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## **Statelessness**

### *Summary*

This paper provides an update on efforts by UNHCR, States and others to address statelessness, with a focus on the period since the high-level segment on statelessness, which took place during the seventieth session of the Executive Committee of the High Commissioner's Programme in 2019. It highlights some of the ways in which the organization's engagement to end statelessness has been strengthened and presents forward-looking initiatives developed in partnership with other United Nations entities and a range of relevant stakeholders.

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## I. Introduction

1. In recent years, there has been significant progress in addressing statelessness. This includes efforts towards the implementation of the 360 pledges made by States, international and regional organizations, and representatives of civil society at the high-level segment on statelessness during the seventieth session of the Executive Committee. The 252 pledges made by 66 States demonstrated broad-based political will and shared determination. The event, together with the 2019 Nansen Award ceremony recognizing the work of a human rights lawyer to eliminate statelessness in Kyrgyzstan, generated visibility and renewed momentum still in evidence today. At the same time, the coronavirus disease (COVID-19) had a significant impact on stateless people, highlighting the need to reinvigorate efforts to implement the pledges and end statelessness. This year marks the sixtieth anniversary of the 1961 Convention on the Reduction of Statelessness (1961 Convention), and with only three years remaining of the #IBelong Campaign to End Statelessness by 2024 (#IBelong Campaign), a concerted final push is vitally needed.

## II. Progress by States

2. As of April 2021, at least 19 pledges made by States at the high-level segment have been fully implemented, and another 12 partially implemented. At the end of 2020, the Government of Kenya granted citizenship to some 1,670 stateless Shona and 1,300 stateless persons of Rwandan descent, who qualified as citizens under national law. In 2019, Tajikistan adopted an amnesty law providing legal status to qualified foreign nationals and stateless persons residing on its territory. In 2020, Montenegro strengthened collaboration between relevant ministries to immediately register the births of children so as to mitigate the risks of statelessness. Turkmenistan enacted a new law on civil status, ensuring that all children born in the country, including those with undocumented parents, would have their births registered.

3. Eight States (the Central African Republic, Côte d'Ivoire, Eswatini, Madagascar, Niger, Nigeria, South Sudan and Uganda) developed national action plans and strategies to resolve statelessness, and a number of States reformed their nationality laws to reduce existing situations of statelessness. In Uzbekistan, a new citizenship law will allow approximately 50,000 people, or half of the country's stateless population, to become citizens based on longstanding residence.

4. Many States introduced reforms to prevent statelessness from occurring in the first place. The Islamic Republic of Iran took important steps to partially remove gender discrimination from its nationality law. As a result, women can now apply to confer nationality to their children wherever they are born, allowing children of Iranian mothers and foreign fathers to apply for citizenship. As of February 2021, some 86,600 applications were submitted, and 570 applicants received their nationality documentation. In 2019, a landmark law was passed in Latvia providing for automatic citizenship to children born to non-citizens. Kazakhstan also amended its laws to ensure registration of all children at birth, regardless of the legal or documentation status of their parents. In 2020, Albania approved a new citizenship law introducing unrestricted safeguards to grant citizenship to all children born in Albania who would otherwise be stateless.

5. In 2019, some 81,100 stateless persons acquired nationality or had their nationality confirmed. In 2020, 63,200 stateless persons acquired nationality or had their nationality confirmed, including 8,100 people in the Russian Federation and 34,700 people in Central Asia. Additionally, 750 persons of Haitian descent acquired nationality in the Dominican Republic.

6. Statelessness determination procedures (SDPs) were established in Argentina, Côte d'Ivoire, Iceland, Kazakhstan and Ukraine. Côte d'Ivoire was the first country in Africa to establish SDPs, in line with the Banjul Action Plan on the Eradication of Statelessness of the Economic Community of West African States (ECOWAS). Globally, the number of countries with SDPs stands at 25.

7. In a joint effort to improve the quality of decision-making in the United Kingdom of Great Britain and Northern Ireland related to applications for “leave to remain” for stateless persons, UNHCR undertook an in-depth review of the Home Office’s statelessness procedures in 2020. It is the first such audit UNHCR has conducted on SDPs. Since the audit, the Home Office has provided refresher trainings and committed to strengthen policy guidance.

