



#IBELONG

Global Action Plan to End Statelessness

2014–2024

“Statelessness can lead to a devastating cycle of deprivation and vulnerability. In the five years since the launch of the #IBelong Campaign, we have witnessed remarkable progress on many fronts, including new accessions to the UN Statelessness Conventions.

However, millions of people still suffer the lifelong denial of their human rights because they are stateless. And certain worrying trends, including a rise in damaging forms of nationalism, and increased forced displacement, threaten to increase statelessness in some parts of the world if action isn’t taken.

Now - more than ever - we need strengthened international resolve to take the steps set out in this Global Action Plan so as to ensure that no one is stateless in 2024.”

FILIPPO GRANDI, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

CONTENTS

Executive Summary	2
Overview	4
Statement of Intent	4
Introduction	4
Overall Strategy	6
Resources	6
Background	7
10 Actions to End Statelessness	8
Action 1: Resolve existing major situations of statelessness	8
Action 2: Ensure that no child is born stateless	10
Action 3: Remove gender discrimination from nationality laws	14
Action 4: Prevent denial, loss or deprivation of nationality on discriminatory grounds	16
Action 5: Prevent statelessness in cases of State succession	18
Action 6: Grant protection status to stateless migrants and facilitate their naturalization	20
Action 7: Ensure birth registration for the prevention of statelessness	23
Action 8: Issue nationality documentation to those with entitlement to it	26
Action 9: Accede to the UN Statelessness Conventions	28
Action 10: Improve quantitative and qualitative data on stateless populations	30
Annex 1	32
Annex 2	33

EXECUTIVE SUMMARY

1. Objectives

TO END STATELESSNESS WITHIN 10 YEARS, the *Global Action Plan to End Statelessness: 2014–2024* establishes a guiding framework of 10 Actions to be undertaken by States, with the support of UNHCR and other stakeholders to:

- **resolve existing major situations of statelessness;**
- **prevent new cases of statelessness from emerging; and**
- **better identify and protect stateless populations.**

2. The 10 Actions to End Statelessness

STATES ARE ENCOURAGED to take one or more of the following 10 Actions to achieve the related Goals by 2024. UNHCR, other UN and international agencies, regional organizations, civil society and stateless people all have roles to play in supporting governments to accomplish relevant Actions. Because the causes, profile and magnitude of statelessness vary, not all Actions are required in all countries.

Action 1:

RESOLVE EXISTING MAJOR SITUATIONS OF STATELESSNESS

- Goal: All major non-refugee statelessness situations resolved.

Action 2:

ENSURE THAT NO CHILD IS BORN STATELESS

- Goal: No reported cases of childhood statelessness.
- Goal: All States have a provision in their nationality laws to grant nationality to stateless children born in their territory.
- Goal: All States have a provision in their nationality laws to grant nationality to children of unknown origin found in their territory (foundlings).
- Goal: All States have a safeguard in their nationality laws to grant nationality to children born to nationals abroad and who are unable to acquire another nationality.

Action 3:**REMOVE GENDER DISCRIMINATION FROM NATIONALITY LAWS**

- Goal: All States have nationality laws which treat women and men equally with regard to conferral of nationality to their children and with regard to the acquisition, change and retention of nationality.

Action 4:**PREVENT DENIAL, LOSS OR DEPRIVATION OF NATIONALITY ON DISCRIMINATORY GROUNDS**

- Goal: No States have nationality laws which permit denial, loss or deprivation of nationality on discriminatory grounds.

Action 5:**PREVENT STATELESSNESS IN CASES OF STATE SUCCESSION**

- Goal: No cases of statelessness due to future situations of State succession.

Action 6:**GRANT PROTECTION STATUS TO STATELESS MIGRANTS AND FACILITATE THEIR NATURALIZATION**

- Goal: 70 States identify stateless migrants through determination procedures which lead to a legal status that permits residence and guarantees the enjoyment of basic human rights, and facilitate naturalization.

Action 7:**ENSURE BIRTH REGISTRATION FOR THE PREVENTION OF STATELESSNESS**

- Goal: No reported cases of statelessness due to a lack of birth registration.

Action 8:**ISSUE NATIONALITY DOCUMENTATION TO THOSE WITH ENTITLEMENT TO IT**

- Goal: No States have populations which are entitled to nationality under law but which cannot acquire documentary proof of nationality.

Action 9:**ACCEDE TO THE UN STATELESSNESS CONVENTIONS**

- Goal: 140 States are party to the 1954 Convention relating to the Status of Stateless Persons.
- Goal: 130 States are party to the 1961 Convention on the Reduction of Statelessness.

Action 10:**IMPROVE QUANTITATIVE AND QUALITATIVE DATA ON STATELESS POPULATIONS**

- Goal: Quantitative data on stateless populations is publicly available for 150 States.
- Goal: Qualitative analysis on stateless populations is publicly available for at least 120 States.

OVERVIEW

Statement of Intent

TO BRING AN END TO STATELESSNESS

within 10 years by resolving existing situations and preventing the emergence of new cases of statelessness.

Introduction

IN A WORLD COMPRISED OF STATES, the problem of statelessness remains a glaring anomaly with devastating impacts on the lives of at least 10 million people around the world who live without any nationality.¹ In October 2013, the UN High Commissioner for Refugees called for the “total commitment of the international community to end statelessness.”² The *Global Action Plan to End Statelessness: 2014–2024 (Global Action Plan)*, developed in consultation with States, civil society and international organisations, sets out a guiding framework made up of 10 Actions that need to be taken to end statelessness within 10 years. Provided that there is adequate leadership and effective implementation of the *Global Action Plan*, statelessness can be ended within a decade.

THE GLOBAL ACTION PLAN INCLUDES ACTIONS TO:

- **resolve** existing situations of statelessness;
- **prevent** new cases of statelessness from emerging; and
- better **identify and protect** stateless persons.

1 The terms ‘nationality’ and ‘citizenship’ are used interchangeably throughout the *Global Action Plan*.

2 High Commissioner’s Closing Remarks to the 64th Session of UNHCR’s Executive Committee, 4 October 2013: <http://unhcr.org/525539159.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.

Because the causes, profile and magnitude of statelessness vary, not all Actions are required in all countries. Indeed, in the majority of cases, only one or two Actions will be relevant to address statelessness within specific country contexts. For this reason, the Actions presented in this *Global Action Plan* are not in order of implementation, priority or importance. UNHCR, other UN and international agencies, regional organizations, civil society and stateless people all have a role to play in supporting governments to accomplish the relevant Actions.

For each Action, the *Global Action Plan* sets out available information (the Starting Point) and the Goals to be achieved within 10 years. It also includes Milestones, or interim targets, in 2017 and 2020, to mark progress towards achievement of the Goals.

A number of the Actions are interrelated. Therefore, achievement of the Goals of one Action, could lead to partial achievement of the Goals of another Action. For example, increasing the number of States parties to the 1961

Convention on the Reduction of Statelessness under Action 9, could also lead to those States adopting or improving provisions in their nationality laws to ensure that no child is born stateless pursuant to Action 2.

