**Your Excellency the Speaker of the Parliament Nabih Berri,**

We are honored to present to Your Excellency a draft law that aims to protect children from early marriage, which is a worldwide phenomenon, and setting the age of marriage as 18 for men and women on all Lebanese territories.

We hereby present to you the text of the draft law along with its affirmative reasons, hoping that Your Excellency would refer it to parliamentary committees, pursuant to articles of 101 and 102 of the Parliament’s rules of procedure, towards discussing and voting on it at the Parliament’s general assembly.

Respectfully,

Member of the Parliament Elie Keyrouz

March 28, 2017

**Draft Law on the Protection of Children from Early Marriage**

**Affirmative Reasons:**

1. The Lebanese Constitution in paragraph B of its preamble states that Lebanon is a founding member of and active participant in the United Nations, committed to its charters and the Universal Declaration of Human Rights, and the state embodies these principles in all rights and issues without exception.
2. Article 16 of the Universal Declaration of Human Rights considers the family the essential natural unit of society and that is has the right to be protected by society and the state.
3. Article 11 of the International Covenant on Economic, Social and Cultural Rights asserts “the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society.”
4. Article 16 paragraph 2 of the Convention to Eliminate All Forms of Discrimination Against Women emphasizes taking all necessary measures, including legislative, to set the minimum age of marriage in a way that prevents the marriage of children.
5. Article 1 of the Convention for Children’s Rights defines a child as “every person under the age of 18,” and Lebanon has ratified this convention in 1990.
6. The recommendations issued by the United Nations committees for human rights urge the Lebanese State to set the minimum legal age for marriage to 18 years.
7. Article 2 of the Code of Civil Trial Procedures stipulates that courts abide by the hierarchy of rules, whereby the provisions of international conventions have precedence over the provisions of ordinary law if there is a conflict between the two and in their scope of application.
8. The Lebanese Law of Duties and Contracts has determined in Article 215 that 18 is the age of civil majority and of commitment (civil majority).
9. Legislators have willed to unify the ages of civil and criminal majorities, determining that when a person reaches the age of 18 he reaches criminal majority and becomes fully responsible and susceptible to any punishment (criminal majority).
10. The Lebanese constitution determines in Article 21 an age for voters, which is twenty-one (legal age for voting).
11. The Lebanese Labor Law requires that a person has reached the age of eighteen to join labor unions (legal age for unionization).
12. Law 422/2002 on juveniles who are in conflict with the law or in danger determines a juvenile as a person who has not reached the age of eighteen.
13. The traffic law stipulates in Article 199 that a Lebanese citizen should reach the age of eighteen or twenty-one to acquire a driving license.
14. It is evident that the Lebanese law has determined a minimum age for normal life entitlements, which relate to eligibility; consciousness; awareness; will; life experience; mental, psychological and emotional maturity; and the understanding of dangers in life, it is not reasonable that a “fateful entitlement” such as marriage be the most superficial and least important among all entitlements. Marriage is not only related to the ability to procreate; it is related to the age of majority, love, affection, fidelity, cooperation, happiness and the sound building of a family.
15. The right of “historical religious sects” to legislation in matters of civil status is not absolute. It is conditional on what Article 9 of the constitution refers to as “not disrupting the public order” as well as committing to international humanitarian standards. Early marriage for children brings dangers to the girl, children, family and society, hence, does it not constitute a disruption of public order in Lebanon?
16. The Lebanese State is concerned with organizing its citizens’ lives and protecting Lebanese family by determining a minimum age for marriage in such a way to prevent child marriage and the ensuing serious problems.

Hence, we present to the honorable Parliament the current draft law that aims to protect children from early marriage, which was initially drafted by the Lebanese Women Democratic Gathering- RDFL.

Draft Law on Protecting Children from Early Marriage

Article One:

The word “child” refers to any boy or girl under the age of eighteen full years.

Article Two:

The age of marriage on Lebanese territories is determined as eighteen for men and women, contrary to any other text.

Article Three:

Article 483 of the Penal Code is amended as follows:

Anyone who has contracted, permitted, urged, intervened for, contributed to, or participated in the marriage contract of a child in conflict with the provisions of this law shall be fined ten times the minimum wage rate and face jail time of six months to two years. In case of repeated offence, the penalty shall be compounded.

Article Four:

All legal or regulatory statutes that conflict with the provisions of this Law or are inconsistent with its contents are hereby voided.

Article Five:

This Law shall go into effect immediately upon its publication in the official gazette.

Respectfully,

Member of the Parliament Eli Keyrouz

On March 28, 2017