8. Progress has been made towards universal and accessible birth registration. Hundreds of thousands of birth certificates were issued to persons at risk of statelessness, and multiple countries reformed civil registration laws, practices and systems, including Argentina, Kazakhstan, Kyrgyzstan, Rwanda and Turkmenistan. Information campaigns and community-based outreach programmes, including in Niger, the Philippines, South Sudan and the Sudan, allowed UNHCR and partners to assist governments in raising public awareness of the importance of birth registration. Interventions by UNHCR and partners under the “Regional refugee and resilience plan in response to the Syria crisis” (3RP) reduced the percentage of Syrian refugee children without any form of identity documents from 35 per cent in 2012 to 1 per cent in 2020.

9. Through their accession to one or both of the United Nations statelessness conventions, Angola, Colombia, Iceland, Malta, and North Macedonia brought the total number of States parties to the 1954 Convention relating to the Status of Stateless Persons (1954 Convention) and the 1961 Convention to 95 and 76, respectively. Additionally, the National Assembly of the Republic of the Congo approved accession to both conventions, and Sweden withdrew its reservations to Article 8 and 24(1)(B) of the 1954 Convention, in accordance with its pledge at the high-level segment.

### **III. Improving data on statelessness**

10. In line with action 10 of the “[Global action plan to end statelessness: 2014-2024](#)”, considerable efforts were made to improve qualitative and quantitative data on statelessness. UNHCR and partners conducted studies and surveys in nine countries to better identify the size and profile of stateless populations. The European Network on Statelessness published six new country chapters (Austria, Belgium, Czechia, Greece, Portugal and Spain) as part of its statelessness index, and the Institute on Statelessness and Inclusion officially launched a database on statelessness and human rights. UNHCR and the World Bank collaborated on a groundbreaking [study](#) on the socioeconomic implications of statelessness among the Shona minority in Kenya. Of global importance is the work underway to develop new international recommendations on statelessness statistics (IROSS) under the auspices of the Expert Group on Refugee and Internally Displaced Persons Statistics (EGRIS). The recommendations are expected to be submitted to the United Nations Statistical Commission for adoption in March 2023, following a peer review and global consultation process.

### **IV. Progress at the regional level**

11. Building on the advocacy efforts of UNHCR, partners and States, including the Group of Friends of the #IBelong Campaign, many important commitments were made at the regional level. In July 2019, the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE) adopted the Luxembourg Declaration and Resolutions, calling on States to support and protect stateless children and to take all possible measures to ensure that they benefit from the right to citizenship. In March 2021, the European Commission adopted the first comprehensive strategy on the rights of the child, urging access to birth registration for all children and increased capacity of front-line officials to respond to statelessness in the context of migration. In East Africa, the Consolidated Action Plan of the International Conference on the Great Lakes Region on the Eradication of Statelessness (2017-2024) was validated during a regional inter-ministerial meeting. The plan includes a new strategic objective on access to proof of legal identity for persons at risk of statelessness. In the Americas, the General Assembly of the Organization of American States adopted a resolution on the promotion and protection of human rights, urging States to reaffirm their commitment to eradicate statelessness, to move forward in implementing

actions reflected in the 2014 Brazil Plan of Action and to support the #IBelong Campaign. In December 2019, the Inter-American Commission on Human Rights adopted the Inter-American Principles on the Human Rights of all Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, explicitly recognizing the right not to be stateless. In the Middle East and North Africa, follow-up to the Arab Declaration on Legal Identity, adopted by the League of Arab States in 2018, is expected to result in the adoption of a regional action plan.

