

Global Campaign to End Statelessness in 10 Years

**Amman, Jordan
2014**

UNHCR's Mandate

- *1995 UN General Assembly resolution* requested UNHCR to **prevent** and **reduce** statelessness and to **protect** the rights of stateless persons

- *2006 UNHCR Executive Committee* conclusion on **identification, prevention** and **reduction** of stateless and **protection** of stateless persons.

UNHCR's Mandate

- 4 Areas (ExCom Conclusion 106 - 2006):**
- **Identification**
 - **Prevention**
 - **Reduction**
 - **Protection**
- **Mandate is universal, not covering only countries party to the statelessness conventions**

Statelessness and Children

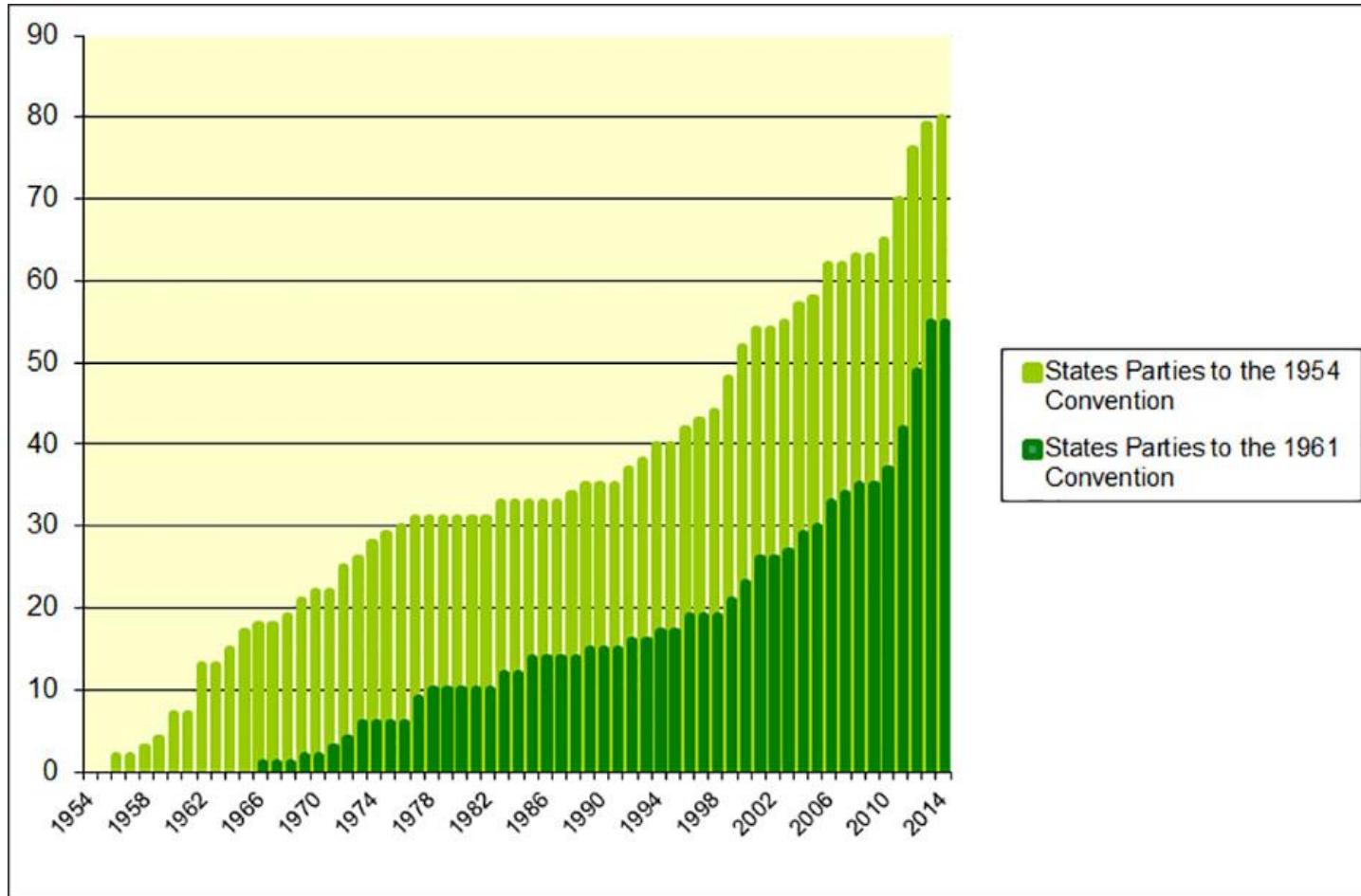
- **Individual Level:** Illiteracy, poverty, vulnerability to exploitation, limited access to basic rights and services. Heightened risks of smuggling, trafficking, and family separation.
- **Family:** Statelessness is often passed on from parent to child, and families are frequently torn apart by detention or deportation.

Global Campaign 2014



1954 and 1961 Statelessness Conventions

- 44 accessions since 2011



UNHCR Global Action Plan

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

UNHCR Global Action Plan

Action points that are of particular relevance to MENA:

#3 Remove gender discrimination from nationality laws

MENA is the region with the greatest concentration of nationality laws denying women the right to confer nationality to children on an equal basis as men. It has 12 of the world's 27 countries with gender-discriminatory nationality laws.

#7 Ensure birth registration for the prevention of statelessness.

Birth registration is the right of all children under international law. But there are massive gaps among Syrian refugee children in particular—placing them at very high risk of statelessness, as they acquire nationality from exclusively through fathers, thousands of which are missing or deceased due to the conflict.

Scope of the Problem:

Risks of Statelessness for Syrian Refugee Children

Gaps in Law: Under Syrian law and practice → children acquire nationality through the father alone

Family Separation: One quarter of refugee households, 145,000 in number, are now headed by women alone.

No Proof of Parentage: 77% of Syrian refugee births in Lebanon not registered.

Scale of Need: Over 100,000 Syrian refugee children born in exile.

Unregistered Children and the Risk of Statelessness

- Nationality at birth is acquired either through descent or place of birth (most countries in MENA grant nationality at birth by descent – jus sanguinis)
- Accordingly, the lack of a birth certificate does not alone make a child stateless.
- But it places children at ***risk of statelessness***, because they have no proof of their parentage – and therefore no proof of their status as nationals.
- This risk increases in situations of forced displacement and family separation.

Additional Risks for Unregistered Children

In addition to creating risks of statelessness, the lack of birth registration poses protection problems at each stage of life:

- ***For infants*** → no legal identity → illegal adoption, family separation
- ***For children*** → lack of access to school → illiteracy, poverty and social exclusion
- ***For adolescents***, harder to enforce **age-dependent rights** (statutory rape, child marriage, child labor, child recruitment)