



UNHCR
The UN Refugee Agency



**COALITION ON EVERY CHILD'S
RIGHT TO A NATIONALITY**
Working together to end childhood statelessness

A close-up portrait of a young Black woman with her hair styled in braids. She is wearing a red and white patterned top and large blue earrings. The background is a solid green color.

MINORITY CHILDREN & STATELESSNESS

Children most affected by statelessness are generally those belonging to already vulnerable groups, such as ethnic, religious or linguistic minorities.

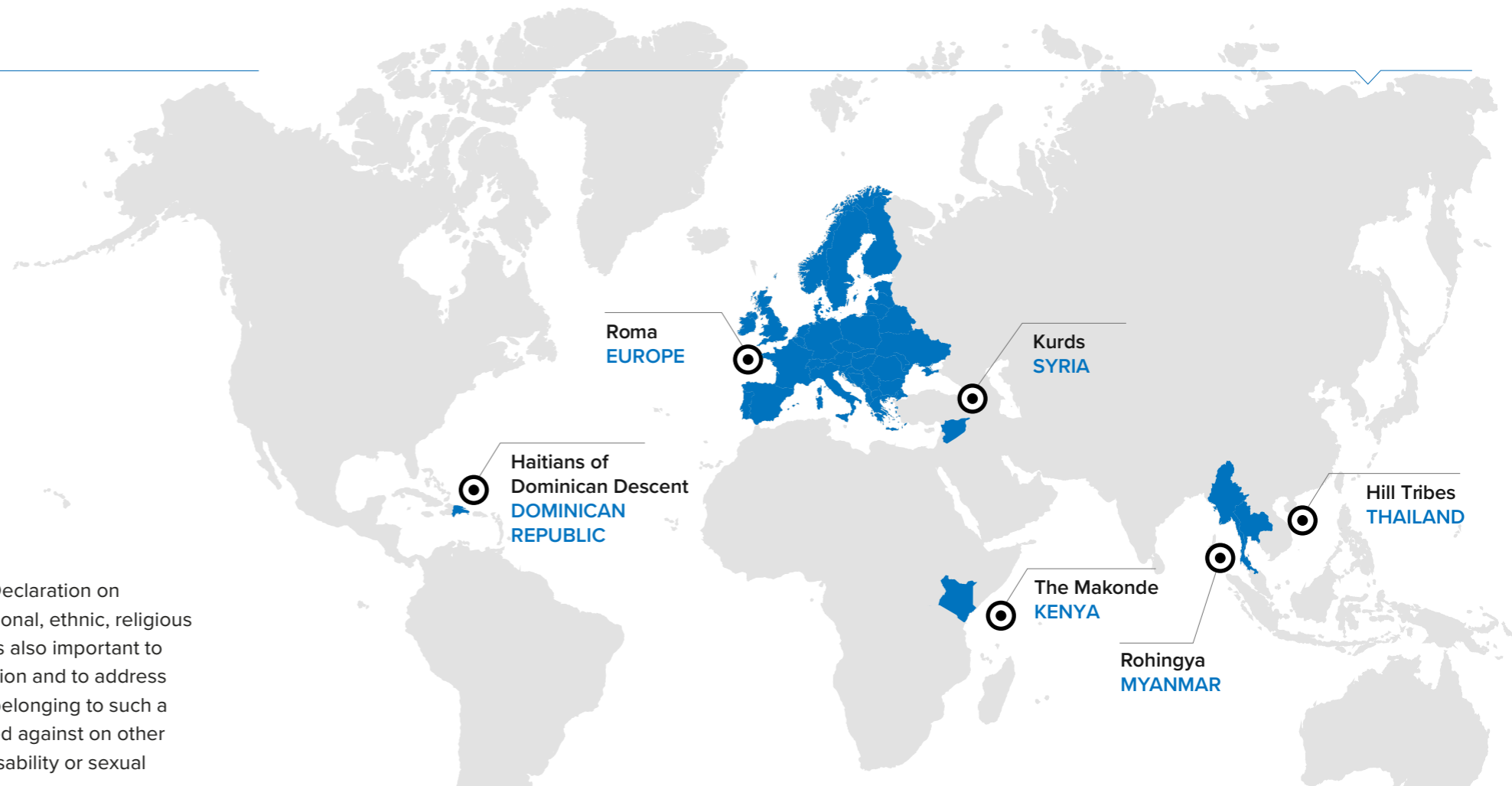
Discrimination against minorities has frequently led to deprivation of nationality resulting in statelessness. Without safeguards against statelessness at birth in nationality laws, this status can be passed on from one generation to another with tens of thousands of children being denied nationality on the basis of their parents' minority status. Stateless children are often unable to exercise a broad range of human rights and, if they belong to a minority group, these challenges can be aggravated by racism and hostility from the majority population.