## V. Partnerships

12. UNHCR continued to strengthen partnerships on statelessness aimed at ending and preventing statelessness. To combat childhood statelessness, UNHCR worked with the United Nations Children's Fund (UNICEF), other United Nations entities and civil society organizations through the Coalition on Every Child's Right to a Nationality. Joint strategies are now in place in nearly twenty countries, and UNHCR and UNICEF will shortly be launching a publication calling for the elimination of gender discrimination in birth registration laws and policies. In partnership with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the United Nations Development Programme (UNDP), among others, UNHCR and the Global Campaign for Equal Nationality Rights co-sponsored a high-level side-event on achieving gender equality in nationality laws at the opening of the seventy-fifth session of the United Nations General Assembly, which drew attention to this important issue.

13. Together with the Inter-Parliamentary Union, UNHCR worked to raise awareness among parliamentarians of the issue of statelessness, including through a side-event at the High-Level Political Forum for Sustainable Development in New York on 18 July 2019 and a seminar in Myanmar from 24-26 February 2020. In early 2021, UNHCR co-organized a [webinar](#) on parliamentary action to end statelessness by 2024, which focused on the critical role that parliaments can play to support the pledges made at the high-level segment. To further build the capacity of important stakeholders, UNHCR supported the organization of annual statelessness courses at the University of Cape Town in South Africa, Tilburg University in the Netherlands, the International Institute for Humanitarian Law in San Remo, Italy, the Peter McMullin Centre at Melbourne University in Australia and the Catholic University of Central Africa in Yaoundé, Cameroon. UNHCR helped organize training sessions at the national and regional level, as well as numerous roundtables, conferences, webinars and workshops on addressing statelessness.

## VI. New tools and publications

14. UNHCR provided technical support and guidance to States and other stakeholders through the development of tools and publications, including: new [guidelines on the loss and deprivation of nationality](#) to help address a growing trend relating to the deprivation of citizenship; an update of the [good practices paper on action 6: establishing statelessness determination procedures to protect stateless persons](#); a new series of [quick guides on researching statelessness](#); and an [update of the background note on gender equality, nationality laws and statelessness](#). The published [outcome document of the high-level segment](#) records and analyses its main results as an ongoing reference point for those interested in tracking progress on steps to eliminate statelessness. In May 2020, UNHCR issued a [paper on the impact of COVID-19 on stateless populations](#), which provided policy recommendations and examples of good practices. In June 2021, UNHCR issued a [second paper on statelessness and COVID-19](#) which focused on access to vaccines and civil registration. UNHCR's e-learning course on statelessness has been updated, and the new version will be released shortly.

## VII. Communications

15. UNHCR redoubled efforts to raise the public visibility and awareness of statelessness. Videos and story-telling to highlight the positive impact of legal reforms were shared widely on UNHCR's website and social media platforms, including stories from Côte d'Ivoire, Kenya, Kyrgyzstan, the Philippines, the Russian Federation, South Africa, Spain and Uzbekistan, among others. UNHCR-driven media coverage amplified key moments and trends, including the high-level segment, campaign anniversaries, publication launches and the heightened vulnerability created by COVID-19 for stateless communities. Press and media outreach drove attention by top-tier media outlets to give visibility to legal breakthroughs by States towards ending statelessness.

## VIII. Cross-cutting work

16. UNHCR ensured that statelessness was appropriately reflected in other important areas of the organization's work, such as its "[Strategic framework for climate action](#)". This document highlights the organization's role in helping the international community and States assess and mitigate the risks of statelessness linked to climate impact. Statelessness is also receiving important attention through follow-up processes to the Global Refugee Forum, as pledges made at the high-level segment formed an integral part of the outcome of the Forum. UNHCR will convene a dedicated thematic stocktaking on statelessness in November 2021, in the run up to the high-level officials meeting.

## IX. Next steps

17. To mark the sixtieth anniversary of the 1961 Convention, a special treaty event will be organized in September 2021 in partnership with the United Nations Treaty Office. UNHCR is encouraging all States that have not yet done so to take advantage of this opportunity to accede to both treaties.

18. Two significant evaluations of the progress made to address statelessness will be finalized for publication this year. One is undertaken by UNHCR on its own work and the other conducted by the United States Department of State. UNHCR anticipates that the recommendations emanating from these evaluations will strengthen responses and help propel efforts by all relevant stakeholders during the remaining years of the #IBelong Campaign.

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