



The family of Fatumata, 40, moved from the north of Côte d'Ivoire to the south over 50 years ago. She, like all of the people in her village, has a northern name. As a result, local authorities refused to accept any of her documents as solid proof of her connection to Côte d'Ivoire. The amendment of legislation in Côte d'Ivoire will enable people like Fatumata to acquire nationality at last.

Addressing Statelessness

Statelessness is a global problem of massive proportions, yet experience has shown that with sufficient political will at the national level, it can be resolved. A new campaign to eradicate statelessness within 10 years will be launched in 2014 to coincide with the 60th anniversary of the 1954 Convention relating to the Status of Stateless Persons. In preparation for this, UNHCR has stepped up its activities to raise awareness about the issue and address it. Ending statelessness will require a global coalition of partnerships that includes governments, civil society and international organizations. Through this initiative, UNHCR aims to make a positive difference in the lives of some 10 million stateless people worldwide. ●●●

Ending statelessness

GLOBAL AND REGIONAL PARTNERSHIPS

In 2013, there was a marked increase in the number of organizations working on statelessness and the quality of commitment they brought to the task, particularly among faith-based groups. Following up on ideas generated at the High Commissioner's Dialogue on Faith and Protection in 2012, UNHCR worked with the World Council of Churches (WCC) to organize a consultation on the human rights of stateless people. This paved the way for the WCC to adopt statelessness as a programme priority for the next eight years.

As part of its efforts to create a broader international coalition to tackle statelessness, UNHCR brought together some 25 NGOs at a two-day retreat to develop joint strategies. UNHCR also provided financial and technical support to the European Network on Statelessness and the Asia Pacific Refugee Rights Network in order to bolster advocacy at the regional level.

Building on its existing partnership with the Inter-Parliamentary Union, UNHCR participated in a workshop on gender discrimination in nationality laws and the ways in which such discrimination can lead to statelessness. More than 60 parliamentarians from around the world participated in the workshop. UNHCR also created a coalition with UN Women and four NGOs to undertake international advocacy on gender discrimination in nationality laws.

In the Americas, the Organization of American States (OAS), the Caribbean Community and Common Market (CARICOM) and the South American trade bloc MERCOSUR, all expressed recognition of the gravity of the problem of

statelessness. With technical input from UNHCR, the OAS adopted a resolution which underlined the importance of action by Member States to address statelessness and initiated a comparative study on nationality laws. The Inter-American Commission on Human Rights held general and country-specific hearings on nationality and statelessness in which UNHCR outlined a number of key concerns in the region, particularly with regard to the situation of individuals of Haitian origin in the Dominican Republic.

UNHCR worked with UNICEF, Plan International and the UN Economic and Social Commission for Asia and the Pacific (ESCAP) to include points on birth registration and the prevention of statelessness in a Regional Strategic Plan to improve civil registration and vital statistics. UNHCR also held a joint regional workshop on the right to nationality with the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children. The workshop helped raise awareness of, and promote responses to, gaps in nationality laws and procedures that could lead to statelessness.

Steps were taken to broaden awareness of statelessness among key stakeholders in West Africa through a roundtable organized with the Economic Community of West African States (ECOWAS) and the African Union. The roundtable resulted in a declaration, the Banjul Appeal, which calls upon States, NGOs, and regional and international organizations to take specific measures to prevent and reduce statelessness and improve the protection of stateless people.

UNHCR worked with the Cooperation Council for the Arab States of the Gulf (GCC) to convene the first regional conference on statelessness in the six GCC Member

States. The conference allowed participating States to examine the causes and consequences of statelessness and the scope of statelessness worldwide, and universal and regional norms that recognize the right to a nationality. Participants identified best practices to prevent and reduce statelessness at the regional and global levels, including bilateral and multilateral cooperation among States to ascertain identity and nationality.

OPERATIONAL PARTNERSHIPS

Partnerships were also strengthened at the operational level. Together with a wide range of NGOs, refugee host governments, and UN agencies, UNHCR launched a regional campaign to promote universal birth registration among Syrian refugee children in Iraq, Jordan and Lebanon.

The campaign highlighted the importance of birth registration as a child protection tool, and as a means of preventing statelessness, through country-specific print and video materials which explained the requirements and procedures for registering new births. These were distributed to local authorities in Iraq, Jordan and Lebanon, as well as to over 120,000 Syrian refugees in Jordan.

The birth registration initiative in Lebanon involves UNICEF and the Norwegian Refugee Council, while in Jordan UNHCR works with UNICEF and the Government. In Iraq, the campaign is a collaborative effort involving UNHCR, the Kurdistan Regional Government and the NGO *Un Ponte Per*. UNHCR has also begun a regional partnership with BBC Media Action to develop a series of country-specific videos explaining birth registration procedures.