Countries are encouraged to accomplish Actions by developing and implementing National Action Plans (please see Annex 1). These National Action Plans can set out detailed strategies to complete selected Actions and indicate detailed country-level goals and milestones. It is recommended that National Action Plans are developed through a consultation process which includes the involvement of UNHCR, other UN and development actors and regional bodies where relevant, national institutions (relevant ministries, parliament, etc.), civil society and stateless groups. States are encouraged to undertake periodic reviews of their National Action Plans. UNHCR will report on progress achieved under the *Global Action Plan* every two years. In the absence of a National Action Plan, UNHCR will continue to promote key Actions within the country concerned.

Overall Strategy

TO ASSIST COUNTRIES ACHIEVE THE GOALS of this *Global Action Plan*, UNHCR and partners will:

- **Identify factors** which may contribute to new cases of statelessness or which prevent resolution of existing situations;
- **Develop and implement National Action Plans** to undertake relevant Actions;
- **Convene country-level roundtable discussions** with governments, civil society, other UN Agencies and stakeholders, and undertake participatory assessments with stateless communities to inform the development of National Action Plans;
- **Provide technical advice** and, where necessary, resources to support governments and stateless populations;
- **Promote the exchange of good practices** in resolving statelessness;
- **Engage with the justice sector** and the legal community for a strategic use of judicial processes;
- **Undertake sustained global awareness-raising** and advocacy on statelessness, ensuring that the plight of stateless people is understood and their voices are heard; and
- **Report on implementation** of Actions every two years.

While the *Global Action Plan* focuses on the overarching goals of resolving existing situations of statelessness and preventing the emergence of new cases of statelessness, UNHCR will continue to work with relevant actors to ensure implementation of all aspects of its statelessness mandate in accordance with relevant General Assembly Resolutions and Conclusions of UNHCR's Executive Committee, notably Conclusion No. 106 of 2006 on "Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons."³

While some stateless people are also refugees, most are not. The *Global Action Plan* focuses primarily on non-refugee stateless populations but also complements UNHCR's efforts to resolve protracted refugee situations.

Resources

EXPERIENCE HAS SHOWN that successful responses to most situations of statelessness entail low costs. However, additional resources will be required to undertake the Actions outlined in the *Global Action Plan*.

Since 2009, UNHCR has more than tripled its expenditure on statelessness – from USD 12 million to USD 36 million in 2013. The High Commissioner has dedicated additional resources through the 'Seeds for Solutions' process to the most promising projects to resolve existing situations and prevent new cases of statelessness. This has boosted the capacity of six UNHCR operations by over USD 1 million during 2014.

³ UNHCR, Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons, 6 October 2006, No. 106 (LVII) - 2006, available at: <http://www.refworld.org/docid/453497302.html>. For details on the full range of activities undertaken under UNHCR's statelessness mandate, please see UNHCR Action to Address Statelessness: A Strategy Note, March 2010, available at: <http://www.refworld.org/docid/4b9e0c3d2.html>.

An additional USD 3 million has been allocated to implement the *Global Action Plan* in 2015. UNHCR welcomes continued support from donors to end statelessness.

In addition to its regular staff, UNHCR is also deploying more than 20 specialists around the world to work with UNHCR teams, governments, non-governmental organizations and stateless communities. These include eight regional statelessness officers, protection staff in countries with large stateless and at-risk populations and short-term deployees under a specialized roster of the Surge Protection Capacity Project.

Background

WHAT IS STATELESSNESS AND WHY MUST IT BE BROUGHT TO AN END?

A stateless person is someone who is not considered as a national by any State under the operation of its law. At least 10 million people worldwide continue to suffer the privations and indignity of being denied nationality. Statelessness may occur for a variety of reasons, including discrimination against particular ethnic or religious groups or on the basis of gender; the emergence of new States and transfers of territory between existing States (State succession); and conflict of nationality laws.

Whatever the cause, statelessness has serious consequences for people in almost every country and in all regions of the world. Stateless persons are often denied enjoyment of a range of rights such as identity documents, employment, education and health services. Statelessness can lead to forced displacement just as forced displacement can lead to statelessness. It can also

contribute to political and social tensions. The exclusion and denial of rights to large populations because they are stateless can impair the economic and social development of States.

Under international law, States set the rules for acquisition, change and withdrawal of nationality. At the same time, the discretion of States with regard to nationality is limited by obligations under international treaties to which they are a party, customary international law and general principles of international law. The 1954 Convention relating to the Status of Stateless Persons is the cornerstone of the international protection regime for stateless people. Specific obligations relating to the prevention and reduction of statelessness are established under the 1961 Convention on the Reduction of Statelessness.

In addition, a range of human rights instruments recognize the right to a nationality, albeit with varying formulations. These instruments include: The Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the Convention on the Rights of Persons with Disabilities. The *Global Action Plan* is based on the standards contained in these international treaties (please see Annex 2).

10 ACTIONS TO END STATELESSNESS

Action 1:

RESOLVE EXISTING MAJOR SITUATIONS OF STATELESSNESS

STARTING POINT ● There are 20 major reported non-refugee statelessness situations.

MILESTONES

By 2017:

- Law, policy and administrative reforms are in place to grant or confirm nationality of non-refugee stateless persons in 10 of the major non-refugee statelessness situations.⁴

By 2020:

- Law, policy and administrative reforms in place to grant or confirm nationality of non-refugee stateless persons in an additional 5 of the major non-refugee statelessness situations (15 situations in total since 2014).

GOAL BY 2024 ● All major non-refugee statelessness situations resolved.

CONTEXT

Major non-refugee statelessness situations are often linked to non-inclusion of specific groups in the body of citizens at the time of independence, sometimes for discriminatory reasons. These situations generally have persisted for decades. A number of States have recognized the negative impact and have taken steps to resolve large-scale situations. They have shown that the key factor is political will and that relatively simple and low-cost reforms can have an immediate, permanent impact.

HOW CAN THIS ACTION BE IMPLEMENTED?

The most cost-effective way of resolving major statelessness situations is through changes to legislation or government policy, including one-off measures to recognize as nationals those populations excluded at the time of State independence. Rules for conferral of nationality can be changed so that all stateless people resident in the territory are considered nationals provided that they were born on the territory or have resided there before a particular date, or have parents or grandparents who meet these criteria. Requirements and procedures for

⁴ The 20 largest non-refugee statelessness situations are reported in UNHCR's 2013 Global Trends Report published on 20 June 2014: <http://www.unhcr.org/5399a14f9.html>. As new population data is gathered under Action 10 and large new stateless populations come to light, Action 1 will require measures to be undertaken in additional States.

naturalization can also be simplified to make it easier for stateless people to acquire nationality, for instance, by reducing the required number of years of residence or by lowering or eliminating application fees.

HOW CAN UNHCR HELP?

Major activities:

1. Advocate and provide technical advice for reform of nationality laws, policies and procedures to permit acquisition of nationality by stateless people.
2. Deliver operational support to governments, parliaments, civil society and stateless populations, including through projects to bolster capacity of States and civil society. This includes:
 - Provision of information, legal aid, documentation and support for nationality campaigns to assist stateless individuals with nationality applications and for acquisition of documentation confirming nationality;
 - Support to governments for processing of applications or issuance of documentation;
 - Support for deployment of mobile teams to ensure that all sectors of the population have access to procedures;
 - Where statelessness is due to discriminatory social attitudes, building support for long-term solutions through dialogue, reconciliation and confidence-building.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges made by particular States in the context of UNHCR's 2011 Ministerial Meeting, commitments made in the context of the Universal Periodic Review of the Human Rights Council and recommendations made to particular States by UN human rights treaty bodies and special procedures.
- Increasing recognition by States of the negative impacts of large-scale situations of statelessness and of the benefits of resolving such situations, including in terms of improving social cohesion and other development outcomes.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Reforms of nationality laws and policies are sometimes difficult to achieve in practice.
- Prevailing political and social views and practices regarding stateless populations may be difficult to change.