WHAT IS A MINORITY?

Article 1 of the United National Declaration on Minorities refers to minority status as based on national or ethnic, cultural, religious and linguistic identity. The existence of a minority must include objective factors (existence of a shared ethnicity, language and religion) and subjective factors (that individuals identify as members of a minority). However, there is no internationally agreed definition.

While the United National Declaration on Minorities is devoted to national, ethnic, religious and linguistic minorities, it is also important to combat multiple discrimination and to address situations where a person belonging to such a minority is also discriminated against on other grounds such as gender, disability or sexual orientation.



SOME MINORITY GROUPS CURRENTLY & FORMERLY AFFECTED BY STATELESSNESS



Yasin, 10
Myanmar

Pg. 8



Lirije, 13
The former Yugoslav
Republuc of Macedonia

Pg. 10



Joe, 13
Dominican Republic

Pg. 12



Christina, 18,
Italy

Pg. 14



Tina, 22
Kenya

Pg. 18



Artee, 20
Thailand

Pg. 20

“We always had to hide on the way to school. If we said we were Muslim they would beat us”.

- Yasin, 10,
Myanmar

Why are minority children vulnerable to statelessness?

Minority children are often disproportionately affected by problems of statelessness as a result of discrimination. Statelessness often occurs as a result of direct discrimination.

Minority children can be at a heightened risk of statelessness, for example where the law permits grant of nationality but where local authorities discriminate and fail to issue birth certificates to particular groups on the basis of their minority status, which may later result in difficulties proving entitlement to nationality.

Direct discrimination can also lead to deprivation of nationality resulting in statelessness. For example, in 1962, between 160,000 and 300,000 Syrian Kurds were denaturalized because of their ethnicity by a special census ordered by decree, which also affected thousands of children.

Direct discrimination : Being treated less favourably because of the background or characteristics of a particular person/ group.