**CAPACITY BUILDING
THROUGH TRAINING**

To satisfy the increasing demand for training, as well as to promote the exchange of information among governments, international organizations, NGOs and academics, UNHCR supported four short courses on statelessness, including at Oxford and Tilburg Universities. A course in South-East Asia, organized in cooperation with the Open Society Foundations, the Asia Pacific Refugee Rights Network and Tilburg University, has led to greater engagement between UNHCR and governments at the national level, especially in Malaysia and Viet Nam.

These efforts were complemented by national-level training, for instance through a number of workshops on birth registration and citizenship in Myanmar, in which government officials participated.

RESEARCH

Working with Tilburg University, UNHCR undertook several initiatives which significantly expanded research on statelessness and placed the issue higher on the academic agenda. In 2013, an incentive award was established for outstanding student research in the field of statelessness. In its inaugural year, the award was

granted to three researchers who submitted papers for evaluation by an international jury that included nine university professors and UNHCR. Their submissions and more than 30 articles were published at the end of the year in a special edition of the *Tilburg Law Review*. UNHCR and Tilburg University also put in motion the First Global Forum on Statelessness, which will take place in September 2014 in the Hague. More than 80 individuals from governments, affected communities, NGOs, academia and international organizations are expected to make presentations at the conference. ■

● *Pledging to help bring an end to statelessness*

In 2013, UNHCR continued to promote the implementation of pledges on statelessness made by governments at the 2011 ministerial intergovernmental event on refugees and stateless persons which took place in Geneva, as well as to advocate for action by States that did not make pledges.

Together with technical advice provided to governments, this contributed to a range of important developments. Most visibly, there were six accessions to the 1961 Convention on the Reduction of Statelessness and three accessions to the 1954 Convention relating to the Status of Stateless Persons. This brought to 18 the total number of new States parties to the 1961 Convention since 2011. To put this in perspective, the 1961 Convention attracted only 15 accessions in the first three decades after its adoption. There were also 14 accessions to the 1954 Convention between 2011 and 2013. As a result of these accessions, 32 per cent of all accession pledges had been implemented by the end of the year.

Accession, however, is not an end in itself. The full impact of this increase in accessions will be felt once all States parties have taken the required steps to reform their nationality laws and

procedures to comply with the standards of the 1961 Convention, and to introduce determination procedures and protection regimes as required by the 1954 Convention. The link between accession and broader efforts to prevent and reduce statelessness and to protect stateless persons was evident in a number of countries.

Côte d'Ivoire acceded to both statelessness conventions almost simultaneously with the introduction of ground-breaking reforms to its nationality law, which will allow tens of thousands of stateless people to acquire nationality through a simple declaration procedure. In follow-up to its accession to the 1961 Convention in 2012, and a series of consultations with UNHCR, Turkmenistan reformed its nationality law.

There were also important developments in relation to other pledges. The Government of the Philippines worked with UNHCR to register stateless people in Mindanao, setting the stage for solutions. Senegal acted on its pledge to reform its nationality law and introduce equality between men and women with regard to the conferral of nationality to children and the acquisition, change and retention of nationality. Kyrgyzstan stepped up its efforts to resolve the statelessness situation

of former Soviet citizens and recent migrants, granting nationality to more than 14,500 people. Hungary fulfilled its pledge to establish a quality assurance mechanism for its statelessness determination procedure, and Turkey introduced a new Act on Foreigners and International Protection, paving the way for the establishment of a determination procedure, and accession to the 1954 Convention.

The African Union, which pledged to raise awareness of statelessness, followed up on a 2012 symposium on "Preventing Statelessness, Preventing Conflicts" by working with the African Commission on Human and Peoples' Rights to raise the profile of the issue. The Commission subsequently adopted a resolution on the right to a nationality. The African Union and the Commission then joined UNHCR and West African human rights institutions in organizing a conference on statelessness, which resulted in the Banjul Appeal (see main text), setting out a series of steps which need to be taken by governments to address the problem.

Overall, approximately 30 per cent of all statelessness-related pledges had been implemented by the end of 2013. ■

AREAS OF INTERVENTION

ACHIEVEMENTS IN 2013

Favourable protection environment

Law and policy developed or strengthened

- Advocate with States to adopt nationality laws that prevent and/or reduce statelessness
- Strengthen protection of stateless persons
- Advocate with States to establish and improve statelessness determination procedures

- Advocacy was undertaken and advice provided in 82 States
- Côte d'Ivoire, a country with one of the largest stateless populations in the world, amended its legislation to allow long-term residents in the country who are stateless to acquire nationality
- Senegal revised its nationality law to allow both men and women to confer nationality on their children (as pledged at the ministerial event in 2011)
- Turkmenistan adopted a new law on citizenship, which includes safeguards to prevent future statelessness
- Turkey adopted a law on foreigners and international protection which establishes a framework for the protection and identification of stateless persons
- The United Kingdom introduced a statelessness determination procedure

