienced by women and are often uniquely complicated by a woman's country of origin.

Given Lebanon's unique socio-political and legal context, these **four** themes were identified through our research as *significant* and thus fundamental to understanding the challenges that stateless women, or women at risk of statelessness, face:

I. Unequal Burdens due to Gender Discrimination

II. Unclear Civil Registration Procedures

III. Lack of Assistance from the State

IV. Lack of Awareness

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Unequal Burdens

One challenge for women that cross-cuts many of the undocumented populations in Lebanon is a paternalistic legal system. Gender discrimination in Lebanon's nationality laws impede women from exercising equal rights.

For Lebanese, Syrians, and Palestinians, nationality is transmitted only through men, and in Lebanon this issue directly affects marriage and family planning.

Moreover, social attitudes dictate that men handle civil registration affairs for their families, leaving women ill-informed about the processes and at times unable to complete them alone.

When husbands and fathers neglect these tasks, it can leave wives and mothers in more vulnerable situations.

Woman with Lebanese mother and Syrian father: she reports that since her Lebanese husband is no longer living with her in the same residence, she fears being arrested and leaving her kids alone.

She believes that the law in Lebanon mandates the father to be responsible for the family, especially in matters of documentation, so when he is negligent, the burden falls on the mother to do everything.

She struggles because, as she reports, the law is not in her favor, she has no financial independence, and she is not aware of any solutions.[20]

Birth registration for children can also become an issue depending on the legal status of the parents, whether Lebanese or foreign.

When the father is absent, the burden of registering children falls on the mother. While women are legally able to register their children with local authorities, they are not able to obtain official documentation for them or transmit citizenship. This becomes even more complicated for women who marry a second time, but never legally divorce their first husband.

Additionally, it is common amongst undocumented populations have unofficial, religious marriages not registered under the state's civil registration, since official marriages require official identity documents.[21]

Many of the women interviewed for this research had religious marriages that were not subsequently registered with the state administration.

Young woman of Lebanese origin: she acknowledges she has a right to Lebanese citizenship. Yet, since her parents never registered their marriage, and her father left when she was young, she remains stateless.[22]

However, according to one *mokhtar* (refer to **page 44** to learn more about the *mokhtar)*, there is a form of recourse for those who are stateless and whose fathers are not taking care of their documentation.

Those individuals can file a complaint in court to register themselves under their mother, but the numerous complications that accompany this process keep many from pursuing it.[23]

[20] Author interview with Syrian-Lebanese woman, June 27, 2019.
[21] Author interview with representative from NRC, July 18, 2019.
[22] Author interview with stateless Lebanese woman, July 21, 2019.
[23] Author interview with local *mokhtar*, July 19, 2019.

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Unequal Burdens

Lebanese mother: she reports that she is currently without a *houwiya* (national identity documents) because the hospital kept her *houwiya* and other documents when she couldn't pay the bill during her last child birth.

Her religious marriage is also unregistered because her husband lacks state-recognized identity documents. Despite being eligible for Lebanese identity documents, she is affected by her husband's situation, and both are prevented from registering their six children.[24]

For Palestinians in Lebanon registered with UNRWA, men and women can register their children and spouses as dependents under their names, but UNRWA registration still passes solely through men.

UNRWA registration is limited to select Palestinian populations, and follows similar procedures for transferring citizenship to a child because citizenship status comes with privileges (i.e. UNRWA-sponsored schools, health clinics, etc.).

Conversely, Palestinians not registered with UNRWA collectively have no protection or rights, which leads to a lifelong challenge that is inherited by the next generation.

If an unregistered Palestinian woman marries a registered Palestinian refugee in Lebanon, it is very challenging for her to also become registered with UNRWA as a Palestininan refugee.[25]

Alternatively, if a registered Palestinian woman marries an unregistered Palestinian man, she can become stateless under Lebanese law.[26]

Woman with Lebanese mother and Egyptian father: she is attempting to obtain Egyptian citizenship for herself and her siblings because her parents never registered them in either country, and her mother cannot transmit Lebanese citizenship to them.

At the age of 17 she discovered that she was stateless, and searched online to find people to help her. In her opinion, stateless men have more challenges associated with their stateless status because they are more visible.

Typically men work outside the home more than women, and are more likely to be searched at security checkpoints.[27]

Syrian refugee woman: she says that her husband and sister were likely killed in Syria by the regime and that she feared the same for herself and her children because of their last name.

This prompted her to have her family smuggled into Lebanon, where she feels pressure to be responsible for everyone. Some of her children were still too young to have an ID in Syria before they left, which makes obtaining documentation while in Lebanon even more challenging.[28]

While each of our interlocutors was doing her best to compensate for her situation, women we spoke with struggled to fill the void left by absent or negligent male partners. Whether Lebanese, Syrian, or Palestinian, a husband's absence or negligence can leave women with few options for documenting their children and giving them a nationality.

Gender discrimination is clearly reflected in the burden of civil registration processes in Lebanon where the men are expected to be responsible for such family matters.

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[24] Author interview with stateless Lebanese family, July 15, 2019.
[25] Author interview with representative from UNRWA, August 7, 2019.
[26] Author interview with representative from NRC, July 18, 2019.
[27] Author interview with Egyptian-Lebanese woman June 21, 2019.
[28] Author interview with Syrian refugee mother, June 20, 2019.

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Unequal Burdens

Lebanon's civil registration system is labyrinthine and constantly shifting. A lack of clarity surrounding the complex procedures required for civil registration processes places the onus to successfully navigate these systems on individuals, which can be more difficult for women for reasons previously mentioned. Two of the most challenging categories of civil registration for stateless persons or those at risk of statelessness are birth and marriage registration.

Birth Registration

One of the leading causes of statelessness amongst those of Lebanese origin in Tripoli is non-registration at birth, which means that the birth of a child to a Lebanese father was not registered by either parent.[29]

Birth registration in Lebanon is typically a simple three-step procedure to be completed before the child is one year old, but complications can easily arise for many reasons, including lack of awareness, unavailability of supporting documentation, costs, mobility challenges, or inconsistent application of the law.[30]

First, the parent(s) must obtain a birth notification, or *wathiqa*, from the midwife or other hospital attendant that includes the parents' names and nationalities. If the father has no identity documents, hospital staff ask where he is from. Sometimes, the midwife will also be able to ascertain the father's origins by his accent (or at least if he's Lebanese, Syrian, or Palestinian), and record that as his nationality.[31]

Many of the stateless Lebanese mothers who spoke with us have only the *wathiqas* issued by the hospitals for their children because they did not complete the next step, registering the birth with a *mokhtar*, within a year of the birth.

Second, the parents must bring the *wathiqa*, along with their identity documents, marriage certificate, and two witnesses to the *mokhtar* for him or her to register the child and issue a birth certificate.

Third, the parents must take the birth certificate to the local *nafous* (refer to **page 44** to learn more about the *nafous)*, who, similar to the *mokhtar*, performs civil registration duties but as an official representative of the government, to complete the child's registration in the civil registry.[32]

An interview with a local *mokhtar* revealed that when issuing a birth certificate, he wants to see the doctor's stamp along with two witness signatures on the hospital *wathiqa*. He is unable to help parents who failed to register their children's birth before the year mark.[33]

This process becomes more complicated for single mothers, or women who give birth at home. Women who give birth at home must obtain a birth notification from a certified midwife, which means that they must travel to the registry of midwives, located in Beirut, to obtain the midwife's certification.[34]

If no midwife or doctor was present, neighbors can submit testimonies as witnesses in order to register the birth of the child. Then, a midwife or doctor can check up on the mother after she has given birth to verify that she did in fact give birth, and when.

One midwife we spoke with mentioned that her job is humanitarian in nature, and that she does not turn people away who can't pay the fees.

[29] March Lebanon and Siren Associates.
[30] Bennett and Fried.
[31] Author interview with local midwife, June 19, 2019.
[32] Bennett and Fried.
[33] Author interview with local *mokhtar*, July 19, 2019.
[34] Author interview with representative from Frontiers Ruwwad and Bennett and Fried.

II. Research and Findings: Challenges and Coping Strategies for Women

Unclear Civil Registration Procedures

Collecting fees from patients is the job of the hospital administration, and those who have trouble paying the hospital fees often have trouble obtaining their child's birth certificate.[35]

Moreover, birth registration is often gender discriminatory since the father is required to be present in order to register the child with the *mokhtar* and the *nafous*. While this requires time and money from all parents, it becomes impossible for those without acceptable forms of identification.[36]

There is yet even further complexity for single mothers who give birth out of wedlock, as they must prove that they don't know the father or where he is (i.e. dead or missing).