In 2019, Kyrgyzstan became the first country in the world to resolve all known cases of statelessness on its territory.
© UNHCR/ALIMZHAN ZHOROBAEV, 2010

Action 2:

RESOLVE EXISTING MAJOR SITUATIONS OF STATELESSNESS

- STARTING POINT**
- At least 70,000 children born in the 20 major reported non-refugee statelessness situations each year are unable to acquire any nationality.
 - At least 29% of all States have no provision in their nationality laws to grant nationality to stateless children born in their territory. At least 28% of all States have inadequate provisions in their nationality laws.
 - At least 29% of all States have no provision in their nationality laws to grant nationality to children of unknown origin found in their territory (foundlings). At least 37% of all States have inadequate provisions in their nationality laws.
 - At least 3% of all States have no safeguards in their nationality laws to grant nationality to children born to nationals abroad and who are unable to acquire another nationality. At least 44% of all States have inadequate safeguards in their nationality laws.

MILESTONES**By 2017:**


- The percentage of States with no provision in their nationality laws to grant nationality to statelessness children born in their territory is reduced to 22%. The percentage of States with inadequate provisions is reduced to 22%.
- The percentage of States with no provision in their nationality laws to grant nationality to children of unknown origin found in their territory (foundling) is reduced to 22%. The percentage of States with inadequate provisions is reduced to 28%.
- The percentage of States with no safeguard in their nationality laws to grant nationality to children born to nationals abroad and who are unable to acquire another nationality is reduced to 2%. The percentage of States with inadequate safeguards is reduced to 33%.

By 2020:

- The percentage of States with no provision in their nationality laws to grant nationality to stateless children born in their territory is reduced to 13%. The percentage of States with inadequate provisions is reduced to 13%.
- The percentage of States with no provision in their nationality laws to grant nationality to children of unknown origin found in their territory (foundling) is reduced to 13%. The percentage of States with inadequate provisions is reduced to 17%.
- The percentage of States with no safeguard in their nationality laws to grant nationality to children born to nationals abroad and who are unable to acquire another nationality is reduced to 1%. The percentage of States with inadequate safeguards is reduced to 20%.
- Law, policy and administrative reforms in place to grant or confirm nationality of non-refugee stateless persons in an additional 5 of the major non-refugee statelessness situations (15 situations in total since 2014).

GOAL BY 2024

- No reported cases of childhood statelessness.
- All States have a provision in their nationality laws to grant nationality to stateless children born in their territory.
- All States have a provision in their nationality laws to grant nationality to children of unknown origin found in their territory (foundlings).
- All States have a safeguard in their nationality laws to grant nationality to children born to nationals abroad and who are unable to acquire another nationality.



“I feel like I am born again. Now I am free.” These are the sentiments of Tina Erick Akusunga, one of more than a thousand from the Makonde tribe who acquired Kenyan citizenship and identity papers in 2017 after years of statelessness.

© UNHCR/ROGER ARNOLD, 2017

CONTEXT

The majority of the world’s stateless people have lacked any nationality since they were born. This is for two primary reasons: (a) their parents were stateless and (b) they were born in a country with a nationality law that does not confer its nationality on children even if this means that they would be left stateless. In a number of other cases, children become stateless when they are born abroad and their parents have a nationality but cannot confer it under the law of their State of nationality.

Children may also become stateless when they have been abandoned or separated from their family and their nationality cannot be ascertained. Some children affected by these circumstances are refugees.

HOW CAN THIS ACTION BE IMPLEMENTED?

One of the most important safeguards to prevent statelessness is to ensure that nationality laws allow children born in the territory of a State to acquire the nationality of that State if they would otherwise be stateless. This safeguard is the cornerstone of efforts to prevent statelessness and is set out in the 1961 Convention on the Reduction of Statelessness.

The importance of this safeguard is reinforced by standards included in the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights with respect to the right of every child to acquire a nationality. States are not required to grant nationality to all children born in their territories, but only to those who cannot acquire any other nationality.

To implement this safeguard, States need to take steps to ascertain whether a child born in the territory whose nationality is unclear, has acquired the nationality of another State. If not, the State in which the child is born is required to grant its nationality so that the child is not left stateless. In accordance with the principle of the best interests of the child, it is recommended that States automatically grant their nationality to children in such situations.

Nationality laws also require a safeguard to grant nationality to children born to nationals abroad and who would otherwise be stateless. Another important provision to be included in nationality laws is the rule that foundlings (found children of unknown parentage) are to be presumed to be nationals of the State in which they are found. Improving birth registration to prevent statelessness amongst children, as envisaged under Action 7, will be important to ensure implementation of Action 2.

HOW CAN UNHCR HELP?

Major activities:

1. Raise awareness of the safeguards to prevent statelessness among children and how these are to be implemented, including in the refugee context.
2. Advocate and provide technical advice for reform of nationality laws, policies and procedures to permit acquisition of nationality by children who would otherwise be stateless and to grant nationality to foundlings.
3. Coordinate with UNICEF and civil society organisations active in the area of child rights to build awareness and disseminate information.

4. Support initiatives by the legal community to ensure the grant of nationality to children who would otherwise be stateless, including through strategic litigation. Build the capacity of legal professionals and the justice sector on statelessness and nationality issues.
5. Advocate for law and policy measures to enable children to access key health, education and other services while their nationality status is being resolved.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Virtually all States are party to the Convention on the Rights of the Child and/or the International Covenant on Civil and Political Rights which recognize the right of every child to acquire a nationality.
- Commitments made in the context of the Universal Periodic Review of the Human Rights Council and recommendations made to particular States by UN human rights treaty bodies and special procedures.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- There is limited awareness of the importance of the safeguard to prevent statelessness among children.
- There is a misconception in some States that the safeguards require grant of nationality to all children born in the territory.
- Reforms of nationality laws are sometimes difficult to achieve and may require additional reforms to related legislation or the Constitution.

Action 3:

REMOVE GENDER DISCRIMINATION FROM NATIONALITY LAWS

- STARTING POINT**
- 27 States have nationality laws which do not allow women to confer nationality to their children on an equal basis as men.
 - More than 60 States have nationality laws which do not allow women and men to acquire, change or retain their nationality on an equal basis.

MILESTONES

By 2017:

- 10 States introduce reforms to their nationality laws to allow women to confer their nationality to their children on an equal basis as men.
- 20 States introduce reforms to their nationality laws to allow women to acquire, change and retain their nationality on an equal basis as men.

By 2020:

- An additional 10 States (20 in total since 2014) introduce reforms to their nationality laws to allow women to confer nationality to their children on an equal basis as men.
- An additional 20 States (40 in total since 2014) introduce reforms to their nationality laws to allow women to acquire, change and retain their nationality on an equal basis as men.

GOAL BY 2024

- All States have nationality laws which treat women and men equally with regard to conferral of nationality to their children and with regard to the acquisition, change and retention of nationality.

