



States Must Address Statelessness: Now is the time to Act

As members of the global community of civil society actors engaged daily in action to protect everyone's right to a nationality and equal nationality rights without discrimination, we applaud UNHCR for its ongoing efforts to combat statelessness through the #Ibelong campaign. We also commend States that have taken meaningful steps to combat statelessness: from Venezuelan children granted nationality in Colombia; legal reforms to uphold women's right to confer nationality on their children on an equal basis with men in Madagascar and Sierra Leone; Kyrgyzstan granting citizenship to the last known stateless persons as a result of the dissolution of the Soviet Union; and the establishment of statelessness determination procedures in countries including Argentina, Brazil, Costa Rica, Ecuador, Kosovo, Panama, Paraguay, Turkey, and Uruguay.

However, the threat of statelessness is growing and new risks of statelessness are outpacing efforts to address statelessness. **In the vast majority of cases, statelessness could have already been eradicated if all governments fully implemented their obligations under international law.**

Once denied the right to a nationality, the stateless face wide-ranging human rights violations, including the right to education, healthcare, employment, property, inheritance, movement, participation, liberty and security of the person. Stateless persons endure family separation, increased risk of gender-based violence including early and forced marriage and human trafficking, and multigenerational poverty, exclusion and psychological trauma. Stateless persons are also subject to forced migration, which is in turn a cause of statelessness – facts recognized in the New York Declaration for Refugees and Migrants.

To achieve the SDGs and their aim to leave no one behind, we must, and can act now to achieve a world where statelessness is a thing of the past.

To do this, we believe action must be taken by governments and the UN and with the support of civil society to address seven key challenges:

1. Gender discrimination in nationality laws: Today 25 countries have nationality laws that deny women the right to confer nationality on their children on an equal basis with men. Approximately 50 countries maintain laws that deny women equal rights with men to confer nationality on a non-national spouse or to acquire, change or retain their nationality.

2. Discrimination: The majority of stateless people belong to racial, ethnic, religious, or other minority communities. The genocide and crimes against humanity inflicted on the Rohingya by Myanmar illustrate

the most extreme and tragic consequences of minorities being made stateless. The multigenerational statelessness faced by many Palestinians is an injustice that is not being met with the urgent action it deserves. Many in the Roma community also continue to face high levels of statelessness and marginalization.

3. Documentation and proof of belonging: Communities are increasingly denied documentation or required to prove their links to a state, despite having lived there as citizens for generations. For example, in Assam, India, 1.9 million people have been effectively stripped of their nationality as a result of being excluded from the National Registry of Citizens. Dominicans of Haitian origin in the Dominican Republic continue to suffer as a result of the arbitrary deprivation of their nationality.

4. Citizenship Stripping: An increasing number of countries have expanded the government's power to deprive its own citizens of their nationality (purportedly) in response to national security threats. There is also a growing incidence of the instrumentalisation of withdrawal of nationality to target political opponents and human rights defenders in violation of international law.

5. The child's right to a nationality and birth registration: The Convention on the Rights of the Child protects every child's right to acquire a nationality and to be registered immediately after birth. International law makes provision for the acquisition of citizenship for children born stateless in that state's territory. If this fundamental principle was respected by all states, no child would be born stateless.

6. The detention of stateless persons: Many stateless persons are subject to arbitrary, prolonged and even indefinite detention on removal grounds, while no country is willing to accept them.

7. Data and statistics on statelessness: Data and statistical information on statelessness continues to be scarce with less than half of States providing the UN with data, and with stateless refugees, IDPs, and stateless Palestinians excluded from UN statistics on statelessness.

There are known, often-simple actions that can be taken today to end statelessness. States ultimately have the obligation and responsibility to eliminate this human-made tragedy once and for all.

We call on States to:

1. Ensure that protecting the right to a nationality and **addressing statelessness** is fully mainstreamed and integrated into human rights programming and work to implement the Sustainable Development Goals, **Global Compact on Refugees and Global Compact on Migration**.
2. Take immediate action to **end gender discrimination in nationality laws** and practice.
3. **Confront discrimination, racism, and xenophobia** to effectively address statelessness and the root causes of genocide itself.
4. **Refrain from subjecting citizens or residents to arbitrary and discriminatory procedures** that require them to prove their status.
5. Reassess laws, policies and practices which provide for the deprivation of nationality as a national security measure, to **ensure compliance with the right to a nationality** and to non-discrimination and the duty to avoid statelessness.

6. **Protect every child's right to acquire a nationality and to achieve universal and immediate birth registration** of each child, including children of refugees, foreigners, stateless persons, minorities, and children born outside legal marriage; and ensure each parent's independent right to obtain birth certificates for their children, regardless of gender and marital status.
7. **Implement identification, screening and determination procedures** to ensure stateless people are not detained and ensure statelessness determination procedures are linked to permanent options to resolve an individual's status, in line with the 1954 Statelessness Convention.
8. Engage in comprehensive, disaggregated **data collection on statelessness**.

We underscore and remain hopeful that statelessness can be eradicated through the commitment of States to uphold international human rights and humanitarian law and the implementation of UNHCR's Global Action Plan to End Statelessness. We look forward to supporting you in this critical effort to ensure this most basic human right – the right to nationality, to inclusion, to belong.