



“None of Europe’s Children should be Stateless”

This statement was presented and discussed during the closing session of the European Network on Statelessness (ENS) conference “[None of Europe’s children should be stateless](#)” which was held in Budapest on 2-3 June 2015 and brought together 100 participants from over 30 European countries. Those in attendance included lawyers, academics and NGOs as well as representatives from governments, intergovernmental organisations, ombudspersons, the judiciary, UN treaty bodies, the Council of Europe and the European Union. The conference presented eight country studies undertaken by ENS members as well as papers by a range of other stakeholders and independent experts. The conclusions below relate to five conference guiding questions, and are intended to help guide joint efforts to end childhood statelessness in Europe.

1. Shaping a research agenda to further understand the causes and consequences of childhood statelessness

- Build on the existing body of country-level research on law and practice relating to childhood statelessness that has been generated by ENS studies, UNHCR mapping reports and other civil society and academic initiatives. Prioritise research in those countries where initial analysis suggests gaps in the national legal framework, in particular non-compliance with fundamental international legal safeguards to prevent childhood statelessness. In parallel, target research in countries where no detailed initial analysis has been conducted but there is evidence to suggest a prevalence of childhood statelessness or innovative good practices in addressing it.
- Continue to explore and discuss the regional and international normative framework, including in respect of the avoidance of statelessness following state succession, in particular in order to identify areas in which further standard-setting or doctrinal guidance may be needed and to support the more effective use of these norms in litigation and other efforts.
- Explore thematic issues which have emerged within, but cut across, different national contexts and require a greater depth of understanding – including by drawing from the work of and stimulating further collaboration with academics. Key thematic issues identified include:
 - The attribution of nationality to children and the (mis)use of the label “unknown nationality” as a factor in the non-implementation of safeguards against statelessness;
 - The interaction between birth registration and the acquisition, in practice, of nationality by birth, in particular in cases where the law provides for automatic conferral;
 - The enjoyment of nationality and prevention of statelessness for children of refugees and other beneficiaries of international protection, as well as for undocumented children;
 - The avoidance of statelessness for children in emerging contexts of nationality contention, such as international commercial surrogacy, same-sex partnerships and “baby boxes”;
 - The impact of statelessness on children, from a rights perspective and in terms of socio-psychological and childhood development implications;
 - The prevention and reduction of childhood statelessness from a longitudinal perspective, such as to explore the drivers for and development of normative change or to understand the longer term outcomes for children and their families of securing nationality.
- Identify the different uses and target audiences for research on childhood statelessness to better tailor such exercises and ensure an effective outcome. Establish, in particular, any misconceptions, myths or fears



- surrounding the issue and conduct research that can help to deflate these. Ensure that all research is carried out diligently, to build a solid knowledge base that could also be used, for instance, as evidence in litigation.
- Design and implement research projects in such a way as to enable these to generate different types and format of research product, for different audiences and purposes, including integrating storytelling or multimedia components as appropriate. Ensure, in this regard, that research findings and products are also translated as needed to reach relevant audiences. Adopt a participatory approach within research which enables affected persons to share their views on their situation and potential solutions, as well as to contribute to empowerment through providing avenues for a more sustained form of engagement.

2. Improving data on children's access to nationality and birth registration, and on the scale and impact of childhood statelessness

- Encourage relevant government bodies to review which of their data collection systems capture data relating to childhood statelessness – including on birth registration rates – and make improvements, as necessary, to the data collection methods concerned. Look in particular at the role of national census exercises and that of data captured by municipal/population registries. Ensure that such data is disaggregated, by sex and age, to maximise its use in shaping and monitoring policies for addressing childhood statelessness.
- Utilise such frameworks as the state party reporting to the Committee on the Rights of the Child and other human rights bodies, as well as mechanisms within the EU framework, to promote the systematic generation and dissemination of reliable data on children's access to nationality and birth registration. Encourage and facilitate the standardisation of data collection methods to ensure comparability of data across different national contexts.
- Facilitate the extraction, analysis and sharing of data on access to nationality and birth registration, as well as on the scale and impact of childhood statelessness, that is captured by civil society, UN and other organisations in the course of their programmes, including in particular data generated through paralegal and other relevant community outreach activities.
- Work with UNICEF, Plan and other child rights organisations with expertise in data collection on birth registration to identify gaps in data on access to birth registration in Europe and to explore methodologies for addressing those gaps.
- Ensure, in all research and dissemination exercises, that data protection considerations and the rights and privacy of persons affected, are fully respected.