CONTEXT

Gender discrimination in nationality laws can have far-reaching consequences on all aspects of family life. When women are unable to pass on their nationality to their children because of discriminatory laws, and those children are unable to acquire nationality from the father, they are rendered stateless. This can happen where the father is stateless, unknown, or unable or unwilling to complete administrative requirements to confer

his nationality or to obtain documentation to prove the nationality of the child. Such laws are not in compliance with Article 9(2) of the Convention on the Elimination of All Forms of Discrimination Against Women. States which deny women equal rights as men to acquire, change or retain their nationality are not in compliance with Article 9(1) of that Convention.

HOW CAN THIS ACTION BE IMPLEMENTED?

Reforms to laws which prevent women from conferring nationality to their children on an equal basis as men are necessary to prevent statelessness among children. Such reforms can be enacted with retroactive effect to ensure that those left stateless under previously discriminatory laws are able to acquire a nationality. Lifting reservations to Article 9 of the Convention on the Elimination of All Forms of Discrimination Against Women will also help to achieve the Goal under this Action. Removing gender discrimination against women when it comes to their ability to acquire, change and retain their nationality on an equal basis with men is necessary to protect women against statelessness and unwanted changes in the nationality status.

HOW CAN UNHCR HELP?

Major activities:

1. Advocate and provide technical advice for reform of nationality laws, policies and procedures to ensure equality between women and men in nationality matters. Where possible, use the opportunity of Constitutional reform processes to achieve these objectives.
2. Work with UN Women, UNICEF, OHCHR and civil society members of the Global Campaign for Equal Nationality Rights.
3. Support initiatives by the legal community to promote equality of women and men in nationality matters, including through strategic litigation aimed at achieving legislative reform or ending the discriminatory application of nationality laws. Build the capacity of legal professionals and the justice sector on statelessness and nationality issues.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges made by particular States in the context of UNHCR's 2011 Ministerial Meeting, commitments made in the context of the Universal Periodic Review of the Human Rights Council and recommendations made to particular States by UN human rights treaty bodies and special procedures.
- There is significant forward momentum on this issue. In the past 10 years, 12 States have reformed their laws to achieve compliance with Article 9(2) of the Convention on the Elimination of All Forms of Discrimination Against Women to allow women to pass on their nationality to their children.
- In 2014, a new coalition of civil society actors and UN Agencies launched the Global Campaign for Equal Nationality Rights. The work of this campaign can complement and support implementation of this Action.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Discriminatory provisions of nationality laws sometimes reflect prevailing social and/or demographic considerations regarding the role of women which can be difficult to change.
- Reforms of nationality laws are sometimes difficult to achieve and may require additional reforms to related legislation or the Constitution.

Action 4:

PREVENT DENIAL, LOSS OR DEPRIVATION OF NATIONALITY ON DISCRIMINATORY GROUNDS

STARTING POINT ● At least 20 States have nationality laws which permit denial, loss or deprivation of nationality on discriminatory grounds.

MILESTONES **By 2017:**

- At least 4 States reform their nationality laws to remove provisions which permit denial, loss or deprivation of nationality on discriminatory grounds.

By 2020:

- At least an additional 8 States (12 in total since 2014) reform their nationality laws to remove provisions which permit denial, loss or deprivation of nationality on discriminatory grounds.

GOAL BY 2024 ● No States have nationality laws which permit denial, loss or deprivation of nationality on discriminatory grounds.

CONTEXT

Discrimination on the basis of ethnicity, race, religion, language or disability is a recurrent cause of statelessness. In fact, the majority of the world's known stateless populations belong to minority groups. Instances of denial, loss and deprivation of nationality on discriminatory grounds leading to statelessness continue to occur in a range of countries. These include situations of mass deprivation of nationality on the grounds of ethnicity or race during recent decades. In some instances, the individuals and groups affected have crossed international borders and have become refugees. Given its particular impact, statelessness arising from gender discrimination is dealt with under Action 3.

HOW CAN THIS ACTION BE IMPLEMENTED?

This Action requires that State authorities refrain from denying or depriving people of nationality on discriminatory grounds such as ethnicity, race, religion, language or disability. To ensure this, States can introduce non-discriminatory provisions in their Constitutions and nationality laws. There needs to be adequate supervision of compliance with such provisions, including through complaints mechanisms, the possibility of judicial review and restitution of nationality.

HOW CAN UNHCR HELP?

Major activities:

1. Promote international standards relating to non-discrimination, the right to a nationality and the prohibition of arbitrary deprivation of nationality.
2. Identify situations of direct or indirect discrimination which have or could lead to individual or mass denial or deprivation of nationality.
3. Undertake timely interventions with relevant government ministries and parliaments to prevent future instances of denial, loss and deprivation of nationality, or if it has already occurred, for restitution of nationality, in accordance with Action 1. This includes:
 - Advocating and providing technical advice for reform of nationality laws with provisions that permit denial, loss or deprivation of nationality on discriminatory grounds. Where possible, use the opportunity of Constitutional reform processes to achieve these objectives;
 - Supporting restitution of nationality to refugees and returning migrants, including in the context of tripartite agreements governing voluntary repatriation of refugees between the States concerned and UNHCR.
4. Coordinate with other UN Agencies and regional human rights bodies to intervene in instances of denial, loss and deprivation of nationality on discriminatory grounds.
5. Provide information, legal advice and legal aid to affected populations, assist with monitoring of restitution of nationality and implementation of reformed nationality laws.

6. Support initiatives by the legal community aimed at achieving legislative reform or ending the discriminatory application of nationality laws, including through strategic litigation. Build the capacity of legal professionals and the justice sector on statelessness and nationality issues.

WHAT EXISTING CIRCUMSTANCE CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Virtually all States are party to the International Covenant on Civil and Political Rights, the International Convention on the Elimination of Racial Discrimination or the Convention on the Rights of the Child, among other international human rights treaties, which along with Article 9 of the 1961 Convention on the Reduction of Statelessness and customary international law, provide for the principle of nondiscrimination, including in nationality matters.
- Recommendations made to particular States in the context of the Universal Periodic Review of the Human Rights Council and by the UN human rights treaty bodies and special procedures.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Prevailing social views regarding ethnic, racial, religious or other minorities may be difficult to change.
- Discrimination may be linked to underlying issues relating to land and resources, which may also need to be resolved.

Action 5:

PREVENT STATELESSNESS IN CASES OF STATE SUCCESSION

(It is not possible to provide a Starting Point for this Action as it relates to events which have not occurred and which are difficult to predict.)

MILESTONES -

GOAL BY 2024 ● No cases of statelessness due to future situations of State succession.

CONTEXT

Emergence of new States and transfers of territory between existing States (State succession) have led to mass statelessness on numerous occasions. At least 620,000 people remain stateless as a result of State succession within the last 30 years. State succession occurs where there is:

- Transfer of one part of the territory of a State to another State;
- Separation of part of the territory of a State and formation of one or more new States; or
- Dissolution of a State and formation of two or more States.

In the case of separation or dissolution, although most individuals automatically become citizens of newly independent States when nationality legislation is adopted, large numbers can be left stateless. Migration movements before and at the time of independence as well as discrimination against marginalized ethnic and social groups may create particular risks of statelessness. Transfer of territory between States can have similar results.

