



## THE SUSTAINABLE DEVELOPMENT GOALS AND ADDRESSING STATELESSNESS

This document aims to inform UNHCR staff about the relevance of the Sustainable Development Goals (SDGs) to UNHCR’s statelessness mandate and the #IBelong Campaign to End Statelessness in 10 Years. It provides preliminary guidance on how UNHCR can contribute to the successful implementation of the SDGs, including through national planning processes, which in turn can help to achieve the goals of the #IBelong Campaign. The information in this document applies to refugees who are also stateless.

## What are the Sustainable Development Goals?

On 25 September 2015, the United Nations General Assembly formally adopted the 2030 Agenda for Sustainable Development ('2030 Agenda'), consisting of a Declaration, 17 SDGs, 169 associated Targets and 230 agreed Global Indicators to be achieved by the year 2030.<sup>1</sup> The 2030 Agenda offers a universal, integrated, transformative and human rights-based vision for sustainable development, which is applicable to all countries. The SDGs replace the Millennium Development Goals and will guide and focus action by States and the UN until the year 2030.

## Are the Sustainable Development Goals applicable to stateless persons?

While paragraph 23 of the Declaration recognises the relevance of the 2030 Agenda to meeting the needs of refugees and internally displaced people on the basis that they are among the most vulnerable, there is no explicit reference to stateless persons. Nonetheless, in view of the fact that the vast majority of the world's estimated 10 million stateless people live on the lowest rungs of society, including in terms of economic prosperity, political participation and social inclusion, the overarching aim of the 2030 Agenda "to reach the furthest behind first" and "leave no one behind" clearly applies to those who experience the many negative consequences of not being recognised as citizens of any country. There are also specific SDGs and Targets that will help prevent and reduce statelessness itself, provided they are implemented properly. These are discussed below and notably include SDG 5, Target 5.1, which relates to the elimination of gender discrimination, and SDG 16, Target 16.9, which calls upon States to provide legal identity for all, including birth registration.

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<sup>1</sup> UN General Assembly, Transforming our World: The 2030 Agenda for Sustainable Development, 21 October 2015, para. 23. Available at: <http://goo.gl/89In0y>

## Which of the Sustainable Development Goals are most relevant to addressing statelessness?

Many of the SDGs and related Targets are pertinent to improving the living conditions of stateless persons.<sup>2</sup> For example, SDG 4, Target 4.1 commits States to the following: "by 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes." Stateless children face significant challenges with respect to accessing education and receiving certifications of school completion. UNHCR's publication "I Am Here, I Belong: The Urgent Need to End Childhood Statelessness" contains first-hand testimonials from stateless children and youth that illustrate why this SDG is so relevant to ensuring access to and completion of primary and secondary education by stateless children and youth.<sup>3</sup>

Goals like SDG 4 are important to protecting stateless persons, and ensuring that they, like others, have access to basic rights. Improving the enjoyment of basic rights and the living conditions of stateless persons through such SDGs may also help with the integration of stateless (and formerly stateless) populations, particularly large *in situ* groups, which may in the longer term help to facilitate initiatives aimed at resolving their statelessness and preventing new cases from occurring.<sup>4</sup>

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<sup>2</sup> For example, see SDGs 1 (End poverty in all its forms everywhere), 2 (End hunger, achieve food security and improved nutrition and promote sustainable agriculture), 3 (Ensure healthy lives and ensure well-being for all at all ages), 4 (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all), 6 (Ensure availability and sustainable management of water and sanitation for all), 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all).

<sup>3</sup> UNHCR, *I Am Here, I Belong: The Urgent Need to End Childhood Statelessness*, 3 November 2015, pages 9 – 11, available at: <http://www.refworld.org/docid/563368b34.html>

<sup>4</sup> See UNHCR, *UNHCR Action to Address Statelessness: A Strategy Note*, March 2010, paragraph 57, available at: <http://www.refworld.org/docid/4b9e0c3d2.html>

With respect to UNHCR's mandate to resolve existing cases of statelessness and prevent new ones from occurring, SDGs 5, 10, 16 and 17 and certain related Targets are the most relevant:

**SDG 5:** Achieve gender equality and empower all women and girls.

🎯 **Target 5.1:** End all forms of discrimination against all women and girls everywhere.