3. Creating the public and political space to more effectively respond to childhood statelessness through awareness raising and social mobilisation

- Develop an integrated strategic response that builds on the growing knowledge base and enables this to be utilised in effective advocacy on childhood statelessness to a broader audience, including through parallel and complementary activities targeted towards lobbying decision-makers and building public pressure. Give due consideration, in such a strategy, to questions of preparation/planning and timing.



- Recognise and harness the power of (social) media and other forms of public engagement with the issue of childhood statelessness as a necessary means of creating societal and political support to realise a more effective response. Adopt, in this context, a suitable vocabulary for communicating messages to non-expert audiences and build communications around stories and facts rather than abstract concepts.
- Implement dedicated strategies to use social media to inform and mobilise the public in support of efforts to end childhood statelessness, including through:
 - Creating bespoke content suitable for social media audiences and formats, generating such content from existing and new research on this issue;
 - Building user-generated components into social media activities which are aimed at societal mobilisation to promote greater and more sustained engagement.
- Grow partnerships between civil society and UNHCR for joint awareness raising and social mobilisation around ending statelessness for children and youth as both a component of the #ibelong campaign and the ENS/other civil society campaigns and initiatives. Also develop partnerships with government bodies for research, awareness raising and public information activities, such as through the establishment of interdisciplinary advisory committees for such projects.

4. Mobilising actors at the national level to improve law, policy and practice around the prevention of childhood statelessness

- Strengthen engagement of and collaboration between national stakeholders that can contribute to the prevention of childhood statelessness, including relevant government bodies, civil society organisations, academia, UNHCR, UNICEF, Ombudspersons for Children, National Human Rights Institutions and journalists.
- Design and implement appropriate strategies for the engagement of different government bodies in enhancing the national framework for the prevention of childhood statelessness, with a particular focus on (decentralised) authorities responsible for birth registration, population registration and nationality procedures, as well as on the judiciary. Where relevant, proactively support necessary law or policy reform by contributing technical assistance, including through the preparation of draft bills or guidelines, based on international normative frameworks or regional good practice.
- Build stronger engagement in individual casework on childhood statelessness through the development of further legal assistance, paralegal and strategic litigation projects targeting this issue.
- Create opportunities – such as trainings, conferences and study exchanges – for peer-to-peer learning across different national contexts on effective and innovative responses to childhood statelessness, in particular for civil society organisations and for relevant government bodies. Integrate learning components on statelessness within existing trainings, such as those relating to civil registration, refugee law or Roma rights.
- Report systematically on challenges relating to children’s right to nationality and access to birth registration to the Committee on the Rights of the Child, the Council of Europe Commissioner for Human Rights, National Human Rights Institutions and (Children’s) Ombudspersons, as well as other human rights mechanisms as relevant, to ensure that these issues are known to such bodies and raised with states accordingly. Use these



- and other frameworks, such as that of the European Migration Network, to raise questions, initiate investigations or draw increased public attention to the issue as relevant.
- Participate in the development and implementation, as appropriate, of National Action Plans adopted under the auspices of UNHCR's #ibelong campaign to ensure that ending childhood statelessness is sufficiently prioritised.

5. Engaging actors at the regional and international level to promote solutions to childhood statelessness

- Promote synergy between different regional and international actors to enhance and maintain momentum in promoting solutions to childhood statelessness, by utilising such frameworks as the European Network on Ombudspersons for Children to create a common position and make a concerted push for greater EU level engagement on the issue. Work also with Ministries of Foreign Affairs and permanent representations in Geneva/Brussels to identify ways in which the issue can be brought further forward on the international/regional agenda. Ensure that such efforts promote sustained engagement, including across different EU presidencies.
- Encourage and support processes for the development of further tools and doctrinal interpretation relating to children's right to a nationality by international and regional bodies that can provide authoritative guidance – including by the Committee on the Rights of the Child (such as through a Day of General Discussion or a General Comment), by UNHCR under its statelessness mandate and by relevant Council of Europe and EU institutions.
- Through a coordinated pan-European strategy, enhance the use of strategic litigation to address childhood statelessness issues emerging through research and which encounter political resistance to reform. Utilise existing networks to identify suitable cases, and to pool information and resources.
- Explore and develop avenues for direct interaction between persons affected by childhood statelessness (children, parents) and relevant regional and international bodies to promote a better understanding of the issue and its urgency. Also explore and develop ways through which the public outreach and social mobilisation can be channelled to leverage interest with regional actors, such as through a postcards campaign or similar initiative.
- Consolidate efforts to engage regional and international child rights organisations with campaigning on the issue of childhood statelessness. At an EU level seek to mainstream this issue in the upcoming renewal of the EU child rights agenda, the Forum on the Rights of the Child, the Framework for National Roma integration Strategies and the Commission's Investing in Children Recommendations.

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