HOW CAN THIS ACTION BE IMPLEMENTED?

Statelessness as a result of State succession can be prevented through a coordinated approach to nationality by the concerned States and implementation of simple safeguards in nationality laws. For example, upon transfer of territory from one State to another, the original nationality of the affected population may not be withdrawn unless it is clear that they have acquired the nationality of the other State involved.

HOW CAN UNHCR HELP?

Major activities:

1. In collaboration with other UN Agencies, identify possible situations of State succession before they occur.
2. Contact authorities of all relevant States and territories, discuss potential causes of statelessness and offer technical and operational support.
3. Promote cooperation between the authorities of the States and territories concerned and advocate for the adoption of agreements and legislation that will avoid statelessness. Mobilise other UN Agencies and regional bodies if necessary.
4. If statelessness occurs despite the efforts described, take measures for restitution of nationality in accordance with Action 1.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- As a result of the work of the International Law Commission, and its adoption of the Articles on the Nationality of Natural Persons in Relation to the Succession of States, the relevant international legal principles are now better understood.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- State succession can be accompanied by political uncertainty and unrest which may not be conducive to discussions of nationality laws and the required safeguards to prevent statelessness.

Action 6:

GRANT PROTECTION STATUS TO STATELESS MIGRANTS AND FACILITATE THEIR NATURALIZATION

- STARTING POINT**
- At least 10 States have statelessness determination mechanisms which lead to a legal status that permits residence and guarantees the enjoyment of basic human rights and facilitated naturalization.

MILESTONES

By 2017:

- 20 additional States (30 in total since 2014) establish determination procedures which lead to a legal status that permits residence and guarantees the enjoyment of basic human rights, and facilitate naturalization for stateless migrants.

By 2020:

- An additional 20 States (50 in total since 2014) establish determination procedures which lead to a legal status that permits residence and guarantees the enjoyment of basic human rights, and facilitate naturalization for stateless migrants.

GOAL BY 2024

- 70 States identify stateless migrants through determination procedures which lead to a legal status that permits residence and guarantees the enjoyment of basic human rights, and facilitate naturalization for stateless migrants.

CONTEXT

Although most stateless people remain in the country of their birth, some leave and become migrants or refugees. These stateless people comprise a minority of the global stateless population but many are not recognized as stateless and face serious human rights problems such as prolonged or repeated detention and destitution. Often, no State will grant them a legal residence and the authorities of their country of origin will not re-admit them. Although some States have introduced mechanisms to determine whether a migrant is stateless, positive determinations do not necessarily lead to a legal status that permits residence, enjoyment of basic human rights and facilitated naturalisation.

HOW CAN THIS ACTION BE IMPLEMENTED?

The 1954 Convention relating to the Status of Stateless Persons establishes a regime to protect the rights of stateless people. The 1954 Convention requires States to establish procedures to determine who is stateless within their territory, including those in detention who cannot be expelled. This determination permits stateless migrants to acquire a secure legal residence which in turn allows them to enjoy basic human rights and accumulate the number of years of residence necessary for naturalization.

Requirements and procedures for naturalization need to be amended to make it easier for stateless refugees and migrants to acquire nationality, for instance, by reducing the required number of years of residence or lowering or waiving application fees. Information on naturalisation requirements needs to be easily accessible.

States can take such measures even when they are not party to the 1954 Convention. Evidence shows that establishing statelessness determination procedures does not increase migration of stateless persons to the territory of States with such procedures.

HOW CAN UNHCR HELP?

Major activities:

1. Advocate and provide technical advice to relevant ministries and parliaments for the establishment of determination procedures and protection regimes.
2. Provide training to increase the capacity of relevant government agencies to undertake statelessness determination.
3. Support the establishment of screening processes to improve identification of stateless persons detained for immigration-related purposes and to secure the release of such persons from detention pending a decision on their status consistent with the 2014 Monitoring Immigration Detention: Practical Manual.⁵

4. Promote naturalization as a solution for stateless migrants and refugees and emphasize the need for the adoption of facilitated procedures that take into account the special needs of these groups.
5. Organize study visits by concerned governments to States with well-established determination procedures.
6. Encourage States which are not already party to the 1954 Convention to accede in accordance with the activities set out under Action 9.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges to establish statelessness determination procedures made by particular States at UNHCR's 2011 Ministerial Meeting.
- A number of States with determination procedures are willing to provide technical support to governments which are studying establishment of procedures.
- Eighteen States have acceded to the 1954 Convention since 2011 and a number are studying measures to implement it.
- A number of countries that already have in place domestic mechanisms to determine statelessness only need to ensure that such mechanisms are linked to grant of a legal status that permits residence, enjoyment of basic human rights and facilitated naturalization.

⁵ UN High Commissioner for Refugees (UNHCR), Association for the Prevention of Torture (APT) and the International Detention Coalition (IDC), Monitoring Immigration Detention: Practical Manual, 2014, available at: <http://www.refworld.org/docid/53706e354.html>.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Lack of government capacity to undertake statelessness determination.
- Misperception by some governments that establishing a procedure will lead to stateless people migrating to their territories to receive protection.
- Lack of information on the existence or magnitude of stateless migrants in the territory.



Thailand has put in place policies and procedures to help ensure that stateless persons belonging to hill tribes, especially young people like King, are able to acquire Thai nationality.

© UNHCR/ROGER ARNOLD, 2017

Action 7:

ENSURE BIRTH REGISTRATION FOR THE PREVENTION OF STATELESSNESS

(It is not possible to provide a Starting Point for this Action. According to figures from 2010 reported by UNICEF, 230 million children under the age remained unregistered. There is no available data on how many of these children were left stateless as a result.)

MILESTONES -

GOAL BY 2024 • No reported cases of statelessness due to a lack of birth registration.

CONTEXT

Individuals can be at risk of statelessness if they have difficulties proving that they have links to a State. Lack of birth registration can create such a risk. This is because birth registration documents where a person was born and who their parents are – key pieces of information needed to establish which country’s nationality a child can acquire. As a result, birth registration is important for the achievement of the goals under Action 2.

In some countries, children may not be registered because registration procedures are complex or establish documentation or other requirements which are difficult to fulfil. Specific groups may face particular problems, especially children born out of wedlock, nomadic populations and children of non-citizens including refugees and migrants. Low levels of birth registration can be difficult to correct subsequently because procedures for late birth registration have not been established or are lengthy, costly and complex and therefore inaccessible to undocumented populations.

Because nationality is generally acquired on the basis of each State’s nationality law, lack of birth registration on its own does not usually make people stateless. UNHCR will continue to work with UNICEF and other partners to gather more data on gaps in law and policy relating to birth registration which create heightened risks of statelessness (also relevant under Action 10). Proof that parents are married can also influence whether a child can be registered at birth and whether it acquires a nationality and this is another area where more data is required.

HOW CAN STATES IMPLEMENT THIS ACTION?

Registering births that occur in the territory is the duty of every State. It is vital that every child is registered at birth. However, given that birth registration does not always occur in a timely manner, States also need procedures for late and delayed birth registration and may consider undertaking campaigns to register older children and adults. Birth registration needs to be free, accessible and undertaken on a non-discriminatory basis.

HOW CAN UNHCR HELP?