However, in order to do this, single mothers must undergo an investigation by the General Security Office to prove parentage, which carries with it a social stigma associated with out of wedlock births. This often manifests in discrimination by the *mokhtars* and *nafous*.[37]

Children of Palestinian refugees and Palestinian refugees from Syria must complete these same steps, but instead of registering their children with the *mokhtar* or *nafous*, they go to the Directorate of Political Affairs and Refugees at the Ministry of Interior.[38]

Syrian refugees are required to go through the Syrian Embassy for matters of civil registration, which for Syrians who are wanted by the regime is extremely daunting.[39]

Confusion arises for Syrian parents who may miss a step when registering their children in Lebanon because registration procedures differ in Syria.[40]

It is worth noting that few Syrians who have come to Lebanon are stateless but represent the population currently most at risk of statelessness. Children born to Syrian fathers in Lebanon are automatically Syrian citizens, but providing adequate documentation to prove this can be challenging.[41]

Moreover, the misconception that providing Syrians born in Lebanon with Lebanese birth certificates would be the first step to citizenship has led to reluctance on the part of the Lebanese state to document Syrian children, leading to numerous cases of Syrian children at risk of statelessness.[42]

Since 2015, different policies have been passed to resolve the issue of undocumented refugees from Syria, including Palestinian refugees from Syria, by allowing them to apply for residency permits, as well as renew them for free. Moreover, refugees from Syria are allowed to retroactively register their children born in Lebanon between January 1, 2011 and February 8, 2018.[43]

Unlike the Lebanese, Syrian refugees can register their children at any age, rather than within the one year mark, because they represent a significant population and the retroactive registration, for the moment, serves as a political solution.[44]

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35 Author interview with local midwife, June 19, 2019.
36 Bennett and Fried.
37 Ibid.
38 Author interview with representative from UNRWA, August 7, 2019.
39 Author interview with representative from UNHCR, July 3, 2019.
40 Bennett and Fried.
41 Author interview with representative from NRC, July 18, 2019.
42 Ibid.
43 Bennett and Fried.
44 Author interview with local *mokhtar*, June 29, 2019.

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Unclear Civil Registration Procedures

According to Lebanese law, all children born in Lebanon must be registered within one year of their birth, except Syrian refugees mentioned above.

Parents who miss the deadline must file a late birth registration lawsuit at their respective religious court, which entails the submission of many documents, including DNA results in order to obtain Lebanese citizenship for those entitled to it after the court makes a paternal decision.[45]

While this seems like a straightforward process, in practice procedures are unclear, expensive, and cumbersome.

Many stateless people have cases in the courts for years with no resolution, prompting many families to abandon their cases or discouraging others from starting one altogether.[46]

Price quotes to rectify these citizenship cases vary, but for one single mother of Lebanese origin, a *mokhtar* requested $4,000 to cover all procurement costs for her six children, which is much more than she can afford.

Although the children have a right to Lebanese citizenship through their Lebanese father, his absence means that they remain undocumented.[47]

In summary, when a parent's birth registration is delayed and never resolved, it triggers a chain reaction that can span generations of stateless individuals in the same family.[48]

While there are different solutions depending on the origins of each person's parents, the burden eventually shifts to the child and becomes more difficult to bear as time passes.

[45] Author interview with representative from UNRWA, August 7, 2019.
[46] March Lebanon and Siren Associates.
[47] Author interview with Syrian-Lebanese woman, June 27, 2019.
[48] Author interview with representative from Basmat Amal (local NGO), July 17, 2019.

Marriage Registration

Marriage registration is another fundamental issue faced by stateless individuals because it serves as the legal basis for registering and documenting their children.

Without the parents' marriage certificate, a child is considered illegitimate, and can only be registered under special circumstances as previously mentioned.

According to a recent report, thirty three percent of stateless Lebanese cases are caused by a parents' lack of marriage registration before the birth of their child, and thirty percent are caused by negligence.[49]

Our interlocutors also explained that marriage registration between stateless women and Lebanese men is costlier and more complex, which hinders their ability to register their children.

Stateless individuals are told by local authorities that in order to register their marriages with the state, both spouses must each present official identity documents, which becomes a challenge for many undocumented women, including Syrian refugees, unregistered Palestinians, and Lebanese, many of whom opt to have religious marriages instead.[50]

Even if the husband has identity documents and the financial means, obtaining documents for his wife after their marriage in order to register their children is a complicated process that requires significant time, effort, and money.[51]

Also contributing to the issue of non-registration are early marriages, polygamy, divorce, and second marriage.

The unavailability of divorce or death certificates can hinder the ability of divorced or widowed women to legally remarry or register children born through subsequent relationships.

Furthermore, marriages between Lebanese and Syrians are facilitated by Tripoli's proximity to Syria, as well as the high number of Syrians living in or around the city.

In light of this, discrepancies in marriage registration processes between the two countries combined with parental lack of awareness of these differences, and the inability to transport the family to Syria to complete the registration process have caused many children born in Lebanon to become stateless.

For many Syrian women, their identity documents were either lost or damaged during their journey, meaning that they entered Lebanon illegally.

Consequently, this has complicated birth and marriage registration for Syrian women in Tripoli, 60% of whom have unregistered marriages.[52]

> ***Woman with Lebanese mother and Syrian father:*** she is married to a Lebanese man but remains stateless because she lost her Syrian identity documents and was unable to register the marriage.
>
> Despite being born and raised in Lebanon, she needs a Lebanese residency permit, which requires a paper stating that she did not enter the country illegally. Syrians didn't need residency permits in Lebanon prior to 2015, and she's afraid to apply at the General Security office because they will likely think she's a Syrian refugee.

[49] March Lebanon and Siren Associates.
[50] Author interviews with representatives from DRC and UNHCR, July 2019.
[51] Author interview with representative from Basmat Amal, July 17, 2019.
[52] For more information, please consult the report, "The Plight of the Rightless " from March Lebanon and Sirens Associates.

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Unclear Civil Registration Procedures

Along with other interlocutors, she criticized the General Security office for poorly advertising application periods, and for often changing its procedures without warning. She said that the only way for people to know what the requirements are is to go in person, which can be challenging for many. [53]

To get by, stateless people usually use a *ta'areef ism*, which can be best described as a semi-official identity attestation document issued by their local *mokhtar*.

While its strength as a form of identification does not rival that of a national ID issued by the government, the *ta'areef ism* is usually sufficient for daily functions and domestic travel purposes. However, *mokhtar* records aren't always based on accurate documentation, and this form of identification offers only minor protection.[54]

The true value of this form of identification lies in conjunction with a hospital birth certificate, both of which allow undocumented persons to prove they were born in Lebanon to their parents should they decide resolve their documentation issues in court at a later time.[55]

Syrian refugee woman: she has attempted to register her marriage with her expired *tesweet awdaa*, a temporary residency permit issued by the Lebanese government to Syrian refugees, but was unsuccessful.

The *tesweet awdaa* is valid for one year in order to help with the registration processes because with it, refugees can register marriages and their children. While helpful for some, it is difficult to renew, and only possible to renew at certain, unspecified times.[56]

At every administrative step in registration processes there are costs and complications. When complications arise, the resulting financial burden can easily become overwhelming for stateless people.

There is a strong relationship between statelessness and poverty, and the latter effectively prevents people from obtaining necessary documents.

While a lack of birth and marriage registration are the two prominent factors leading to statelessness, they are reflective of a larger deficiency in the civil registration system.

These complex steps, their associated costs, and the lack of understanding among Lebanese and refugee communities alike require increased transparency and education to combat the statelessness that arises out of unclear civil registration processes.

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[53] Author interview with Syrian-Lebanese woman, June 27, 2019.
[54] Author interview with representative from UNHCR, July 3, 2019.
[55] Author interview with representative from Frontiers Ruwwad, July 31, 2019.
[56] Ibid.

II. Research and Findings: Challenges and Coping Strategies for Women

Lack of Assistance

Despite Lebanon's memorandum of understanding with UNHCR, refugees in Lebanon do not receive adequate assistance in terms of protection and basic services.

Additionally, Lebanon does not adequately assist its own stateless populations of Lebanese origin. Accessing rights and services has become a politically sensitive issue for both refugees and stateless Lebanese for reasons beyond the scope of this report.

Instead, international aid organizations along with local civil society attempt to fill the void left by a lack of government assistance.

On a local level, there is limited assistance available for stateless persons. Undocumented people often visit their local *mokhtars* for assistance because the *mokhtar* is the first person who can help them procure documents, and acts as a liason between the community and the government.

Some *mokhtars* prefer to avoid difficult cases, but one *mokhtar* we spoke with claimed that *mokhtars* who turn people away when they have the power to help them are wrong because it is their duty as an elected community member to help.[57] In addition to *mokhtars*, there are associations who work with stateless people, but often they are not able to provide more than basic assistance.[58]

Beyond basic assistance related to employment, health care, and education, stateless individuals and those at risk of statelessness have another pressing need: legal aid. There is only limited legal aid for stateless people available in Lebanon, and many lawyers don't have experience in statelessness issues.

Some lawyers aren't aware of certain clauses, or don't know how to present cases the right way in court.[59] Between hiring a lawyer and going to court, legal fees often prove too high for stateless applicants pursuing or intending to pursue a lawsuit to obtain Lebanese nationality.

Moreover, complications involved in their cases can lead to extended wait periods, and in some cases lawyers exploiting their clients. These factors contribute to a sense of hopelessness among applicants.[60]

Legal assistance for Palestinians in Lebanon is even harder to come by and more complex. In the Palestinian context, practical challenges keep unregistered Palestinians from approaching UNRWA for legal aid.

For example, in order to request legal aid from UNRWA, an individual needs a Power of Attorney from a notary, but obtaining a POA requires identity documents.[61]

Political sensitivities represent another hurdle. Multiple international treaties provide rights and protections to the Palestinian refugees, but many are not implemented because of the politiical sensitivity surrounding the issue.

