INTERNATIONAL CONFERENCE ON STATELESSNESS IN THE MEMBER STATES OF THE COMMONWEALTH OF INDEPENDENT STATES

4-5 December 2018

Minsk, Belarus

Final Document

The Ministry of Interior of the Republic of Belarus, the Executive Committee of the Commonwealth of Independent States (hereinafter – the CIS) and the Representation of the United Nations High Commissioner for Refugees (hereinafter – UNHCR) in the Republic of Belarus jointly organized the International Conference on Statelessness in the Member States of the Commonwealth of Independent States (hereinafter – the Conference) on 4-5 December 2018 in Minsk, Belarus.

Participants of the Conference included representatives from the Republic of Armenia, the Azerbaijan Republic, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Moldova, the Russian Federation, the Republic of Tajikistan and Turkmenistan, as well as representatives from the CIS Executive Committee, international and regional organizations, including representatives from the Council of Europe and the UN Resident Coordinator in Belarus, academia, including representatives from the University of Groningen, the University of Maastricht and the University of Amsterdam, and diplomatic missions, including Embassies of the Republic of France, the Federal Republic of Germany, the Italian Republic, the Russian Federation and Ukraine. The UN High Commissioner for Refugees' Special Advisor on Statelessness also took part in the event.

This event was particularly relevant as, according to UNHCR's estimates, statelessness affects millions of people worldwide, including over half a million in Europe and over 200,000 in the CIS region.

The Conference was built upon UNHCR's Global Action Plan to End Statelessness: 2014-2024, the Resolution of the UN General Assembly A/RES/71/10 dated 5 December 2016, the International Conference on Statelessness (Minsk, December 2014), and the regional conference "Nobody should be forgotten – the right to personal identification and the prevention of statelessness" (Almaty, June 2018).

The event was held in light of the upcoming High-Level Segment on Statelessness of UNHCR's Executive Committee that will convene in Geneva on 7 October 2019 to mark the mid-point of the #IBelong Campaign to End Statelessness by 2024, which relates to the afore-mentioned Global Action Plan. The Conference provided an opportunity for a comprehensive analysis of the current situation in the sphere of statelessness in the region, facilitated the building of a common understanding, exchange of good practices, as well as helped to elaborate recommendations to address the most important issues of practical relevance.

As a result of the Conference, the participants formulated detailed recommendations which are outlined in the following section and can also be found on the website of the UNHCR Representation in the Republic of Belarus at www.unhcr.org/by, along with materials for their practical implementation by interested actors.

Recommendations

Based on the discussions during the Conference as well as applicable international norms and standards in the sphere of statelessness, the following recommendations related to three key areas were formulated by the participants as outlined in detail further below: identification and protection of stateless persons; prevention of new cases of statelessness, identification of solutions for stateless persons and those at risk of statelessness; as well as joint efforts to end statelessness through cooperation between states, partnerships and enhanced information-sharing. These recommendations could be translated into pledges aimed at addressing statelessness to be presented at the High-Level Segment on Statelessness in October 2019.

1. Identification and protection of stateless persons:

- Introduce a dedicated statelessness determination procedure to be able to grant protection to applicants who are found to be stateless. This will facilitate the provision of a legal stay, access to fundamental rights and freedoms, and eventually naturalization.
- Raise awareness about the phenomenon of statelessness, and exchange experiences and good practices regarding the identification of stateless persons, including through enhanced cooperation between CIS Member States, international, regional and relevant non-governmental organizations.
- Improve collection of statelessness-related data, notably through the inclusion of questions on citizenship in population censuses.

2. Prevention of new cases of statelessness, identification of solutions for stateless persons and those at risk of statelessness:

- Conduct an analysis of national legislation to identify and address gaps leading to statelessness in order to prevent new cases of statelessness from arising (with the emphasis on three main areas: birth registration, access to naturalization, and loss/withdrawal of citizenship).
- In relation to birth registration:
  - Ensure universal birth registration to prevent new instances of statelessness among children, regardless of the legal status of the parents on the territory of the concerned State and the circumstances in which the child was born.
  - Ensure special attention is given to foundlings, in particular through the implementation of relevant provisions in international and/or regional legal instruments on the protection of children, *inter alia* through the registration of foundlings.
- In relation to naturalization:
  - Prevent statelessness resulting from an application for the acquisition of citizenship of a specific State that requires a renunciation of the applicant's current citizenship by, *inter alia*, considering introducing a suspensive effect to the renunciation until the new citizenship is definitively acquired.
  - Consider the introduction of an accessible and effective statelessness determination procedure to ensure the recognition of stateless persons as a basis for an application for naturalization when the applicable criteria are met.
- In relation to loss/withdrawal of citizenship:
  - Ensure that the loss/withdrawal of citizenship does not result in statelessness.

3. Joint efforts to end statelessness through cooperation between states, partnerships and enhanced information-sharing:

- Prioritize statelessness-related issues in the CIS Member States by means of:
  - Elaboration and implementation of national action plans to end statelessness; and/or
  - Regular country level and/or regional meetings with the participation of all relevant organizations (subject to an agreement and coordination between the concerned States) to take stock of progress and remaining challenges, and plan relevant activities for the future; and/or
  - Inclusion of statelessness-related issues into relevant national plans and programmes.

- Use the outcomes of the Conference for further statelessness-related work in the participating states by means of:
  - Elaboration of the Conference's final document and recommendations proposed by the working groups;
  - Dissemination of the Conference's final document and recommendations among the participating states and organizations.
- Raise funds for statelessness-related projects taking into account the following:
  - Statelessness-related projects could be focused on the situation in one specific State or have a regional dimension, covering several States;
  - Diversify donors beyond "traditional" donors like the European Union or UNHCR;
  - Need to consider existing or new programmes and/or mechanisms of cooperation between states and the United Nations, for instance, the UN Development Assistance Framework (UNDAF).
- Increase awareness-raising on statelessness issues, including among donors, media and the general public, to attract greater attention with a view to:
  - Advocate for enhanced efforts by states aiming at reducing and preventing statelessness;
  - Increase funding opportunities for projects dedicated to statelessness.
- Exchange of experiences and good practices in addressing statelessness among States, with UNHCR and other relevant international and regional organizations, including through study visits.