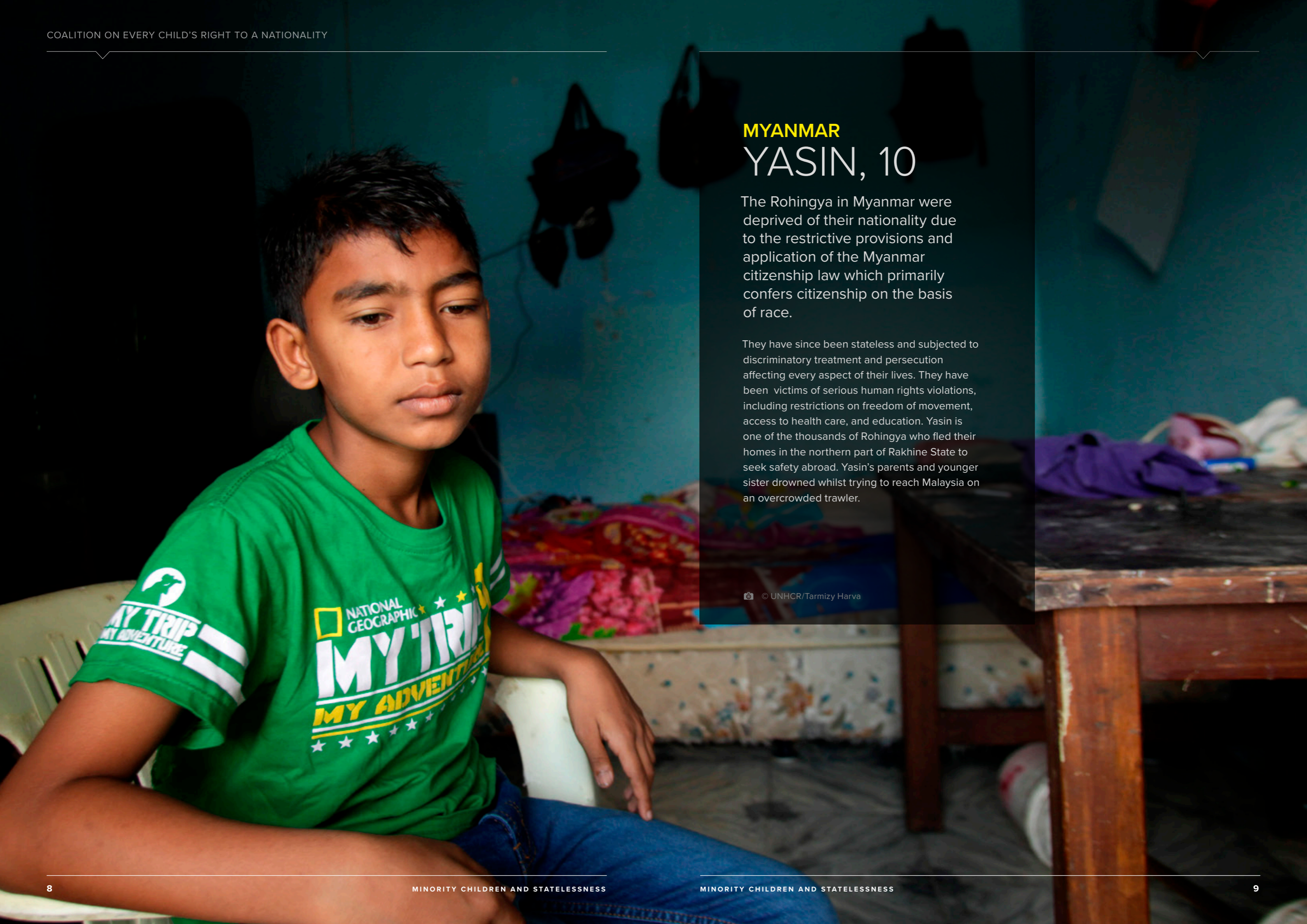
What is the impact of statelessness on minority children?

Stateless minorities may face discriminatory persecution from others, as well as being impacted by discriminatory laws and practices.

Stateless minorities may also face indirect discrimination, for instance requiring a birth certificate for school enrolment can discriminate against minority children who do not possess or have been denied such certificates.

Stateless minority children are particularly vulnerable because of the compounding effects of lack of documentation, discrimination, and their status as children. They are often prevented from accessing key child rights such as education, healthcare and the freedom to simply be children – to feel secure, play and explore. Stateless minority children may have to work from a young age, live in insecure housing arrangements or suffer harassment.

Indirect discrimination : Being put at a disadvantage by a particular provision, criterion or practice that applies to everyone but disadvantages a particular person/ group and cannot be objectively justified.



MYANMAR

YASIN, 10

The Rohingya in Myanmar were deprived of their nationality due to the restrictive provisions and application of the Myanmar citizenship law which primarily confers citizenship on the basis of race.

They have since been stateless and subjected to discriminatory treatment and persecution affecting every aspect of their lives. They have been victims of serious human rights violations, including restrictions on freedom of movement, access to health care, and education. Yasin is one of the thousands of Rohingya who fled their homes in the northern part of Rakhine State to seek safety abroad. Yasin's parents and younger sister drowned whilst trying to reach Malaysia on an overcrowded trawler.

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THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

LIRIJE, 13

Lirije is from a Roma minority in the former Yugoslav Republic of Macedonia.

She was born at her family home rather than in the hospital and her parents were not able to register her birth. Even though she was entitled to Macedonian nationality by law, she did not have a birth certificate and her parents struggled to save the DNA test required for late birth registration. Without a birth certificate, she was unable to enrol in school. It made her feel ashamed to not have documents and be able to go to school like other children her age. In early 2018, Lirije was finally able to obtain a birth certificate and should now be able to confirm her right to Macedonian nationality. However, many children from the Roma minority still lack documentation or any nationality.

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DOMINICAN REPUBLIC JOE, 13

In some countries, even where the law is discrimination-free, the practice can be very different.