Few Palestinians have naturalized in Lebanon, and debate around their legal standing in Lebanese society continues unabated. In contrast, in countries like Jordan or Syria, some Palestinians have been able to enjoy the same rights as citizens, and even naturalize.[62]

The Lebanese government has argued that the responsibility is on the international community to address the issues facing refugees in Lebanon, and that providing a full spectrum of protection and rights to Palestinians in Lebanon would undermine this process.

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[57] Author interview with local *mokhtar*, June 29, 2019.
[58] Author interview with representative from Basmat Amal, July 17, 2019.
[59] Author interview with representative from Frontiers Ruwwad, July 31, 2019.
[60] March Lebanon and Siren Associates.
[61] Author interview with representative from UNRWA, August 7, 2019.
[62] Ibid.

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Lack of Assistance

Ultimately, unregistered Palestinians have many legal status issues, but don't approach UNRWA for legal services because they're either unaware of those services or they don't believe that UNRWA can help.[63]

In the meantime, Palestinians are deprived of many rights, such as employment in most sectors, as well as access to services outside of UNRWA, including healthcare and education.[64]

Many stateless Lebanese face situations similar to those of refugees in terms of risks and vulnerability, but they lack the same access to information and services as refugees assisted by the UN. Yet, to reduce tension between refugees and host communities there is a percentage of assistance from UNHCR programs to help vulnerable Lebanese in the host communities as well.

The goal is to provide Lebanese and refugees with the same access to services, but raising awareness still proves to be an issue.[65]

[63] Author interview with representative from UNRWA, August 7, 2019.
[64] Author interview with independent consultant and expert on Palestinians in Lebanon, July 5, 2019.
[65] Author interview with representative from UNHCR, July 3, 2019.

II. Research and Findings: Challenges and Coping Strategies for Women

Lack of Awareness

The fourth major challenge identified in this research is a lack of awareness on the issue of statelessness and the dynamics that perpetuate it on both the personal and institutional levels.

Without a better understanding, state officials cannot adequately assist stateless persons, and likewise stateless persons cannot ask for assistance or pursue remedies to their undocumented status.

While there was consensus on general aspects of civil registration processes in our conversations with our interlocutors, there was also confusion amongst the stateless or individuals at risk of statelessness and key informants with whom we spoke; each person had different ideas of options available to them.

On the personal level, legal barriers and financial barriers linked to poverty and lack of awareness affect both genders, but women are more likely to be financially dependent on others, and therefore experience greater challenges navigating this system.

Moreover, many stateless women don't fully believe that they can execute civil registration functions either to document themselves or their children because the notion that the man is the one who is responsible is rooted in cultural tradition.[66]

This notion can also factor in at the institutional level where some *mokhtars* and local government officials prefer not to issue documents to women, requesting instead that their husbands complete civil administration procedures.[67]

> ***Young stateless woman of Lebanese origin:*** she doesn't know where to access assistance or services from civil society. She doesn't believe anyone can help her.[68]

> ***Syrian refugee mother:*** she reports no awareness of any organizations outside of the UN that could help her or her children. She knows people who have gotten help by other means, but they don't reveal how.[69]

Ad-hoc policies by the government, such as those related to civil registration or refugee registration often are not accompanied by public announcements and can be inconsistent.

This can create contradictory or confusing information for stateless persons and relevant authorities to decipher, leading to denial of services.

Information sharing then becomes the responsibility of civil society, which is increasingly and commendably addressing this issue, however they cannot do it alone.[70]

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66 This point of view was conveyed to the authors in several interviews with stateless individuals and key informants.
67 Author interview with representative from Frontiers Ruwwad, July 31, 2019.
68 Author interview with young stateless Lebanese woman, July 21, 2019.
69 Author interview with Syrian refugee mother, June 24, 2019.
70 Bennett and Fried.

II. Research and Findings: Challenges and Coping Strategies for Women

Preview of Impact Areas for Women

Our interlocutors highlighted several consequences of being stateless or at risk of statelessness in Tripoli. While we believe that some of these accounts represent highly individualized circumstances, many of their experiences are representative of the issues faced by stateless individuals and those at risk of statelessness throughout Lebanon.

Furthermore, our conversations and research revealed that gender influences the way statelessness or risk of statelessness impacts individuals. The areas identified by our interlocutors in which these impacts were experienced, particularly by women, include:

I. Access to Rights

II. Access to Services

III. Mobility

IV. Personal Security

V. Marriage and Family Planning

II. Research and Findings: Challenges and Coping Strategies for Women

Access to Rights

One of the many ways in which statelessness impacts both men and women in Lebanon is the deprivation of legal rights to employment and property ownership. According to our interviews, lacking such basic rights effectively contributes to a sense of insecurity, especially among women.

One Lebanese stateless woman summarized the sentiment by stating that she feels no protection from the Lebanese state because she "doesn't legally exist."[71]

In Tripoli, unemployment is high, and according to a recent study, stateless individuals in Lebanon face higher unemployment than Lebanese citizens, making thirty percent less income on average.[72]

Therefore, stateless women in particular, regardless of their origin, are at a disadvantage.

Nearly every woman interviewed for this research was working, but struggling to provide for her families as a sole earner. A few reported receiving minor assistance from family members abroad.

> ***Palestinian refugee woman from Syria:*** before coming to Lebanon with her children they lived well in Syria, and enjoyed all of the same rights as Syrian citizens apart from citizenship. In Lebanon they don't have legal rights, and still have restrictions on legal rights to work or own property.[73]

> ***Stateless woman of Lebanese origin:*** she is attending university in Tripoli and said that she would feel more protected if she had employment and health insurance. Given her legal status, she is limited to working only in certain sectors, which provide few opportunities for her, despite her high level of education.[74]

Lack of documentation severely limits her potential along with that of many others in Lebanon by indirectly keeping them in a lower socio-economic status.

Access to justice is another area where legal rights are restricted for stateless individuals or those at risk of statelessness.

Interestingly, one of our interlocutors stated that many of the women in her community are title holders of the housing contracts for their families because they are Lebanese citizens, and their [foreign] husbands can't legally own property.[75]

Yet, despite having rental contracts with their landlords, two Syrian respondents reported that they have no rights if their landlords decide to evict them because their contracts represent only informal deals.

Such informal deals are common, but contribute to a sense of insecurity because they are unenforceable.[76]

A general sense of insecurity is felt not only in refugee populations, but also amongst stateless Lebanese. Since many feel that they cannot rely on the state for protection, they fear people will take advantage of them.[77]

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[71] Author interview with Egyptian-Lebanese woman, June 21, 2019.
[72] March Lebanon and Siren Associates.
[73] Author interview with Palestian refugees from Syria, registered in Lebanon with UNRWA, June 22, 2019.
[74] Author interview with young stateless Lebanese woman, July 19. 2019.
[75] Author interview with young stateless Lebanese woman, July 19. 2019.
[76] Author interviews with two Syrian refugee mothers, June 2019.
[77] Author interview with undocumented Palestinian woman, June 18, 2019.

Among the primary consequences undocumented or stateless people face is restricted access to basic services, such as education and healthcare.

Education

While every child legally has access to education in Lebanon, education levels among stateless populations are reflective of the challenges they face based on their legal and socio-economic statuses. In this regard, women are impacted much in the same way as men, but gender can also become an influencing factor.

Lebanese woman with stateless children: she failed to enroll her children in school when they were younger, and they now have difficulty finding a school to accept them because they are behind for their age.[78]

Syrian refugee mother: for the first two years after moving to Lebanon she didn't register her undocumented children in Lebanese schools because she was afraid that someone would take them. Her eldest daughter also had issues in school related to trauma experienced in Syria. Despite receiving treatment, her daughter eventually dropped out because she never felt comfortable in school after discrimination from the staff.[79]

School enrollment and attendance among stateless and undocumented populations is fraught. Some school directors have been known to reject children without identity documents, despite Lebanese law outlining access to education for all children, regardless of their legal status or that of their parents.[80]

Unregistered Palestinians face similar challenges, but can benefit from primary school services through UNRWA.[81] A *mokhtar* in Tripoli mentioned that sectarian quotas may also unofficially affect school registration.[82]

In interviews, both Lebanese and refugee women in Lebanon have reported being obliged to pay higher fees to enroll themselves or their children in school.[83]

A Lebanese stateless woman pursuing her master's degree in Tripoli confirmed this, and also claimed to have been refused admittance into certain university programs despite having higher grades than her Lebanese counterparts.[84]

Sitting for exams without state-recognized identification is another challenge. In 2014 the Ministry of Education announced that stateless children have equal rights to sit for exams, but only if they obtain written approval from the Ministry to show as supporting documentation in addition to a *ta'areef-ism* card issued by the *mokhtar*.[85]

Our interlocutors confirmed this, and one undocumented woman we spoke with reported that in addition to the written approval of the Ministry, she also needed a letter of affiliation from the school.[86]

Unfortunately however, many of our interlocutors were unaware of the required approvals, and assumed their children wouldn't be able to continue their education past grade 9.