📊 **Global Indicator 5.1.1:** Whether or not legal frameworks are in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

Target 5.1 is directly relevant to addressing the issue of gender discrimination in nationality laws, which is a major cause of statelessness globally. The nationality laws of more than 25 countries in almost all regions of the world prevent mothers from conferring their nationality on their children on an equal basis as men.<sup>5</sup> In situations where fathers are missing, dead, have abandoned the family or are unwilling to take the necessary steps to transmit their nationality, children are left stateless. In more than 60 countries, nationality laws do not afford women the same rights to acquire, change or retain their nationality as men. This can lead to statelessness where nationality laws make women's nationality status contingent on that of their husbands, or prevent (stateless) men from acquiring the nationality of their wives. Targets 10.c and 16.b (see below) may also bolster efforts to eliminate gender discrimination in nationality laws as well as efforts to eliminate other forms of discrimination in nationality laws.

**SDG 10:** Reduce inequality within and among countries.

🎯 **Target 10.3:** Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

📊 **Global Indicator 10.3.1:** Proportion of the population reporting having personally felt discriminated against or harassed within the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law.

Discrimination on the basis of ethnicity, race, religion, gender or language remains a cause of statelessness. Instances of denial, loss and deprivation of nationality on discriminatory grounds leading to statelessness continue to occur in a wide range of countries. These include situations of mass deprivation of nationality on the grounds of ethnicity or race. Promoting international standards relating to non-discrimination with respect to the right to nationality and the prohibition of arbitrary deprivation of nationality is therefore necessary. Target 10.3, together with Target 16.b (see below), may be helpful in this regard. Discrimination is not only a cause of statelessness, but is also experienced by many stateless persons in their daily lives. Targets 10.3 and 16.b are therefore also important to ensure that stateless persons enjoy their human rights without discrimination due to their lack of citizenship.

<sup>5</sup> *Background Note on Gender Equality, Nationality Laws and Statelessness 2017*, 8 March 2017, available at: <http://www.refworld.org/docid/58aff4d94.html>

**SDG 16:** Promote peaceful and sustainable societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions for all.

🎯 **Target 16.9:** By 2030, provide legal identity for all, including birth registration.

📊 **Global Indicator 16.9.1:** Percentage of children under 5 whose births have been registered with a civil authority, disaggregated by age.

🎯 **Target 16.b:** Promote and enforce non-discriminatory laws and policies for sustainable development.

📊 **Global Indicator 16.b.1:** Proportion of population reporting having personally felt discriminated against or harassed in the last 12 months on the basis of a ground of discrimination prohibited under international law.

Target 16.9 is relevant to the prevention and reduction of statelessness through the provision of birth registration, and in certain cases, nationality documentation, which are both examples of proof of legal identity.<sup>6</sup>

Individuals can be at risk of statelessness if they have difficulties proving that they have links to a State, and a lack of birth registration can create such a risk. The absence of birth registration may be due to discriminatory laws and policies, lack of access to registration facilities, lack of awareness, parents' lack of identity documentation, high costs, administrative barriers, or any combination of these reasons. Nationality is acquired either on the basis of descent, whereby children acquire the nationality of their parents (*jus sanguinis*) or through a child's birth on a country's territory (*jus soli*), or a combination of these approaches, depending on the State's law. The registration of a child's birth is the first step in

establishing its legal identity and usually includes key information, such as the identity of the child's parents, and the date and place of birth, that will establish the child's nationality under the law of the State where he or she is born or under the law of other States to which the child has a relevant link. Consequently, birth registration can help to realise the child's right to a nationality and help prevent statelessness.

Individuals may also be left stateless if they cannot acquire documents which prove their nationality. In some countries, possession of a national identity card is, in practice, regarded as indicating an entitlement to nationality under the law. This means that those who may have an entitlement to nationality under the law, but who are unable to obtain a national identity card to prove that entitlement (often due to discrimination or a lack of a birth certificate), are treated as non-nationals and excluded from the benefits that flow from nationality.

