

Unofficial Translation by Human Rights Watch

General Directorate of General Security

Bureau of Media Affairs

**To the Deputy Director of the Middle East and North Africa Division –
Human Rights Watch**

Kind greetings,

Re: A report on the deportation of foreign domestic workers that have children in Lebanon.

First: The Lebanese State pays particular attention to children, as stipulated in the Articles pertaining to children's rights in the Lebanese Constitution along with laws issued by the Lebanese Parliament and the legislative and executive decrees issued by the Cabinet, in addition to relevant decisions and circulars issued by the various State institutions and administrations. According to all legislations mentioned above, a child shall not be forcibly removed from their mother.

Second: The General Directorate of General Security gives particular attention to mothers, especially mothers who care for young children. Thus, "a mother" of a young child who has committed any act that requires her detention in a detention center run by the General Security will be placed in a special center run by social welfare institutions (not in pretrial detention).

Third: Based on the moral value of what is mentioned above, we confirm that the General Directorate of General Security did not deport or send away any domestic worker with a child that she wanted to bring with her, regardless of the act or the offense she has committed.

We clarify the following:

- Fourth and Third category workers are not entitled to bring their children with them during their work-period in Lebanon. As for marriage and procreation in Lebanon, these entail obstacles and are difficult to achieve without violating many laws and regulations, specifically the labor and residency laws.

- The question of guardianship of a child in Lebanon is primarily decided by the Religious Courts. The criterion used in these courts is religious and does not differentiate between a Lebanese and a foreigner.
- If a domestic worker has a child in Lebanon, that means one of the following possibilities:
 - 1- There is an illegal marriage (not [religiously] illegitimate).
 - 2- There is an illegitimate child from an illegitimate relationship.
 - 3- There is a child from a temporary relationship that is illegitimate and illegal.
 - 4- There is a child from a forced relationship (rape) and the worker did not appeal to law enforcement authorities and did not file a complaint.

In any case, there should be an accumulation of law violations that led to this situation, knowing that the persistence of violations of applicable laws in any country would set its inevitable outcome on the transgressor.

Fourth: The existence of a child means the existence of a father, which brings us to the nationality of the father. If the father is Lebanese, the Lebanese state will not deport the mother of a Lebanese against her will. If the father is a foreigner, the issue of the child guardianship will be decided by Religious Courts, which, as mentioned above, don't give any consideration to the parents' nationalities.

Noting that domestic workers with children are put upon their arrival to the General Directorate of General Security- Bureau of Investigations in places that belong to Caritas until their files are processed in accordance with the relevant laws and instructions or are deported to their countries. Nearly 80 cases were processed in 2016 and 2017.

Fifth: We confirm that the General Directorate received some cases from NGOs. In these case, a fourth-category girl would express her wish to give her child to an organization for reasons related to the situation of the domestic worker in her home country. These cases were processed in accordance with the relevant laws while ensuring the interests of the mother and the child at the same time (e.g., a domestic worker who was married in her country and gave birth in Lebanon).