This highlights the need for more awareness raising, specifically targeting parents of children who are lacking identity documents so

78 Author interview with Lebanese family, July 15, 2019.
79 Author interview with Syrian refugee mother, June 20, 2019.
80 Author interview with representative from Basmat Amal, July 17, 2019.
81 Author interview with representative from UNRWA, August 7, 2019.
82 Author interview with local *mokhtar*, June 29, 2019.
83 Author interviews with Egyptian-Lebanese woman and Syrian refugee mother, June 2019.
84 Author interview with young stateless Lebanese woman, July 19, 2019.
85 March Lebanon and Siren Associates.
86 Author interview with young stateless Lebanese woman, July 19, 2019.

they can take the necessary steps to remain in school. Consequently, drop-out rates among stateless children remain high.

> ***Young stateless woman of Lebanese origin:*** she fears leaving school for exactly this reason, but she also wants an education since most people, especially women in her community don't have one.[87]

For stateless individuals, finishing school or dropping out means a loss of their student IDs, and some report feeling a loss of security and belonging as a result.

Other factors influencing drop out rates include working to provide for the family, early marriages, and a conviction among some parents that girls should not attend school.[88] Like many children in similar situations, undocumented girls are impacted emotionally and psychologically.

Girls fear sexual harassment, and are less likely to attend school because their parents often relegate them to home chores, according to experts at UNHCR.[89] Despite having equal rights, statelessness combined with conservative social attitudes can result in children, especially girls, dropping out of school early.

[87] Ibid.
[88] March Lebanon and Siren Associates.
[89] Author interview with representative from UNHCR, July 3, 2019.

Healthcare

Existing without a legal identity in Lebanon means that access to healthcare is a constant concern. Restrictions on employment indirectly bar many undocumented individuals from affording insurance, and multiple women with whom we spoke reported trying to abstain from going to a hospital for various treatments because they would have to pay out of pocket.

Young stateless woman in Tripoli fears dealing with state authorities at a hospital if she gets hurt because they could have her arrested for possessing falsified documents.[90]

For women in particular, giving birth in a hospital is difficult because without identity documents or insurance a hospital may refuse them entry.[91]

However, according to a midwife in Tripoli, stateless individuals are able to gain admittance to hospital services with an identity attestation (*ta'areef-ism* card) issued by the *mokhtar*, despite other state officials refusing to accept it.[92]

While not the general rule, hospitals have been known to retain a woman's ID because she could not pay for the services, which then leads to other civil administration challenges.

There is a difference between the state hospitals and private clinics. In state hospitals, the director has to approve every birth certificate issued, which makes the process take longer, whereas private clinics are generally more expeditious, albeit more expensive because they don't require this step.

However, like all Lebanese, stateless Lebanese are eligible to receive partial financial assistance from the government in paying their hospital bills, according to a midwife in Tripoli. They are often unaware of this benefit, so they don't ask for it.[93]

Stateless woman of Lebanese origin: she reports that most women in her community give birth at home with a midwife because going to a hospital is too expensive for them without insurance.[94] Refugees on the other hand, have access to UN health services, including medical facilities.[95]

Syrian refugee mother: her children have special health issues that require more than routine attention provided by the UN doctors. She has tried bringing them to Lebanese health clinics, but the staff require money that she doesn't have. Therefore, she no longer attempts to go, and her children suffer.[96]

Healthcare for refugees is largely the domain of UNHCR and other NGOs. Yet, services offered by the UN are limited, and many refugees struggle to meet their healthcare needs in this context.

Finding ways to close the gaps in service provision in both refugee and Lebanese communities is critical. Acknowledging the role statelessness or refugee status plays in limiting these already limited services remains an ongoing challenge for those attempting to address these gaps.

90 Author interview with stateless Lebanese woman, July 21, 2019.
91 Author interview with representative from Basmat Amal, July 17, 2019.
92 Author interview with local midwife, July 20, 2019.
93 Ibid.
94 Author interview young stateless Lebanese woman, July 19, 2019.
95 Author interview with local midwife, July 20, 2019.
96 Author interview with Syrian refugee mother, June 24, 2019.

II. Research and Findings: Challenges and Coping Strategies for Women

Mobility

Those living without state-recognized documentation experience both direct and indirect restrictions on their mobility. Without identity documents, travel within Lebanon can be risky and travel outside of Lebanon can be nearly impossible.

Many refugees are fearful of approaching the authorities to even apply for documents because they have to pass through checkpoints where they could be searched. Fear of arrest or document confiscation by the authorities effectively impedes undocumented individuals from traveling freely.

For women, the documents they may have can also be confiscated by hospital staff or security forces, which indirectly limits their freedom of movement and access to services. At least half of our interlocutors reported fear of traveling within and outside of Tripoli, which also limits their ability to find work.

> ***Syrian refugee mother:*** she fears travel for her kids because most of them are still young, and they could be arrested or fined at checkpoints without documents. This inhibits her daughter from applying for any documentation at the Syrian Embassy in Beirut.[97]

While it is difficult for stateless people and those at risk of statelessness to pass checkpoints with little documentation, such as just a *ta'areef ism* or a Palestinian Authority Consular ID, undocumented people often try to appeal to the emotions of the security forces who may be empathetic because they generally understand that their situations are unsolvable.[98]

Yet, based on our interviews, men were perceived to be searched more often than women. As a female, a Palestinian respondent stated that she is rarely, if ever asked for her identity documents by state authorities because they "assume that women are weak."[99]

For Palestinian refugees who have come to Lebanon from Syria, they are unable to obtain the passports from the Palestinian Authority, which would give them more freedom of movement.

Yet, neither stateless persons nor refugees can open bank accounts, and in order to travel outside of Lebanon they usually have to show a bank account statement. This is an indirect form of restricted mobility.[100]

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97 Author interview with Syrian refugee mother, June 24, 2019.
98 Author interview with representative from UNHCR, July 3, 2019.
99 Author interview with undocumented Palestinian woman, June 18, 2019.
100 Author interview with Palestinian refugee family from Syria registered with UNRWA, June 22, 2019.

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Personal Security

While both men and women live with security risks, women can experience additional security challenges due to their undocumented status.

Stateless woman of Lebanese origin: she says applying for identity documents is impossible because she would need to undergo a DNA test as part of the process, and since, on her birth certificate she is registered under a different man's name who is not her biological father, the risk is too high. If the state found out, there would potentially be repercussions for her, her family, and the *mokhtar* who registered her.[101]

Gender-based Violence

Cases of gender-based violence are difficult to investigate, and are not well documented because many women fear reporting or prosecuting offenders for various reasons.[102]

In addition to social taboos, a lack of education or lack of financial independence contribute to underreporting, especially if a woman fears divorce or losing children in a resulting custody battle.

Moreover, stateless women have little legal recourse in cases of gender-based violence, as well as a very difficult time accessing and affording competent legal representatives due to their stateless status for reasons previously discussed.[103]

According to one midwife, if a stateless woman is raped, she has no legal recourse, and any resulting children would likely also be considered stateless.[104]

Moreover, in domestic violence cases aimed at protecting women and children, the court often asks for a person's identity documents, which can then derail the focus of the case by questioning their legal status.

As a result, stateless women experiencing domestic violence can become dissuaded from approaching the courts to resolve their cases.[105]

These examples highlight how a lack of legal status can amplify the risks already associated with gender-based violence for women in these contexts.

101 Author interview with stateless Lebanese woman, July 21, 2019.
102 Author interviews with representatives from DRC and UNRWA. July and August 2019.
103 Author interview with representative from DRC, July 5, 2019.
104 Author interview with local midwife, June 19, 2019.
105 Author interview with representative from DRC, July 5, 2019.

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Marriage and Family Planning

The individual impact of a woman's legal status in Lebanon is perhaps most visible in areas of marriage and family planning. In Lebanon, approval of a marriage often involves the family of each spouse, which can prove to be a challenge for some stateless women.

One NGO director highlighted that when a man wants to marry a stateless woman, it is possible that his parents could refuse the marriage for practical reasons.

Even if the man has a legally-recognized nationality, some families fear the challenges and consequences of assuming potential burden from marrying a stateless spouse.

Yet, if they approve the marriage, a family who is aware of the challenges will likely advise the couple not to have children because of the difficult situation it would subsequently cause for them.[106]

It should be noted that families often consider religion, race, or socio-economic concerns before a person's legal status,[107] but it remains a consideration nonetheless.

This dynamic wherein one spouse is stateless also increases reliance on religious marriages, instead of registered marriages, and therefore also perpetuates the statelessness cycle.

For Syrians or Palestinians, pursuing marriage in Lebanon can also be difficult due to discrimination. Conversely, a Palestinian refugee from Syria, despite possessing legal documentation herself, said that she doesn't want to marry or have children in Lebanon because of the difficulties involved.[108]

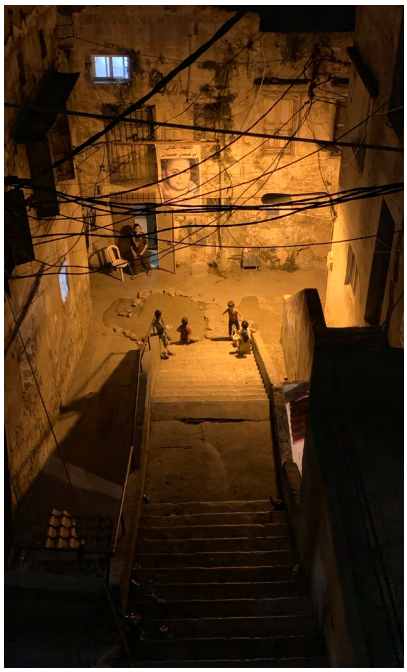
Responses such as this highlight the lack of awareness among much of the population because according to Lebanese law, a woman who marries a Lebanese man can eventually naturalize as Lebanese.