Major Activities:

1. Support States to identify legal, procedural and practical obstacles, including those encountered at the community level, to register births.
2. 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.
3. Complement the efforts of UNICEF, UN regional commissions, UNFPA, WHO, UNDP, the World Bank, regional development banks and bilateral donors, including in the context of the UN Development Assistance Framework, to promote and provide technical support for birth registration and to improve civil registration and vital statistics systems.
4. 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.

For populations which are not otherwise of concern, UNHCR will only become engaged where it is likely in the specific context that nationality may be questioned, giving rise to a heightened risk of statelessness. Given their expertise in birth registration, partnership with other UN, regional and non-governmental organisations is required.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges on civil registration by States at UNHCR's 2011 Ministerial Meeting, commitments made in the context of the Universal Periodic Review of the Human Rights Council and recommendations made to particular States by UN human rights treaty bodies and special procedures.
- UNICEF, UN regional commissions, UNFPA, WHO, UNDP, the World Bank, regional development banks and bilateral donors all have dedicated significant resources to addressing these issues in recent years.
- Birth registration will likely be reflected in the post-2015 development agenda.
- Virtually all States are party to the Convention on the Rights of the Child and/or the International Covenant on Civil and Political Rights which require that every child is registered at birth.
- A number of regional intergovernmental initiatives are already in place to improve civil registration and vital statistics (e.g. the African Programme on Accelerated Improvement of Civil Registration and Vital Statistics in Africa, the Regional Strategic Plan for the Improvement of CRVS in Asia and the Pacific, the call by the Organisation of American States for universal birth registration by 2015).

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Baseline population data is incomplete and progress is difficult to measure because many of the individuals referred to in this Action are completely undocumented and therefore do not appear in any existing statistics.
- Because of the systemic nature of some of the problems leading to low levels of birth registration, they can be costly to solve.



Efforts by Jordan to facilitate birth certificates for Syrian children displaced because of the conflict have been vital to helping prevent risks of statelessness for these children.

© UNHCR/CHRISTOPHER HERWIG, 2015

Action 8:

ISSUE NATIONALITY DOCUMENTATION TO THOSE WITH ENTITLEMENT TO IT

STARTING POINT ● At least 20% of States have populations which are entitled to nationality under law but cannot acquire documentary proof of nationality.

MILESTONES

By 2017:

- The percentage of States with populations that are entitled to nationality under law but cannot acquire documentary proof of nationality is reduced to 15%.

By 2020:

- The percentage of States with populations that are entitled to nationality under law but cannot acquire documentary proof of nationality is reduced to 10%..

GOAL BY 2024

- No States have populations which are entitled to nationality under law but which cannot acquire documentary proof of nationality.

CONTEXT

Individuals may be left stateless because they cannot acquire documents which prove their nationality. However, denial of nationality documentation leading to statelessness can occur due to discrimination against particular groups, which are not recognised as nationals. Existing information indicates that this is a major cause of statelessness. The Starting Point above is based on available, but incomplete information and does not reflect the full magnitude of the problem. Lack of nationality documentation alone does not usually mean that a person is stateless.

HOW CAN THIS ACTION BE IMPLEMENTED?

It is vital that those who are entitled to nationality receive nationality documentation. Procedures to obtain such documentation must be accessible, affordable and implemented in a non-discriminatory manner. Cumbersome, lengthy procedures and onerous requirements for applicants are to be avoided.



Steps were taken by Colombia in 2019 to help ensure that children born in the country to Venezuelan parents acquire Colombian nationality. This is expected to benefit at least 24,000 children who were stateless or at risk of statelessness.

© UNHCR/ANDREW MCCONNELL, 2019

HOW CAN UNHCR HELP?

Major Activities:

1. Support States to identify legal, procedural and practical obstacles to issuance of nationality documentation to those who are entitled to it.
2. Advocate and provide technical advice for reform of laws, policies and procedures to ensure that those entitled to nationality under the law acquire documentary proof of nationality.
3. Promote accessible and uniform procedures for issuing of nationality documentation.
4. Provide technical support to governments to issue nationality documentation.
5. Support public information campaigns to raise awareness of procedures to obtain nationality documentation.
6. Support the provision of legal aid to assist individuals with applications for nationality documentation.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges on related issues by particular States at UNHCR's 2011 Ministerial Meeting.
- 'Legal identity' may be reflected in the post-2015 development agenda.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Baseline population data is incomplete and progress is difficult to measure because many of the individuals referred to in this Action are completely undocumented and therefore do not appear in any existing statistics.
- Because of the systemic nature of some of the problems leading to low levels of nationality documentation, these problems can be costly to resolve.

Action 9:

ACCEDE TO THE UN STATELESSNESS CONVENTIONS

- STARTING POINT**
- 83 States are party to the 1954 Convention.
 - 61 States are party to the 1961 Convention.

MILESTONES

By 2017:

- 100 States are party to the 1954 Convention.
- 82 States are party to the 1961 Convention.

By 2020:

- 120 States are party to the 1954 Convention.
- 103 States are party to the 1961 Convention.

GOAL BY 2024

- 140 States are party to the 1954 Convention.
- 130 States are party to the 1961 Convention.

CONTEXT

The 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness are key international treaties designed to ensure that every person has a nationality and that stateless people enjoy a basic set of human rights. The Statelessness Conventions do not stand alone, but complement a much broader range of international legal standards, in particular those contained in human rights treaties.

The 1954 Convention establishes minimum standards of treatment for stateless people in respect of a number of rights. These include, but are not limited to, the right to education, employment and housing. Importantly, the 1954 Convention also guarantees stateless people a right to identity and travel documents and to administrative assistance. The 1961 Convention establishes an international framework to ensure

the right of every person to a nationality. It requires that States establish safeguards in their nationality laws to prevent statelessness at birth and later in life.

Until 1995, no international agency actively promoted the two Statelessness Conventions. As a result, despite their importance, they have attracted far fewer States parties than many other treaties relating to human rights. Some States have been reticent to accede because of misconceptions about the nature of the obligations imposed by the Statelessness Conventions, such as the belief that they impose onerous reporting requirements (in fact, there are no reporting requirements under the 1961 Convention and minimal requirements under the 1954 Convention).

HOW CAN THIS ACTION BE IMPLEMENTED?

Increasing the number of States party to the 1954 Convention is closely linked to Action 6, as it requires establishment of determination procedures and legal frameworks for the protection of stateless persons. Increased accession to the 1961 Convention is essential to address gaps in nationality laws which can lead to statelessness, in particular those set out in Actions 2 and 5.

HOW CAN UNHCR HELP?

Major Activities:

1. Advocate with relevant ministries and parliaments to highlight the benefits of acceding to the Statelessness Conventions, highlighting pledges to accede, commitments made by States in the context of the Universal Periodic Review of the Human Rights Council and UN human rights treaty body recommendations where relevant.
2. Highlight value of the Statelessness Conventions in multilateral fora.
3. Provide technical advice on formalities for accession as well as necessary steps for implementation of the Statelessness Conventions.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Pledges to accede made by 34 States at UNHCR's 2011 Ministerial Meeting. Acceptance by 25 States of recommendations to accede to the Statelessness Conventions made in the context of the Universal Periodic Review of the Human Rights Council, recommendations made to particular States by UN human rights treaty bodies and special procedures.
- There is significant forward momentum on this issue. Since 2011, when UNHCR launched a campaign to increase accessions to the Statelessness Conventions, 27 States have acceded to one or both Conventions.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Given the position of some States with regard to international treaties relating to human rights, it is unlikely that universal accession to the two Statelessness Conventions can be achieved in the next decade. The target is therefore ambitious and achievable, but short of universal accession.

