

**AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT  
OF THE LEBANESE REPUBLIC REGARDING COOPERATION ON  
CONSULAR MATTERS OF A HUMANITARIAN NATURE**

The Government of Canada and the Government of the Lebanese Republic

Desiring to promote cooperation between their two States;

Taking into consideration the provisions of the United Nations Convention on the Rights of the Child, signed in New York in 1989, and in particular the provisions of Article 11 according to which the States Parties, including Canada and the Lebanese Republic, shall take the necessary measures to combat the illicit transfer and non-return of children abroad, and to this end, promote the conclusion of bilateral or multilateral agreements in this respect;

Taking into consideration the provisions of the Vienna Convention on Consular Relations, signed in Vienna in 1963, to which Canada and the Lebanese Republic are States Parties, and in particular the provisions of Article 5 (e) and (h), according to which consular functions consist, *inter alia*, in helping and assisting nationals of the sending State and in safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of children who are nationals of the sending State;

Recognizing that questions pertaining to personal status matters, including questions of child custody, can often represent human tragedies and present a particular challenge to bilateral efforts for a just and humane solution;

Respecting the laws, decisions of the courts and applicable rules in each State;

Desiring to promote and enhance consular cooperation between their two States to deal with these issues;

Have agreed as follows:

*Article 1*

A Joint Consultative Commission shall be established comprising officials of the Ministry of Justice, Ministry of the Interior and Ministry of Foreign Affairs for the Lebanese Republic and officials of the Department of Foreign Affairs and International Trade and the Royal Canadian Mounted Police for Canada.

Each of the two Parties may appoint additional experts on the basis of their competence in matters submitted for deliberation by the Commission, including representatives from Canadian provinces and territories.

*Article 2*

Each Party shall designate a coordinator to ensure the liaison with the other Party.

*Article 3*

The Commission shall be of a consultative nature.

*Article 4*

The Commission shall be competent to:

- a) consider problems related to individual consular cases involving persons possessing Canadian or Lebanese nationality with a view to facilitating their resolution, in accordance with the laws of each Party.

These cases shall include matters pertaining to personal status such as child custody, and those which require measures pertaining to the protection of a child's right, and of basic human rights in general.

For the purpose of this Agreement, consular cases of a humanitarian nature shall not include matters pertaining to visas or immigration, except as provided for in Article 4 c);

- b) ensure respect for the right of a child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if these relations or contact are contrary to the child's best interests, as provided for in the United Nations Convention on the Rights of the Child;
- c) ensure respect for the rights of access of a parent who is not entitled to legal custody of the child, as provided for in the United Nations Convention on the Rights of the Child. The Commission could, in this context, support applications for visas and exit permits from a parent who does not have custody of a child;
- d) follow the progress of consular cases brought to its attention with a view to providing timely status reports to the concerned authorities of both Parties;
- e) promote awareness and cooperation between the concerned public authorities of both Parties with respect to consular cases brought to the attention of the Commission;
- f) receive and exchange information and documents related to consular cases brought to the attention of the Commission and facilitate the transmission of information and documents to the competent authorities of either Party as required.

#### *Article 5*

The creation of the Commission shall not replace or preclude any other means of communication and consideration of consular cases between the Parties.

#### *Article 6*

The creation of the Commission shall not preclude the resolution of consular cases, including those involving personal status matters, through other means.

#### *Article 7*

Either Party may present to the Commission consular cases which it is competent to consider. These cases will be presented through diplomatic channels.

#### *Article 8*

The Commission shall meet at the request of either Party, on the date arrived at by common agreement and at least once per year.

#### *Article 9*

The conclusions of the Commission are to be put on record in writing; it shall ensure the confidentiality of information regarding the cases considered.

#### *Article 10*

The Parties shall provide a translation into an official language of the other Party of all written communications pursuant to this Agreement.

#### *Article 11*

The Commission shall prepare a report on the operation of this Agreement and transmit it to the Ministry of Foreign Affairs and to the Ministry of Justice for the Lebanese Republic and to the Department of Foreign Affairs and International Trade for Canada .

*Article 12*

The Parties shall consult each other with a view to resolving problems concerning the interpretation or application of the present Agreement.

*Article 13*

No provision in this Agreement shall limit or otherwise affect the rights and obligations of either Party arising from other conventions, and in particular the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations.

*Article 14*

Each Party shall notify the other that its legal requirements for the entry into force of the present Agreement have been complied with.

This Agreement shall enter into force on the first day of the second month following the date of the last notification.

*Article 15*

This Agreement shall apply to any consular case of a humanitarian nature raised by either Party even if the case began before the entry into force of this Agreement.

*Article 16*

This Agreement shall remain in force indefinitely.

Either Party may terminate this Agreement at any time by giving written notice to the other Party to that effect. Termination shall take effect six months after receipt of the notice.

In Witness whereof the representatives of both Parties, being duly authorized thereto by their respective Governments, have signed this Agreement.

Done at .....

on the .... day of ..... Two Thousand in two copies, in the English, French and Arabic languages, each version being equally authentic.

For the Government of Canada

For the Government of  
the Lebanese Republic