> ***Palestinian-Lebanese woman:*** she wanted to marry a Lebanese man, but his parents refused the proposal because she is Palestinian. While she considers citizenship when picking a partner, she said that she ultimately just wants to be accepted.[109]

When it comes to family planning, both stateless Lebanese and refugee women in Lebanon can feel pressure not to have children for a variety of reasons, including health, financial status, and the complexity of child registration.

For example, one stateless Lebanese mother of six reported that health considerations were her primary reason for not wanting more children, rather than her and her children's stateless status. Other considerations also can impact women's family planning choices.

For example, Lebanese women have reported taking 'plan B' pills known as Ella One to abort fetuses in an effort to avoid out of wedlock births.[110] However, out of wedlock births represent a special case where Lebanese women are able to confer their nationality on their children, going against the status quo.



106 Author interview with representative from Basmat Amal, July 17, 2019.
107 Author interview with representative from NRC, July 18, 2019.
108 Author interview with Palestinian family from Syria registered with UNRWA, June 22, 2019.
109 Author interview with Palestinian-Lebanese woman registered with UNRWA, July 24, 2019.
110 Author interview with representative from DRC, July 5, 2019.

Out-of-Wedlock Births

Children born out of wedlock to Lebanese parents are entitled to citizenship by either parent, meaning that in this special case, women can transmit citizenship to their children.

However, if the father doesn't recognize the child, there is significant social pressure against the woman not to recognize it either.

In these cases, there is a thorough investigation that would include questioning relatives, friends, and neighbors, meaning that everyone would then know that the child was born out of wedlock.[111]

Since Lebanon doesn't have universal birth registration, the parents' marriage must be legalized before a child's birth can be registered.

Registering a child under only the mother makes it appear illegitimate, and there is an elevated degree of social stigma surrounding these situations.

Moreover, cases of out-of-wedlock pregnancies are usually a result of either rape or pre-marital relations after which a man who promised to marry the woman disappears. Securing identification documentation then becomes a secondary concern in those cases.[112]

Ultimately, the fact that civil registration processes in Lebanon rely on this sequencing (a registered marriage followed by registered children) contributes to the statelessness cycle.

Adoption

In cases of gender-based violence or out of wedlock pregnancies, some children are placed in orphanages because the father may no longer be present, the mother cannot take care of the child, or the social taboos surrounding such cases can pressure a woman into giving her child up for adoption.

Yet, like other civil matters in Lebanon, adoption is regulated by different religious courts.

Under Sharia law for example, adoption doesn't exist because a child's identity is believed to be strictly tied to its parental origins, including the family name.

Therefore in Lebanon, only Christians can legally adopt. Such a deficit in adoptions then leads to many cases of illegal adoptions, in which the family names of the children can change.[113] Illegal adoptions, too, perpetuate the statelessness cycle.

Concluding Note on Impacts

Whether it's a lack of access to services, such as education or healthcare, or restricted mobility and family planning, statelessness impacts women in many ways.

Taken together, these consequences represent the intersectionality of this issue on different populations of women in Lebanon experiencing similar situations. In the absence of solutions however, stateless persons inevitably find ways to cope with their situations.

111 Author interview with representative from UNHCR, July 3, 2019.
112 Author interview with representative from NRC, July 18, 2019.
113 Ibid.

II. Research and Findings: Challenges and Coping Strategies for Women

Preview of Coping Mechanisms

With the myriad challenges stateless or at risk of stateless status imposes on individuals, we were naturally curious with how people coped with these conditions.

Our interlocutors and key informants identified six key coping strategies, explored at length below:

I. Relying on Bribery or *wasta*

II. Utilizing False Documentation

III. Seeking Help from Networks

IV. Pursuing Informal Labor

V. Strategic Family Planning and Smuggling

Relying on Bribery or wasta

To resolve their situations, many of the undocumented women we spoke with feel that money is the only solution.

Given the risk of providing services to undocumented individuals, and the vulnerable position of stateless persons, some officials request bribes. One stateless individual from Tripoli told us that Lebanese officials kept delaying her paperwork until she paid a bribe.[114] A Tripolitan midwife also asserted that some midwives have taken bribes to record Lebanese citizenship for the father or the place of birth as a Lebanese hospital on the child's birth certificate, if the child was born at home or outside Lebanon.[115]

Conversely, those with established networks often rely on a system of favors, locally referred to as *wasta* instead of having to pay bribes. In Lebanon, the term *wasta* represents a sort of preferential treatment based on one's contacts, and it often serves as a means to accomplish different tasks or receive assistance.

Despite the limitations of the assistance they received, many women interviewed for this research benefited from services accessed via these outlets, while others who did not have strong relationships with service providers faced more challenges. In these communities, including Tripoli, having favor with the local *mokhtar*, NGOs, or other officials can be advantageous.

Generally, the *mokhtar* knows his or her community, including who is stateless, and usually how many generations within families have been stateless. He or she will sometimes issue documents to someone based solely on personal knowledge of that person and their family.[116] One example is a respondent whose uncle serves as the *mokhtar* in her village, and issued her *ta'areef-ism*, which allows her to access basic services.[117]

Experiences with local NGOs have differed among women interviewed for the research. One family in Tripoli has tried utilizing the services of various local NGOs, but to little avail.

They claim that the NGOs mislead people, and use *wasta* to help those favored by the managers because they know others who received assistance based on such relationships.[118]

Wasta has also proven useful for school enrollment, and one Palestinian woman was able to study at UNRWA schools as a child because her father lobbied for her entry, despite her ineligibility to enroll.[119]

An integral part of daily life in Lebanon, *wasta* also contributes to other forms of coping, such as procurement of fraudulent documentation.

[114] Author interview with Egyptian-Lebanese woman, June 21, 2019.
[115] Author interview with local midwife, June 19, 2019.
[116] Author interview with local *mokhtar*, June 29, 2019.
[117] Author interview with young stateless Lebanese woman, July 19, 2019.
[118] Author interview with stateless Lebanese family, July 15, 2015
[119] Author interview with undocumented Palestian woman, June 18, 2019.

Utilizing False Documentation

Of the many coping mechanisms used by stateless individuals, relying on false registrations and documentation is one of the most common.

Stateless individuals often exist outside of normal clientelist networks that Lebanese citizens enjoy, which means they sometimes resort to fraud in order to access services to meet their needs.

For example, it is known that stateless and undocumented people will cope by registering children under another person's name, as well as falsifying birth certificates and other documents.[120]

An NGO in Tripoli reported that some stateless or undocumented women will register their children under the name of a different woman with identity documents or Lebanese citizenship in order to make the registration "legal."

> ***Stateless woman of Lebanese origin:*** she was registered under a different man's name because her father left the family. Her mother needed someone to put on the birth certificate, and this woman grew up using his name even though he is not married to her mother and doesn't live with them.[121]

> ***Stateless woman of Lebanese origin:*** all of her identity documents are fake, and because of her strong relationship with her local *mokhtar*, he issued her a birth certificate registered under a different father's name along with a ta'areef-ism based off of her fraudulent birth certificate.[122]

These are meant only to help her function on a daily basis, and obtaining legitimate identity documents is still impossible for her because that would require a DNA test comparing her DNA with the man listed on her birth certificate, which she knows would not match.

Another coping mechanism for women without identification or health insurance is to use someone else's identity documents to receive medical assistance in a hospital.

This is also common practice amongst documented Lebanese who are uninsured because paying all of the medical fees without insurance can easily become very expensive.[123]

A third option is to procure a fake national ID with their own information, but the quality of these IDs can vary greatly, often making them detectable to enhanced scrutiny.

One Syrian mother said that she never sought fake IDs for herself or for her children because most of them aren't of high enough quality to pass official inspections with machines.[124]

The lack of assistance provided by the Lebanese state and the limitations of UN aid prompt many stateless persons in Lebanon to pursue measures of identity fraud.

Doing so can also inadvertently lead to unexpected consequences. Since many stateless individuals may use someone else's ID or a fake ID with their real information, they restrict their own movement to avoid risks, which can lead to isolation.[125]

As discussed earlier in this report, women can face reduced mobility, and men can face greater risks while traveling with falsified documents.

120 Author interview with representative from Frontiers Ruwwad, July 31, 2019.
121 Author interview with stateless Lebanese woman, July 21, 2019.
122 Ibid.
123 Author interview with representative from Basmat Amal, July 17, 2019.
124 Author interview with Syrian refugee mother, June 20, 2019.
125 Author interview with representative from NRC, July 18, 2019.

Seeking Help from Networks

Refugees who are registered with the UN agencies receive a modest stipend each month, and among the women we spoke with, a few mentioned that they received remittances from family members abroad to cover expenses, such as rent, food, or school.

When asked about where they access services, all of the women from each background reported that the Lebanese government does not help them.

For routine issues, Syrian and Palestinian refugees registered with UN agencies can benefit from basic health, education, and civil registration services, but access to other services is more complex and requires money.