Action 10:

IMPROVE QUANTITATIVE AND QUALITATIVE DATA ON STATELESS POPULATIONS

- STARTING POINT**
- Quantitative population data on stateless populations is publicly available for 75 States.
 - Qualitative analysis on stateless populations is publicly available for at least 45 States.

MILESTONES

By 2017:

- Quantitative data on stateless populations is available for 100 States.
- Qualitative analysis on stateless populations is available for at least 70 States.

By 2020:

- Quantitative data on stateless populations is available for 120 States.
- Qualitative analysis on stateless populations is available for at least 100 States.

GOAL BY 2024

- Quantitative data on stateless populations is publicly available for 150 States.
- Qualitative analysis on stateless populations is publicly available for at least 120 States

CONTEXT

Measuring statelessness is complicated given that stateless people often live in precarious situations on the margins of society. Frequently, stateless persons are not only undocumented but also ignored by the authorities and uncoun­ted in national administrative registries and databases. Most even go uncoun­ted in population censuses. Of 142 national population censuses undertaken since 2005 for which the United Nations possesses questionnaires, only 112 included a question on nationality and of these, less than 25% included a pre-coded option for census takers to record the responses of those who self-identified as stateless.

Quantitative data and qualitative analysis, which includes an assessment of the scale of the situation in terms of magnitude and geographical spread; the profile of the affected population (including its demographic composition with data disaggregated by sex and age); an analysis of the causes and impacts of statelessness (including in terms of civil, political, economic and social rights); and an overview of obstacles to and potential for solutions are all essential for States to adequately respond to statelessness and to enable UNHCR to fulfil its mandate as well as measure progress in implementing the *Global Action Plan*.

Implementation of this Action will provide additional information relating to other Actions.

HOW CAN THIS ACTION BE IMPLEMENTED?

Statistics and information on the situation of stateless populations can be gathered using a range of methods, including analyses of civil registration data, population censuses, targeted surveys and studies.

Establishment of determination procedures in accordance with Action 6 will lead to new data in countries hosting stateless migrants.

Strengthening of civil registration and vital statistics systems in accordance with Action 7 will also contribute to the availability of quantitative data.

HOW CAN UNHCR HELP?

Major Activities:

1. Advocate for inclusion of questions relating to nationality in the 2020 round of population and housing censuses, which begins in 2015, including through:
 - Inclusion of a recommendation in the upcoming revision of the Principles and Recommendations for Population and Housing Censuses by the UN Statistics Division;
 - Discussion with national statistical offices, in coordination with UNFPA and UN regional commissions.
2. Undertake targeted surveys and studies, which include participatory assessments with stateless individuals and groups, to establish the magnitude of statelessness in States and regions with known stateless populations.

3. Advocate with States on the benefits of gathering national data on stateless persons and those with undetermined nationality for purposes of registration, documentation, delivery of public services, maintenance of law and order and development planning.

4. Gather, analyse and share with governments, available data on stateless populations collected by civil society actors.

WHAT EXISTING CIRCUMSTANCES CAN FACILITATE IMPLEMENTATION OF THIS ACTION?

- Upcoming recommendations from the UN Statistics Division and regional commissions will refer to inclusion of questions on nationality in census questionnaires.
- Experience gained from past surveys and studies on stateless populations mean UNHCR and partners now have significant expertise in this area.

WHAT ARE THE OBSTACLES TO IMPLEMENTING THIS ACTION?

- Identifying stateless people is inherently difficult for a number of reasons, including because they are often unwilling to be identified because they lack a secure legal status.

Annex 1

Sample Template National Action Plan to End Statelessness

OVERVIEW:

[The overview sets out:

- a summary of the purpose of the National Action Plan;
- the methodology used to develop the National Action Plan (including any consultations with stakeholders);
- the specific Actions selected and reasons for selection; and
- any monitoring and evaluation mechanisms.]

ACTIONS:

Action: [Select one of the Actions from the Global Action Plan.]

National Context: [A brief description of the historical and current context of the problem which the Action will address as well as any existing circumstances which can facilitate the implementation of the Action and any obstacles to its accomplishment.]

ACTION

STARTING POINT	GOAL	MILESTONES
[Describe the current situation that the Action will address.]	[Describe the final result and date by which it will be achieved.]	[Describe the intermediary result (Milestone(s)) which will support the achievement of the Goal and the expected date by which each Milestone will be achieved. Each Action may have several Milestones.]
	Performance Indicator: [Define a performance indicator for the final result.]	
ACTIVITIES	RESPONSIBLE AUTHORITY	SUPPORT FROM UNHCR/ OTHER STAKEHOLDERS
[Describe the Activities that will be undertaken to achieve the Milestones (one per box).]	[Describe the authorities responsible for implementing the Activities.]	[Describe the type of support UNHCR and other stakeholders will provide per Activity.]

Action: [Select one of the Actions from the Global Action Plan.]

National Context: [A brief description of the historical and current context of the problem which the Action will address as well as any existing circumstances which can facilitate the implementation of the Action and any obstacles to its accomplishment.]

ACTION

STARTING POINT	GOAL	MILESTONES
[Describe the current situation that the Action will address.]	[Describe the final result and date by which it will be achieved.]	[Describe the intermediary result (Milestone(s)) which will support the achievement of the Goal and the expected date by which each Milestone will be achieved. Each Action may have several Milestones.]
	Performance Indicator: [Define a performance indicator for the final result.]	
ACTIVITIES	RESPONSIBLE AUTHORITY	SUPPORT FROM UNHCR/ OTHER STAKEHOLDERS
[Describe the Activities that will be undertaken to achieve the Milestones (one per box).]	[Describe the authorities responsible for implementing the Activities.]	[Describe the type of support UNHCR and other stakeholders will provide per Activity.]

Please repeat the tables above for each additional Actions.

STANDARD

Relevant Action

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

1-8

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Article 16

Everyone shall have the right to recognition everywhere as a person before the law.

8

Article 24

2. Every child shall be registered immediately after birth and shall have a name.
3. Every child has the right to acquire a nationality.

2, 3, 7

Article 26

All persons are equal before the law and are entitled without discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

4

CONVENTION ON THE RIGHTS OF THE CHILD

Article 2

1. 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, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

4

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

1, 2, 3, 7

CONVENTION ON THE ELIMINATION OF RACIAL DISCRIMINATION

Article 5

[...] States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

- d. Other civil rights, in particular: [...]
 - iii. The right to nationality.

4

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN**Article 9**

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.
2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

3

1954 CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS**Entire treaty**

6

Article 32

The Contracting States shall as far as possible facilitate the assimilation and naturalization of stateless persons. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

1, 6

1961 CONVENTION ON THE REDUCTION OF STATELESSNESS**Article 1**

1. A Contracting State shall grant its nationality to a person born in its territory who would otherwise be stateless. [...]

2

Article 2

A foundling found in the territory of a Contracting State shall, in the absence of proof to the contrary, be considered to have been born within that territory of parents possessing the nationality of that State.