In the case of stateless persons in a migratory context (including refugees who may be stateless), Target 16.9 can also be helpful to identify and protect stateless persons through formal recognition and documentation until they are able to acquire a nationality. Most stateless populations living in a migratory situation remain invisible, unrecognised and undocumented, leading to a precarious existence. All stateless persons should be afforded a broad range of civil, economic, social and cultural rights, including, at minimum, those owed under the *1954 Convention relating to the Status of Stateless Persons* by States that are party to that treaty, and the rights provided under international human rights law. While these rights are not limited to individuals who have been recognised as stateless, in practice it is often only after a person has been formally identified as stateless, usually through a dedicated statelessness determination procedure, that relevant rights will be accorded.<sup>7</sup>

<sup>6</sup> Although there is no universally accepted definition of legal identity, the meaning and scope of the concept can, to a certain extent, be established through the examination of provisions of relevant international human rights instruments which guarantee legal identity. Under the Universal Declaration of Human Rights, it is recognised that everyone has the right to be recognised before the law, and that all are equal before the law and entitled without any discrimination to equal protection of the law. Widely ratified international treaties, such as the Convention on the Rights of the Child, also guarantee the child's right to preserve his or her identity, including nationality, name and family relations without unlawful interference.

<sup>7</sup> See paragraphs 144 – 152 of UNHCR, *Handbook on Protection of Stateless Persons*, 30 June 2014, available at: <http://www.refworld.org/docid/53b676aa4.html>

**SDG 17:** Strengthen the means of implementation and revitalize the global partnership for sustainable development.

🎯 **Target 17.18:** By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts.

📊 **Global Indicator 17.18.1:** Proportion of sustainable development indicators produced at the national level with full disaggregation when relevant to the target, in accordance with the Fundamental Principles of Official Statistics.

SDG 17 contains key enablers for action across the entire SDG framework and focuses on implementation of the SDGs through partnerships and engagement with a range of stakeholders, including civil society, donor States and organisations and the private sector. Data availability represents a critical tool for sustainable development at the national, regional and global levels. As such, Target 17.18 will contribute to the successful implementation and monitoring of all the other SDGs, including those most relevant to addressing statelessness. Target 17.18 provides an opportunity to advocate for the improvement of statistical data on stateless populations in developing countries, as stateless people are frequently ignored by authorities and may remain uncoun­ted in national administrative registries, databases and population censuses. For example, Target 17.18 could be used to promote improvements to civil registration and vital statistics (CRVS) systems to include stateless persons and those of undetermined nationality. Universal civil registration and the vital statistics generated from civil registration and disaggregated by nationality status will help to achieve a number of SDGs and related Targets and to measure the extent to which stateless persons and those of undetermined nationality are also benefitting from planned improvements.

In countries seeking to implement SDGs and related Targets and Global Indicators that are relevant to addressing statelessness (see above), pointing to

Global Indicator 17.18.1 may also help encourage governments to disaggregate data on the basis of nationality status, so that stateless persons and those of undetermined nationality are included in the process of monitoring progress against particular Targets.

## Mapping the SDGs against UNHCR's statelessness mandate and the #IBelong Campaign to End Statelessness in 10 Years

UNHCR's statelessness mandate comprises 4 key elements:

- To work with governments to **identify** stateless populations and populations with undetermined nationality;
- To **prevent** the occurrence of statelessness;
- To **reduce** statelessness, particularly in protracted statelessness situations; and
- To work with States and partners to **protect** and assist stateless persons.

In November 2014, UNHCR launched the #IBelong Campaign to End Statelessness within 10 years (#IBelong Campaign).<sup>8</sup> The framework to achieve the objectives of the #IBelong Campaign is set out in a Global Action Plan,<sup>9</sup> which establishes 10 practical Actions to be undertaken by States with the assistance of UNHCR and other stakeholders.

<sup>8</sup> See <http://www.unhcr.org/ibelong/>

<sup>9</sup> UNHCR, *Global Action Plan to End Statelessness: 2014 – 2024*, available at: <http://www.refworld.org/docid/545b47d64.html>

**The 10 Actions to end statelessness are:**

- **Action 1:** Resolve existing major situations of statelessness.
- **Action 2:** Ensure that no child is born stateless.
- **Action 3:** Remove gender discrimination from nationality laws.
- **Action 4:** Prevent denial, loss or deprivation of nationality on discriminatory grounds.
- **Action 5:** Prevent statelessness in cases of State succession.
- **Action 6:** Grant protection status to stateless migrants and facilitate their naturalization.
- **Action 7:** Ensure birth registration for the prevention of statelessness.
- **Action 8:** Issue nationality documentation to those with entitlement to it.
- **Action 9:** Accede to the UN Statelessness Conventions.
- **Action 10:** Improve quantitative and qualitative data on stateless populations.