Palestinian woman not registered with UNRWA: she could seek out NGOs that provide services without requiring an ID, or seek illicit services through the Palestinian political party, Fatah, operating in the Palestinian camps. She claims that it is risky to request services or assistance from the state because they may either choose not to help or even penalize her due to her lack of formal identification.[126]

In the absence of government assistance and with limitations on the services that can be provided by the humanitarian community, civil society can sometimes provide alternatives.

However, many women we spoke with reported that they have been unable to receive assistance from civil society or were generally unaware of which civil society organizations could help them.

They reported feeling a sense of marginalization because most of them know of others who have benefited from various NGOs to differing degrees.

Stateless woman of Lebanese origin: she doesn't believe that any of the civil society organizations operating in Lebanon can really help her. If she needed a service, she would either pay, use someone else's ID, or travel to Syria where medical care is cheaper.[127]

Single Lebanese-Syrian mother: she attempted to register with UNHCR, but they rejected her case because she and her family aren't refugees.[128]

Where both Lebanese and refugee communities experience similar challenges and live in similar levels of poverty, it is not uncommon for impoverished Lebanese community members to seek out UN services by attempting to register themselves and family members as Syrian refugees.

Syrian refugee mother: she didn't register herself or her children with any NGOs in Lebanon because as a single mother, she feared that they might exploit them or take her children. She also had experiences in which NGOs gathered personal information from her, and sold it, without ever contacting her again.[129] She now takes professional skills classes in a refugee camp where she feels comfortable because she is bettering herself, and has a community of friends.[130]

As these examples highlight, networks are critical for filling gaps in assistance, and a lack of networks or *wasta* can be a major setback for undocumented individuals in their day-to-day struggles to access basic services.

In these cases, networks are addressing critical needs that should be addressed by the Lebanese state or civil society.

126 Author interview with undocumented Palestinian woman, June 18, 2019.
127 Author interview with young stateless Lebanese woman, July 19, 2019.
128 Author interview with Syrian-Lebanese woman, June 27, 2019.
129 Author interview with Syrian refugee mother, June 20, 2019.
130 Ibid.

Pursuing Informal Labor

While education and skill levels can vary considerably among refugee and stateless populations, restricted access to employment is a common challenge. Due to the legal restrictions on the right to work, many stateless individuals and refugees in Lebanon work informally. Consequently, most of them have no contracts, and thus no legal protections against abuse or exploitation.

Stateless woman of Lebanese origin: she works under the title of 'volunteer' and within defined periods of time because she can't legally be hired. Since she has no legal protections if her employer fails to pay her, she works only with people she trusts.[131]

This is the case for many of the women we spoke with, as they work to survive and provide for their families, often working informally in service positions (i.e. house cleaner, caregiver, educator).

While both stateless Lebanese and refugees face restrictions on employment, refugees are, in many cases, eligible for UN assistance. However, the refugee women to whom we spoke expressed that UN stipends are not enough to cover all of their expenses and finding work outside the home becomes necessary, albeit very challenging.

In the case of Palestinian refugees in Lebanon, UNRWA added that there are no specific patterns, but that many work informally, especially inside the camps.[132] Additionally, sometimes families put their children to work informally, which means they are pulled out of school and at higher risk for exploitation.[133]

Therefore, while pursuing informal labor is a coping mechanism utilized by stateless individuals and refugees in Lebanon, it also carries many risks.

BELOW PHOTO:
"Lebanese shawarma maker needed, Lebanese pastry maker needed"

131 Author interview with stateless Lebanese woman, July 21, 2019.
132 Author interview with representative from UNRWA, August 7, 2019.
133 Author interviews with representatives from DRC and Basmat Amal, July 2019.

Strategic Family Planning

Not surprisingly, shrewd practicality is also necessary for many stateless individuals or those at risk of statelessness as they plan and build their families. Coping mechanisms related to marriage and family planning are common and can vary from person to person. However, some trends have surfaced, according to interviews with experts and undocumented individuals.

While the decision of whom to marry comes down to many factors, our respondents indicated two patterns. For some people, marrying within the stateless population and having children is a way to cope, even if it only perpetuates their struggle.[134]

However, many stateless women in Lebanon also marry foreign men, such as Syrians or Palestinians because they can gain access to UN services, which are better than the lack of protection afforded by the Lebanese state for stateless Lebanese.[135]

Additionally, stateless women who marry Lebanese men can naturalize either after having their first child, or after three years of marriage, whichever comes first.[136]

Multiple young stateless women of Lebanese origin said that they would marry someone for citizenship in order to better their situations and that of their future children. One young woman told us that people try to take advantage of her due to her stateless status, and have advised her to accept any marriage proposal she receives, given her situation. However, she refuses to accept just anyone, adding that she would never marry someone in the same situation as her.[137]

In terms of family planning, stateless or refugee women who face unwanted pregnancies have limited options. Family planning services are already restricted in Lebanon, and doctors can pressure patients to forego abortions or adoptions based on their conservative preferences.

While abortions are illegal in Lebanon, there are a range of options available, according to one expert with whom we spoke. There are licensed doctors who will provide abortions, but these procedures can cost between $500-1,000, whereas abortions by unlicensed doctors can cost between $70-200.

Reasons for having abortions vary, but a woman's financial means and her legal status can determine the type of care she can receive.[138] Other dynamics that play a role in the realm of family planning include child marriage and prostitution of both adults and minors.[139]

Syrian refugee mother: she had a daughter who became engaged at 13, and was married at 14. She married her daughter off because she looked older than her age, and she wanted to give her a better life, in addition to saving her from an increasingly overbearing brother.[140]

Child marriage and prostitution contribute to rising numbers of religious (versus government sanctioned) marriages, and unwanted pregnancies. While all segments of Lebanese society can resort to these negative coping mechanisms, stateless individuals and those at risk of statelessness are particularly susceptible due to their lack of legal status.

This demonstrates the high level of risk some may assume to cope with their stateless status and lack of assistance.

134 Author interviews with representatives from UNHCR and DRC, July 2019.
135 Author interview with representative from Basmat Amal, July 17, 2019.
136 Author interview with young stateless Lebanese woman, July 19, 2019.
137 Author interview with stateless Lebanese woman, July 21, 2019.
138 Author interview with representative from DRC, July 5, 2019.
139 Author interviews with representatives from UNHCR and DRC, July 2019.
140 Author interview with Syrian refugee mother, June 20, 2019.

Smuggling

In recent years, smuggling people out of Lebanon has become more commonplace in Tripoli among Lebanese, stateless persons, and refugees alike who feel they have no better option. While none of our interlocutors attempted to smuggle themselves out of Lebanon, some expressed that they had contemplated it as a potential solution.

> ***Stateless woman of Lebanese origin:*** she doesn't feel safe in her own country, and has no real nationalist feelings towards Lebanon. If she had the opportunity to smuggle herself out of the country, she would, but only with her family because she fears going alone.[141]

Tripoli's geographic location makes it a potential hub for smuggling activity. As people continue to struggle to access rights and services in Lebanon, the potential for smuggling as a solution to these problems remains and could rise in coming years.

Key Findings

As a result of our discussions with our interlocutors, key informants, and other reports and research emerging on this topic in Lebanon, we believe that our research highlights several key findings that are critical to understanding how statelessness or risk of statelessness impacts people in Lebanon.

We believe these insights can aid policymakers and civil society in their efforts to reduce these challenges over time. Gender plays a key role in these considerations, and an overarching finding is that the impact and risk of stateless status is particularly acute for Lebanese and refugee women.

Specifically, the challenges (and risks) associated with family planning and marriage fall disproportionately on stateless Lebanese women and refugee women at risk of statelessness.

Additionally, in these contexts women and girls can be pushed into early marriage, early pregnancy, early pregnancy termination, or be forced into coping with health issues (particularly those related to reproductive health) outside of hospital settings. These are not limited to women and girls who are stateless or at risk of statelessness, but their status as such increases the likelihood that they will experience these challenges.

Furthermore, while gender-based violence and gender discrimination are not experienced only by stateless or refugee women, women who are lacking documentation are considered "non-citizens" and therefore have little to no access to legal recourse should they experience it.

Crucially as well is that women and girls in Lebanese society can be reliant on male relatives or partners for civil registration processes, and in their absence face additional risks navigating what can often be patriarchal bureaucracies.

Underscoring all of these dynamics and impacting all genders are several other issues, including Lebanon's gender-discriminatory nationality and the restrictions it poses in conferring citizenship, the risks many assumed by obtaining and relying upon fraudulent documents to access services, and a general lack of awareness about processes and resources that can help individuals either change their stateless status or reduce the risks associated with it.

As it currently stands, the onus lies on individuals impacted by this problem to also be the ones solving it. A lack of awareness, as well as the daily toll assuming the risks associated with stateless status imposes on individuals ensures that the cycle of statelessness will continue unless changes are made to disrupt these patterns.

[141] Author interview with stateless Lebanese woman, July 21, 2019.

III. Policy Recommendations and Conclusion

Based on our research and interviews with experts and persons affected by statelessness, we have adopted the following recommendations:

I. Improve Data Management

II. Raise Awareness

III. Improve Government Assistance

IV. Increase External Assistance

Improve Data Management

There are several steps to be taken that can improve the management of data that is critical to registration cases and processes.

Streamline communication channels between government offices to improve the sharing of information that is required in registration processes and legal cases for those pursuing documentation. Additionally, there is currently no consistency of law implementation across government agencies, especially the General Security Office and the Ministry of Interior.[142]

Actions should be taken in these offices to cultivate consistency and improve communications.