2

Article 4

1. A Contracting State shall grant its nationality to a person, not born in the territory of a Contracting State, who would otherwise be stateless, if the nationality of one of his parents at the time of the person's birth was that of that State. [...]

2

Article 9

A contracting States may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds.

4

Article 10

1. Every treaty between Contracting States providing for the transfer of territory shall include provisions designed to secure that no person shall become stateless as a result of the transfer. A Contracting State shall use its best endeavours to secure that any such treaty made by it with a State which is not party to this Convention includes such provisions.
2. In the absence of such provisions a Contracting State to which territory is transferred or which otherwise acquires territory shall confer its nationality on such persons as would otherwise become stateless as a result of the transfer or acquisition.

5

CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES**Article 18**

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:
 - a. Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;
 - b. Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;
 - c. Are free to leave any country, including their own;
 - d. Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.
2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

2, 4, 7, 8

INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Article 29

Each child of a migrant worker shall have the right to a name, to registration of birth and to a nationality.

2, 7

UN GENERAL ASSEMBLY RESOLUTIONS OF PARTICULAR RELEVANCE TO NATIONALITY AND STATELESSNESS

A/Res/68/141 of 18 December 2013

The General Assembly [...]

8. Welcomes pledges by States to accede to the statelessness conventions, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as pledges to remove reservations to them, [...] encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the High Commissioner in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons [...]

Other examples available at: <http://www.refworld.org/docid/4c49a02c2.html>

9, 10

UNHCR EXECUTIVE COMMITTEE, CONCLUSION ON IDENTIFICATION, PREVENTION AND REDUCTION OF STATELESSNESS AND PROTECTION OF STATELESS PERSONS, NO 106

Entire document

1, 4, 5, 7, 10

UNHCR EXECUTIVE COMMITTEE, CONCLUSION ON CIVIL REGISTRATION, NO 111

Entire document

7

UN HUMAN RIGHTS COUNCIL, HUMAN RIGHTS AND ARBITRARY DEPRIVATION OF NATIONALITY: RESOLUTION / ADOPTED BY THE HUMAN RIGHTS COUNCIL 11 JULY 2014, A/HRC/RES/26/14

Entire document

1, 2, 3, 4, 5, 7

UN HUMAN RIGHTS COUNCIL, THE RIGHT TO A NATIONALITY: WOMEN AND CHILDREN, 16 JULY 2012, A/HRC/RES/20/4

Entire document

2,3,4,7,9

INTERNATIONAL LAW COMMISSION ARTICLES OF NATIONALITY OF NATURAL PERSONS IN RELATION TO THE SUCCESSION OF STATES

Entire document

5

AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD

Article 6

3. Every child has the right to acquire a nationality.

4. States Parties to the present Charter shall undertake to ensure that their Constitutional legislation recognize the principles according to which a child shall acquire the nationality of the State in the territory of which he has been born if, at the time of the child's birth, he is not granted nationality by any other State in accordance with its laws.

2, 7

AMERICAN CONVENTION ON HUMAN RIGHTS**Article 20**

1. Every person has the right to a nationality.
2. Every person has the right to the nationality of the State in whose territory he was born if he does not have the right to any other nationality.
3. No one shall be arbitrarily deprived of his nationality or of the right to change it.

1, 2, 4

AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN**Article 19**

Every person has the right to the nationality to which he is entitled by law and to change it if he so wishes, for the nationality of any other country that is willing to grant it to him.

1

EUROPEAN CONVENTION ON NATIONALITY**Article 6**

1. Each State Party shall provide in its internal law for its nationality to be acquired ex lege by the following persons:
 - a. children one of whose parents possesses, at the time of the birth of these children, the nationality of that State Party, subject to any exceptions which may be provided for by its internal law as regards children born abroad. With respect to children whose parenthood is established by recognition, court order or similar procedures, each State Party may provide that the child acquires its nationality following the procedure determined by its internal law;
 - b. foundlings found in its territory who would otherwise be stateless.
2. Each State Party shall provide in its internal law for its nationality to be acquired by children born on its territory who do not acquire at birth another nationality. [...]
4. Each State party shall facilitate in its internal law the acquisition of its nationality for the following persons: [...]
 - g. stateless persons and recognised refugees lawfully and habitually resident on its territory.

1, 2, 6

COUNCIL OF EUROPE CONVENTION ON THE AVOIDANCE OF STATELESSNESS IN RELATION TO STATE SUCCESSION**Article 2**

Everyone who, at the time of the State succession, had the nationality of the predecessor State and who has or would become stateless as a result of the State succession has the right to the nationality of a State concerned, in accordance with the following articles.

Article 3

The State concerned shall take all appropriate measures to prevent persons who, at the time of the State succession, had the nationality of the predecessor State, from becoming stateless as a result of the succession.

5

COMMONWEALTH OF INDEPENDENT STATES CONVENTION ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS**Article 24**

1. Everyone shall have the right to citizenship.

1-8

COVENANT ON THE RIGHT OF THE CHILD IN ISLAM**Article 7**

1. A child shall, from birth, have the right to a good name, to be registered with authorities concerned, to have his nationality determined and to know his/her parents, all his/her relatives and foster mother.
2. States Parties to the Covenant shall safeguard the elements of the child's identity, including his/her name, nationality, and family relations in accordance with their domestic laws and shall make every effort to resolve the issue of statelessness for any child born on their territories or to any of their citizens outside their territory.
3. The child of unknown descent or who is legally assimilated to this status shall have the right to guardianship and care but without adoption. He shall have the right to a name, title and nationality.

2, 7

ARAB CHARTER ON HUMAN RIGHTS**Article 29**

1. Everyone has the right to nationality. No one shall be arbitrarily or unlawfully deprived of his nationality.
2. States parties shall take such measures as they deem appropriate in accordance with their domestic laws on nationality, to allow a child to acquire a mother's nationality, having due regard, in all cases, to the best interests of the child.

1, 3, 4

ASEAN HUMAN RIGHTS DECLARATION**Article 18**

Every person has the right to a nationality as prescribed by law. No person shall be arbitrarily deprived of such nationality nor denied the right to change that nationality.

1-8

**ORGANISATION OF AMERICAN STATES, RESOLUTION OF THE GENERAL ASSEMBLY,
AG/RES. 2826 (XLIV-O/14), PREVENTION AND REDUCTION OF STATELESSNESS AND
PROTECTION OF STATELESS PERSONS IN THE AMERICAS, 4 JUNE 2014**

Entire document

6, 7, 9, 10

unhcr.org/ibelong

“Statelessness can lead to a devastating cycle of deprivation and vulnerability. In the five years since the launch of the #IBelong Campaign, we have witnessed remarkable progress on many fronts, including new accessions to the UN Statelessness Conventions.

However, millions of people still suffer the lifelong denial of their human rights because they are stateless. And certain worrying trends, including a rise in damaging forms of nationalism, and increased forced displacement, threaten to increase statelessness in some parts of the world if action isn’t taken.

Now - more than ever - we need strengthened international resolve to take the steps set out in this Global Action Plan so as to ensure that no one is stateless in 2024.”

FILIPPO GRANDI, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES



For more information and enquiries, please contact:

Division of International Protection

UNHCR

P.O. Box 2500

1211 Geneva 2

Switzerland