Statelessness Mandate	
Action	Key SDGs and Targets
1	Reduction <b>SDG 10, Target 10.3 and SDG 16, Target 16.b</b>
2	Prevention/ Reduction
3	Prevention/ Reduction <b>SDG 5, Target 5.1; SDG 10, Target 10.c and SDG 16, Target 16.b</b>
4	Prevention <b>SDG 10, Target 10.3 and SDG 16, Target 16.b</b>
5	Prevention
6	Protection/ Identification <b>SDG 10, Target 10.c and SDG 16, Targets 16.9 and 16.b</b>
7	Prevention <b>SDG 10, Target 10.c and SDG 16, Targets 16.9 and 16.b</b>
8	Prevention <b>SDG 10, Target 10.c and SDG 16, Targets 16.9 and 16.b</b>
9	Protection/ Prevention/ Reduction
10	Identification <b>SDG 17, Target 17.18</b>

The table shows how the key SDGs identified above are linked to particular Actions of the Global Action Plan and to each of the 4 elements of UNHCR's statelessness mandate.



## What can UNHCR do to promote the implementation of SDGs to address statelessness?

UNHCR staff must be fully aware of the SDGs and their relevance for addressing statelessness, and be able to advocate in favour of the implementation of particular SDGs in a coherent and focused manner. This includes the SDGs highlighted in this document, as well as the broader range of SDGs which are relevant to improving the living conditions of stateless persons. The Reference Guide “Mainstreaming the 2030 Agenda for Sustainable Development - Reference Guide to UNCTs”<sup>10</sup> includes several references to stateless persons, both as stakeholders and target populations.

### In general:

- **Identify** the SDGs and related Targets and Global Indicators relevant to addressing statelessness for your country of operation using this guide.
- **Acquaint yourself** with the national planning process related to the SDGs and make sure that UNHCR participates as part of the UNCT to advocate for the inclusion and prioritization of activities relevant to addressing statelessness in national development plans and the UNDAF, drawing on relevant SDGs.
- **Ensure** that your regular government counterparts, line Ministries responsible for implementation of the SDGs, and the UNCT/HCT are all aware of the fact that UNHCR supports SDG implementation and requests that stateless persons are included in national development plans.
- **Prepare** statistics and information about stateless persons as well as context-specific messages to inform UNHCR’s participation in the national dialogue about SDG implementation. Ensure that basic age and gender disaggregated data on stateless persons is made available in a simple format and share this in an open and transparent manner.

<sup>10</sup> UN Development Group (UNDG), Mainstreaming the 2030 Agenda for Sustainable Development - Reference Guide to UNCTs, February 2016. Available at: <https://goo.gl/mNFCAf>.

*With respect to SDG 5, Target 5.1; SDG 10, 10.c and SDG 16, Target 16.b: (Relevant if your country office is in one of the 25+ States that do not permit women to transmit their nationality to their children on an equal basis as men or in one of the 50+ States which do not permit women to acquire, change or retain their nationality on an equal basis as men).*

- **Advocate** for the implementation of SDG 5, Target 5.1, SDG 10, Target 10.c and SDG 16, Target 16.b, and selection of appropriate national Indicators to measure progress with respect to reform of nationality laws, policies and procedures to ensure equality between women and men in nationality matters.
- **Engage** with UN Women, UNICEF, OHCHR and civil society members of the Global Campaign for Equal Nationality Rights to promote implementation of SDGs 5, 10 and 16 with respect to equal nationality rights.
- **Encourage** the lifting of reservations that the State may have to Article 9 of the Convention on the Elimination of All Forms of Discrimination against Women.

*SDG 10, Target 10.3 and SDG 16, Target 16.b: (Relevant if your country office is in a State where the nationality law and the manner in which it is implemented permits loss or deprivation of nationality on discriminatory grounds).*

- **Advocate** for the implementation of SDG 10, Target 10.3 and SDG 16, Target 16.b and the selection of appropriate national Indicators to measure progress with respect to the reform of laws and policies which permit loss and deprivation of nationality on discriminatory grounds.
- **Promote** international standards relating to non-discrimination, the right to a nationality and the prohibition of arbitrary deprivation of nationality.
- **Advocate** and provide technical advice for reform of laws with provisions that permit loss or deprivation of nationality on discriminatory grounds.
- **Coordinate** with other UN Agencies and regional human rights bodies to intervene in instances of loss or deprivation of nationality on discriminatory grounds.