Enhance data management by electronically converting hand-written registries, and establishing a universal birth registration system through a shared database connection between hospitals and the civil registry.

This would allow direct notification of birth registration to the government, which could eliminate the one-year deadline if parents don't follow up right away, or allow the government to follow up with the parents.

This would also allow parents to register their child with any *nafous* instead of a specific *nafous* located in the parents' hometown. The one year deadline only punishes the child, not the parents.[143]

Consolidate the *mokhtar* and *nafous* into one entity, thereby reducing one redundant step in the already complicated birth registration process.

Mokhtars are situated at the municipal level, and are not civil servants or formerly part of municipality, whereas the *nafous* does essentially the same job, but is an official of the state.[144]

142 Author interview with representative from UNRWA, August 7, 2019.
143 Author interviews with representatives from UNHCR, NRC, and Frontiers Ruwwad, July 2019.
144 Author interview with representative from NRC, July 18, 2019.

III. Policy Recommendations and Conclusion

Raise Awareness

As noted throughout the report, a lack of awareness of both documentation processes and resources to assist with them is a common challenge. In order to better combat these challenges through awareness-raising, we suggest the following.

Promote awareness of birth registration among refugee and stateless Lebanese communities by holding localized information sessions and workshops led by NGOs with subject-matter experts. Creating brochures for hospitals to hand new mothers would also be advantageous.

Promote community focus groups to help identify issues and propose solutions.[145]

Increase training programs for lawyers to educate them about stateless cases, and support civil society organizations already working on this initiative. Mobile legal clinics could also raise awareness about registration procedures.

Convene *mokhtars* for national trainings in order to address knowledge gaps and raise awareness about cases of statelessness, so that they might better assist those in their communities.

Encourage more women to pursue *mokhtar* and *nafous* positions because there are 2,922 *mokhtars* in Lebanon, only 57 of whom are women.[146] Women in these positions may have more access to stateless Lebanese and refugee women who need information about birth and marriage registration procedures.

Improve Government Assistance

Government assistance to stateless Lebanese and others at risk of statelessness in Lebanon is either nonexistent or sorely lacking. In order to address this, the Lebanese government can consider the following recommendations.

Issue a recognized document to stateless persons, including Lebanese, Syrian refugees, and Palestinian non-IDs by the Lebanese government, so they can have basic freedom of movement.[147]

Reduce the cost of DNA tests for stateless people by subsidizing more laboratories, and review DNA requirements because it is not clear why DNA is requested in every case, or that it's even the only effective measure.[148]

Make a simpler, and expedited naturalization process for historically stateless persons to unburden the courts.[149]

Allow women equal rights in transferring citizenship to their children. This would help significantly reduce the number of future cases for those at risk of statelessness.

Increase External Assistance

Since there are currently no legal barriers, one recommendation would be to have UNHCR register individuals as 'stateless' and issue identity documents that could in turn be recognized by the state. This would prove definitive for states that refuse to recognize stateless persons for various reasons.[150]

145 Author interview with representative from UNHCR, July 3, 2019.
146 Ibid.
147 Author interview with representative from UNRWA, August 7, 2019.
148 Author interview with representative from NRC, July 18, 2019.
149 Author interview with representative from Frontiers Ruwwad, July 31, 2019.
150 Akram.

III. Policy Recommendations and Conclusion

Conclusion

While there is no definitive way to classify or measure the challenges and impact of statelessness on women, it is clear that the impact of being stateless or at risk of statelessness cascades across families and through generations.

Multiple factors converge to form a complex situation that requires a multi-faceted approach.

Our interviews revealed that people had different strategies of how to obtain legal documentation, that information is not well disseminated from the state, and that support from the government is lacking.

Leading causes of statelessness across these populations arise from a lack of birth registration, which often stems from a lack of marriage registration for the parents.

Those who inherit statelessness from ancestors of unknown origin have an even more difficult experience in rectifying their statuses.

While the Lebanese legal system provides relatively straightforward solutions for some, the process in practice turns out to be costly, time consuming, and expensive.

Consequently, coping mechanisms take many forms among stateless populations, and women are disproportionately impacted.

Statelessness has a profound impact on a person's daily life and state of mind. It deprives people of their rights and freedoms while serving as a source of exclusion and exhaustion.

It also restricts access to social services, mobility, and employment, which can create a strong bond between statelessness and poverty.

For stateless populations, there is a lack of hope. Unaddressed, statelessness only compounds as it is inherited by the next generation.

It is our hope that this research will help inform practitioners, decision makers, and the public of the challenges facing stateless people in Lebanon, with emphasis on the experiences of women.

We hope these insights can be used to implement effective projects and policies to help combat the causes, reduce the phenomenon, and better protect stateless individuals and those at risk of statelessness Lebanon.

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IV. References

Akram, Susan. "The Search for Protection for Stateless Refugees in the Middle East: Palestinians, and Kurds in Lebanon and Jordan." *International Journal of Refugee Law*, Vol. 30, No. 3. (2018), pp. 407-443. https://academic.oup.com/ijrl/article/30/3/407/5227402.

Bennett, Claudia and Kristina Fried. "The Campaign to End Statelessness and Perfect Citizenship in Lebanon." *Boston University International Human Rights Law Clinic*. November, 2019. https://f2b65c88-a185-4b0b-aa91-bb12b0500709.filesusr.com/ugd/55e102_b4b7bf026c2e47c4a6a0947d7e237745.pdf.

Dabbous, Dima. "Legal Reform and Women's Rights in Lebanese Personal Status Laws." *Chr. Michelsen Institute*, Report No. 3. September, 2017. https://www.cmi.no/publications/6341-legal-reform-and-womens-rights-in-lebanese.

Geagea, Nayla and Lama Fakih. "Unequal and Unprotected: Women's Rights Under Lebanese Personal Status Laws." *Human Rights Watch*. January 19, 2015. https://www.hrw.org/report/2015/01/19/unequal-and-unprotected/womens-rights-under-lebanese-personal-status-laws#page.

Ismail, Khaled, Claire Wilson, and Nathan Cohen-Fournier. "Community Tensions in a Fragile Urban Economy: Syrian Refugees in Tripoli, Lebanon." *Refugees in Towns*. March, 2017. https://www.refugeesintowns.org/tripoli.

Makhlouf, Youmna. "'Nationality Under Study:' The Permanence of Being Stateless." *The Legal Agenda*. February 1, 2016. https://www.legal-agenda.com/en/article.php?id=3122.

Maktabi, Rania. "The Lebanese Census of 1932 Revisted. Who are the Lebanese?" *British Journal of Middle Eastern Studies*. Vol. 26, No. 2 (November, 1999), pp. 219-241. https://www.jstor.org/stable/195924?seq=1#metadata_info_tab_contents.

March Lebanon and Siren Associates. "The Plight of the Rightless: Mapping and Understanding Statelessness in Tripoli." March, 2019. http://sirenassociates.com/case-studies/mapping-statelessness/. *Contact March Lebanon or Sirens Associates directly for a copy of the report.*

Sussman, Anna Louie. "In Lebanon, a Tangle of Religious Laws Govern Life and Love." *The Atlantic*, September 29, 2011. https://www.theatlantic.com/international/archive/2011/09/in-lebanon-a-tangle-of-religious-laws-govern-life-and-love/245857/.

UN Habitat. "Tripoli City Profile." 2016. https://data2.unhcr.org/en/documents/download/59850.

V. Appendix 1: Research Motivation and Methodology

Motivation

Given the number of protracted conflicts and burden put on humanitarian actors to assist the people impacted in increasingly long-term ways, the international community needs to re-conceptualize notions of citizenship rights and the state's role in providing access and services.

Relying on UN agencies to provide all services and rights for individuals who cannot access their rights as citizens due to conflict and/or migration is unsustainable. Finding new ways to address these gaps will become more vital as the drivers of migration become more protracted and complex, and the issues of statelessness and risk of statelessness become more entrenched, perpetuating with each generation.

Research Question

This research addresses the following question: What are the barriers to obtaining legal documentation in Lebanon for undocumented (stateless) women and women at risk of statelessness, regardless of country of origin, and what are the individual consequences of not having documentation? Furthermore, this research examines how the "cycle of statelessness" is perpetuated and, through the experiences of our interlocutors, how statelessness or a "risk of statelessness" impacts women in and around Tripoli.

Our research identifies three key drivers of statelessness in Lebanon: 1) gender discrimination in Lebanese nationality laws, 2) civil registration processes, and 3) a lack of nationality rights for children (as a product of the first two drivers).

Additionally, we hypothesized that a general lack of awareness around the issue amongst local populations, and ambiguity around the civil registration process and its requirements, also perpetuate statelessness through generations in Lebanon. With these areas of interest identified, our research questions addressed the role each of these phenomena play (or don't) in perpetuating statelessness across the country.

Methods

Between June and August 2019, the authors conducted 21 distinct, semi-structured interviews with the assistance of a local interpreter and observed key sites and neighborhoods in Tripoli. Our interlocutors fell into two broad categories: 1) stateless individuals or those at risk of statelessness, including refugees, and 2) key informants from the service and NGO sectors.

The first category of individuals included stateless Lebanese (women and men), Palestinians at risk of statelessness (those registered with UNRWA, those *not* registered with UNRWA, and Palestinians without identification documents), and Syrian refugees residing in Tripoli at risk of statelessness.