In the Dominican Republic, despite a clear entitlement to nationality under the law, children of Haitian descent have frequently been denied Dominican nationality by the civil registry. Joe should be considered a Dominican national as he was born in the country, but he has never been able to obtain his ID. He spends his school vacation scavenging in San Pedro de Macoris rubbish dump in order to earn 50 pesos a day (just over one USD).

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ITALY

CHRISTINA, 18

Christina and her family are stateless.

They are part of the minority Roma community living in the outskirts of Rome. Christina is now entitled to Italian nationality because she has reached the age of 18. However, she is physically and intellectually disabled making it impossible for her to declare her willingness to acquire nationality as required by Italian law. The right to nationality has been denied to her due to the compounding effect of discrimination on the grounds of ethnicity and disability.

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COMBATTING STATELESSNESS AMONGST MINORITIES

Many international legal instruments protect the right of minority children to nationality.

Convention on the Rights of the Child – Article 7

› The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality:

› States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind.

Convention on the Reduction of Statelessness – Article 9

› A Contracting State may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds

› States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination.

“The African Committee cannot over-emphasise the overall negative impact of statelessness on children. While it is always no fault of their own, stateless children often inherits an uncertain future. [They face] difficulty to travel freely, difficulty in accessing justice procedures when necessary, as well as the challenge of finding oneself in a legal limbo vulnerable to expulsion from their home country. Statelessness is particularly devastating to children in the realisation of their socioeconomic rights such as access to health care, and access to education. In sum, being stateless as a child is generally antithesis to the best interests of children.”

- Decision of the African Committee of Experts on the Rights and Welfare of the Child regarding children of Nubian descent in Kenya

KENYA

TINA, 22

In Kenya, the Makonde community were without nationality for decades.

They were displaced from Mozambique to Kenya in the 1930s to work on sisal and sugar plantations. The Kenyan-born Makonde have long been labelled as 'outsiders' and denied proof of citizenship. However, in February 2017, the President of Kenya, Uhuru Kenyatta, recognized the Makonde as the 43rd tribe of Kenya and some 1,500 Makonde have since received citizenship.

Tina and her family have benefitted from this directive. Tina's brother is 18 and has a Kenyan National I.D., which has allowed him to win a scholarship to study at a medical training college. She is also looking for a good job that will help to "build the nation".

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“Without an ID, most of my friends did not fully accept me, some even ridiculed me. Now [with ID] we will build the nation. When citizens are employed, they pay taxes, this tax is used to develop the country.”

- TINA, 22, Kenya

“My life has changed. Now I’ve become a bird that can fly everywhere I want in the sky”

- ARTEE, 20, Thailand

THAILAND ARTEE, 20

Artee and thousands of others were able to acquire Thai nationality.

Following important reforms to Thailand’s nationality and civil-registration laws and the adoption of a progressive national strategy to address nationality and legal status, Artee and thousands of others were able to acquire Thai nationality.

Artee of the Akha community in Thailand is a serious and diligent student with a strong sense of pride in her school and her community. She leads student volunteers in local reforestation projects, campaigns against drug trafficking in her community and provides assistance to those recovering from addiction.

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The Coalition on Every Child's Right to a Nationality

The Coalition on Every Child's Right to a Nationality aims to develop, expand and strengthen international co-operation to raise awareness about and combat the hidden problem of childhood statelessness. It also aims to promote the right of every child to acquire a nationality.

More information about minority children & statelessness:

This is Our Home : Stateless Minorities and Their Search for Citizenship

http://www.unhcr.org/ibelong/wp-content/uploads/UNHCR_EN2_2017IBELONG_Report_ePub.pdf

Statelessness Quick Reference Guide : International Convention on the Elimination of Racial Discrimination

<http://www.refworld.org/docid/5983305e4.html>

I am Here, I Belong : The Urgent Need to End Childhood Statelessness

<http://www.refworld.org/docid/563368b34.html>

I Feel Like I am Born Again : Makonde People of Kenya Receive Citizenship Ending Stateless Existence

<http://www.unhcr.org/news/latest/2017/11/59f9a6c94.html>

These stories were collected between 2015 and 2017 by UNHCR.



For more information contact statelessness@unhcr.org.