- If loss or deprivation of nationality on discriminatory grounds has already occurred, **undertake** interventions with relevant government ministries to advocate for restitution of nationality.
- **Provide** information, legal advice and legal aid to affected populations and assist with the monitoring of restitution of nationality and implementation of reformed nationality laws.
- **Support** initiatives by the legal community aimed at achieving legislative reform or ending discriminatory application of nationality laws.

**SDG 16, Target 16.9:** *(Relevant if your country office is in a State where individuals are at a heightened risk of statelessness because of lack of birth registration and/ or because there are populations which are entitled to nationality under the law but cannot acquire documentary proof of nationality. Also relevant if the State hosts stateless migrants and has not implemented a statelessness determination procedure).*

- **Advocate** for the implementation of SDG16, Target 16.9 and selection of appropriate national Indicators relating to measuring progress with respect to the achievement of universal birth registration, as well as the provision of proof of nationality where an entitlement to such exists under the law.
- **Engage** with national and regional initiatives aimed at improving CRVS and promote the improvement of CRVS as an important development priority in national development plans.
- **Support** States to identify legal, procedural and practical obstacles, including those encountered at the community level, to registering births or to the issuance of proof of nationality.
- **Promote** birth registration, including by facilitating access to procedures at the community level, deploying mobile teams to address existing deficits and integrating birth registration with other public programmes, such as those relating to childbirth, maternal-infant care, immunization and education.
- **Complement** the efforts of UNICEF, UN regional commissions, UNFPA, WHO, UNDP, the World Bank, regional development banks, bilateral donors, including in the context of the UNDAF, to promote and provide technical support for birth registration and to improve civil registration and vital statistics systems.
- **Support** the provision of information, legal aid and documentation campaigns to assist stateless individuals and individuals at risk of statelessness with applications for birth registration and proof of nationality.
- **Advocate** and provide technical advice for the reform of laws, policies and procedures to ensure that those entitled to nationality under the law acquire documentary proof of nationality.
- **Promote** accessible and uniform procedures for the issuance of nationality documentation.
- **Provide** technical support to governments to issue nationality documentation.
- **Advocate** and provide technical advice to relevant ministries and parliaments for the establishment of statelessness determination procedures and protection regimes.
- **Encourage** accession to the *1954 Convention relating to the Status of Stateless Persons*.



**SDG 17, Target 17.18:** (Relevant if your country office is in a developing country<sup>11</sup> seeking to implement SDGs and related Targets and Indicators that are relevant to addressing statelessness or where stateless persons or those of undetermined nationality remain uncoun­ted in national administrative registries, databases and population censuses. This SDG and Target are particularly relevant where the size or concentration of the population of concern is likely to be statistically significant).

- **Advocate** for the implementation of SDG 17, Target 17.18 and selection of appropriate Indicators relating to improving the availability of statistical data on stateless persons, including through disaggregation of data by nationality status.
- **Advocate** with government authorities for the improvement of national statistical data on stateless populations, and encourage donor states, international financial institutions and the private sector to provide additional capacity-building and financial support to this end.
- **Promote** the inclusion of stateless persons and those of undetermined nationality in the development of relevant standards and capacity building initiatives, including with the UN Statistics Commission, the UN Statistics Division and in statistical bodies of the regional Economic and Social Commissions.

<sup>11</sup> See <http://hdr.undp.org/en/countries>

- **Engage** with national and regional initiatives aimed at improving CRVS systems through the inclusion of stateless persons and those of undetermined nationality, and promote the improvement of CRVS systems as an important development priority in national development plans.
- **Advocate** with States on the benefits of gathering national data on stateless persons for purposes of registration, documentation, delivery of public services, social inclusion, maintenance of law and order and comprehensive development planning.
- **Advocate** for the inclusion of questions related to nationality status in any upcoming population and housing censuses.

## Resources

- UN General Assembly, *Transforming our World: The 2030 Agenda for Sustainable Development*, 21 October 2015, para. 23. Available at: <http://goo.gl/8utYyz>
- UN Development Group, *Mainstreaming the 2030 Agenda for Sustainable Development - Reference Guide to UNCTs*, February 2016. Available at: <https://goo.gl/7kzAJc>
- UNHCR, *Global Action Plan to End Statelessness: 2014 – 2024*, available at: <http://goo.gl/hvElnK>
- *Handbook on Protection of Stateless Persons*, 30 June 2014, available at: <http://goo.gl/C9Eyn3>
- *Background Note on Gender Equality, Nationality Laws and Statelessness 2017*, 8 March 2017, available at: <https://goo.gl/AEKMF3>