The second category of key informants from the service and NGO sectors included local *mokhtars*, midwives, and other service providers (such as legal specialists), as well as key informants from local and international NGOs.

The research interlocutors from category 1 have been residing in Lebanon for varying lengths of time, from their whole lives (as was the case with many of the stateless Lebanese and Palestinians we interviewed) to just a few years (as was the case with some of our Syrian refugee interlocutors).

While not comprehensive, our interviews with individuals who experience the consequences of stateless and refugeehood, in combination with vital information from our key informants in the NGO sector and background desk research conducted between May and August 2019, highlight key challenges and their gendered nuances faced by stateless individuals in this context.

V. Appendix 1: Research Motivation and Methodology

The study's methodology was informed by key tenets of feminist research, with a committment to understanding the power dynamics and the value of contextual knowledge throughout the interviews.

We approached the interview process with the knowledge that the categories and identities held and examined by the research participants, including "stateless,' "refugee," "Lebanese," and "Palestinian" can be socially constructed and open to interpretation. We interacted with our interlocutors in a variety of settings, including cafes, homes, and places of employment.

We attempted to interview people with a variety of ages, socio-economic backgrounds, and education levels. Nonetheless, despite our privileged access and best efforts, we naturally encountered a few constraints.

Constraints

The biggest constraint facing this research was a lack of access to a more diverse range of research participants. More time could have allowed us to create connections with individuals from different socio-economic, educational, and socio-cultural backgrounds within different nationality groups. Additionally, we were unable to interview any government representatives for several reasons, namely due to the political sensitivity of demography in Lebanon, the lack of access to government authorities, and time constraints.

By not speaking directly with government officials, we relied on pre-existing published materials and second-hand accounts from both our interlocutors and key-informants based on their interactions and private discussions with government officials.

Since government authorities, such as the Ministry of Interior, the Ministry of Justice, and the General Security occupy an important role in policy legislation and execution, their functions directly affect the lives of stateless individuals and those at risk of statelessness residing within Lebanon.

Due to the sensitive nature of our research, we recruited a qualified and experienced local counterpart, Naama al-Alwani, to serve as a fixer and interpreter in Tripoli. She was instrumental in liaising with both our interlocutors and interpreted for several of our interviews.

In addition to her professional qualifications, her background as a Syrian refugee with strong community connections in the city of Tripoli proved to be an advantage, especially when gaining access to people who may normally be reluctant to speak with strangers about sensitive and personal experiences. In this type of research context, there is always a risk that respondents may alter, censor, or otherwise augment accounts of their experiences for a variety of reasons.

However, during our interviews, we felt confident that the information and stories being shared were genuine.

We were also able to cross reference many of our interlocutors' testimonies with information acquired from other interlocutors, key informants, and desk research. Some of our interlocutors had spoken to researchers before and some had not; many expressed appreciation for conducting research on this topic.

A final note is that, while this research was focused largely on the experiences of stateless and refugee women, we were only able to interview a handful of men for comparison purposes. More time and access to men's narratives on the issue of statelessness is an area rich for further research and exploration.

V. Appendix 2: Actors in Context

Information and context about NGOs and international organizations of our key informants:

Lebanese NGOs

Frontiers Ruwwad
A Lebanese NGO focused on defending and protecting the human rights of marginalized groups through advocacy, capacity building, and legal assistance.

They train experts, and maintain a network of professionals to assist clients in resolving matters of statelessness, asylum, or rights to personal freedom and non-refoulement. They interact with decision makers, and collaborate with international actors to provide access to justice for stateless persons and refugees.

Basmat Amal
A Lebanese NGO located on the outskirts of Tripoli that works with vulnerable communities in the Tripoli area, regardless of their origin, to access rights and services. They conduct awareness campaigns, education and art projects, and more.

International NGOs

Norwegian Refugee Council
An independent, international humanitarian organization helping people around the world who have been forced to flee.

It provides humanitarian services, such as camp management, food assistance, shelter, legal aid, and education.

Danish Refugee Council
An international humanitarian organization that assists refugees and internally displaced persons across the world through humanitarian aid and advocacy.

It works in conflict-affected areas, as well as resettlement locations for refugees in order to provide sustainable solutions.

International Organizations

UNHCR
The United Nations programme with the mandate to protect refugees, forcibly displaced, and stateless people by assisting in their voluntary repatriation, local integration, or resettlement to a third country.

In Lebanon, UNHCR works closely with the government and numerous other national and international partners to provide protection and assistance to refugees, stateless persons, as well as Lebanese communities affected by the Syrian crisis.

UNRWA
Established in 1949, it serves as a relief and human development agency that supports more than 5 million Palestinian refugees and their patrilineal descendents who fled or were expelled from Palestine during the 1948 Arab-Israeli conflict and the 1967 Six Day War. It provides public works and direct relief, including education, healthcare, and social services to its registered populations in Jordan, Lebanon, Syria, the Gaza Strip, and the West Bank.

V. Appendix 2: Actors in Context

Other Service Providers

Mokhtar
A local community representative, elected by his or her community, who acts as a link between the people and the government. He or she primarily handles civil registration affairs, such as births, marriages, divorces, deaths, and issuance of attestations.

The *mokhtar* is the step before the *nafous*, who is basically the government version of the *mokhtar* since the *mokhtar* is an old position leftover from Ottoman times.

The *mokhtar* used to deal with all community issues, but there are now several administrative steps in the Lebanese system.

It's difficult even for Lebanese to navigate it sometimes. *Mokhtars* are elected by their communities to deal with the community members directly. They issue birth registrations, marriage decrees, divorce decrees, death certificates, etc.

For stateless individuals, they primarily issue the *ta'areef ism*, translating roughly to an attestation of identity. They receive no government salary, and are able to set their own fees under the law.

In addition to their administrative roles, *mokhtars* serve as key sources of information for stateless people regarding procedural steps for gaining nationality.

The *mokhtar* plays an ambiguous role in statelessness matters, and the amount of assistance a *mokhtar* provides to stateless people in his or her community varies from one to the next.

Some *mokhtars* see it as their duty to help the stateless, whereas others avoid helping stateless people altogether for different reasons.

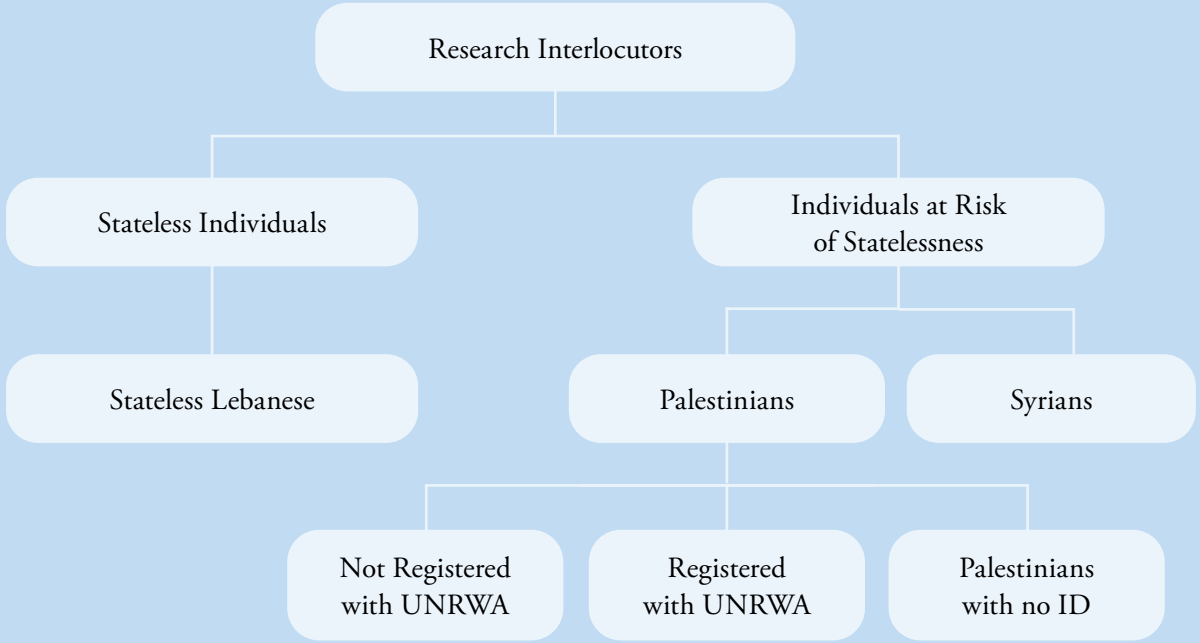
Of those who help them, some have even become specialized in stateless affairs, and conduct fraudulent activity.

Midwife
A woman who works in hospitals to help pregnant women deliver their babies, and then produce a hospital birth certificate for each child that includes the biographical information of the parents and child. She may also conduct home deliveries if a woman does not come to a hospital.

Independent Consultant
An independent researcher and consultant in refugee studies who has many years of experience working with numerous governmental, humanitarian, and academic institutions in Lebanon and abroad. He has also authored many studies regarding Palestinian refugees and the right to return.

V. Appendix 2: Actors in Context

FIGURE 1
Research Interlocutors



V. Appendix 2: Actors in Context

FIGURE 2
Key Informants