States supported with capacity-building on statelessness and nationality issues

- Four short courses on statelessness were held at Tilburg and Oxford Universities, and in Bangkok, Thailand and San José, Costa Rica and the Thematic Protection Learning Programme was conducted with participants from 9 countries in Africa
- In Myanmar, workshops were held on birth registration and citizenship with ministries in the capital as well as in provincial states
- In South Sudan, training was provided for government officers working on a nationality law

International and regional instruments acceded to, ratified or strengthened

- Promote accessions to the statelessness conventions

- Nine accessions to the statelessness conventions by six States: Jamaica (1961 Convention), Ukraine (1954 and 1961 Conventions), Nicaragua (1954 and 1961 Conventions), Lithuania (1961 Convention), Côte d'Ivoire (1954 and 1961 Conventions) and Montenegro (1961 Convention)

Durable solutions

Greater reduction of statelessness achieved

- Promote the reduction of statelessness through acquisition of citizenship and documentation

- Over 14,000 persons acquired or had nationality confirmed in Kyrgyzstan with operational support from UNHCR (see *News and Views* story)
- Technical advice and training were provided for officials issuing documentation, confirming nationality to approximately 100,000 persons in Côte d'Ivoire
- A legal aid project was run to assist stateless persons with applying for nationality in Iraq; the project also seeks to prevent statelessness by confirming nationality among populations at risk of becoming stateless

Fair protection processes and documentation

Identification of statelessness improved

- Map initiatives and studies of statelessness

- Studies were undertaken in 19 States, including in Azerbaijan and Bosnia and Herzegovina
- A dialogue with women affected by discrimination in the nationality law and administrative practice was held in Madagascar

Civil registration and civil status documentation increased

- Promote universal birth registration

- Universal birth registration was promoted among Syrian refugee children born in Iraq, Jordan and Lebanon, including through distribution of country-specific print and video materials to local authorities and to over 120,000 Syrian refugees. The materials highlight the importance of birth registration for child protection and the prevention of statelessness, and explain how birth registration procedures work

UNHCR project helps ethnic minority in Fergana Valley get Kyrgyz nationality

This article is an adapted version of a UNHCR news story

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UNHCR / V. USHAKOV

JANY-KYSHTAK, December 2013 | *The minority Lyuli people have been living in Jany-Kyshtak and other villages of the fertile Fergana Valley of Kyrgyzstan for more than 200 years. Many grew up under Soviet rule, when the Fergana straddled the Soviet republics of Uzbekistan, Tajikistan and Kyrgyzstan, and nationality was not a major consideration.*

A Lyuli family discusses documentation issues with a UNHCR staff member

Up to half of the 3,700 inhabitants of Jany-Kyshtak – all ethnic Lyuli – had never possessed personal identity documents. In recent years, however, the lack of documentation, including birth certificates, has restricted their access to many basic human rights in independent Kyrgyzstan. UNHCR has been working with the Government to help the Lyuli regain an identity, as part of a wider project to assist thousands of people in the country whose nationality is undetermined. They are at risk of statelessness because they are completely undocumented, which means they face particular difficulties in establishing that they qualify for Kyrgyz nationality.

Koria Urmanova, who was born in 1977 when Kyrgyzstan was part of the Soviet Union, has never had a passport or other documentary proof of nationality. “My parents died when I was a young child. When the time came to get a passport [at age 16], I did not know where my birth certificate was, so I did not get the passport,” she explained.

In time she got married and over the years gave birth at home to six children, none of whom were registered at birth. At first, this was not a major problem, even after the disintegration of the Soviet Union in 1991. But as her children grew older, she realized that the lack of documentation could hinder their and her access to basic rights, including education, health care, employment and social allowances.

With the help of UNHCR, its local partner and government authorities, Koria and many of her neighbours have been able to obtain documents that are vital if they are to live a normal life in Kyrgyzstan, which became independent in 1991. “Thanks to this UNHCR project, my eldest son, who has just turned 12, has received his birth certificate,” said Koria, who was discussing how to get a passport with visiting lawyers from the NGO, Fergana Valley Lawyers without Borders. “I hope that all my children and myself will eventually get proper identity documents,” she added.

The six-month project in Jany-Kyshtak village represents just a small fraction of UNHCR’s efforts in Kyrgyzstan to help more than 20,000 people of all ethnic groups, including Uzbeks and Tajiks, gain proper identity documents and prevent statelessness. In the first nine months of 2013, more than 9,000 people handed in their expired Soviet passports and were given Kyrgyz ones. In Jany-Kyshtak, 330 villagers have received free legal assistance which helped 106 of them obtain birth certificates or passports.

Meanwhile, at the age of 40, Munajat Orokova has finally received a Kyrgyz passport. Her application was complicated by the fact that her parents did not have documents and she was registered as the daughter of her in-laws when she got married. This has affected her eight children. “Two of them were born in a maternity clinic, the rest were born at home. None of my children has birth certification,” she said. But now she is optimistic that with the help of UNHCR and its partners, the children will have a brighter future. ◻