

EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME,  
STANDING COMMITTEE 90th MEETING,  
1-3 July 2024

### **NGO Statement on International Protection: Statelessness**

Dear Chair, distinguished delegates,

This statement has been drafted in consultation with a wide range of NGOs, many led by stateless people, and reflects a diversity of perspectives and commonality of purpose within the NGO community.

This statement comes at a critical time as stateless communities and those impacted by discriminatory nationality laws are increasingly suffering human rights, international humanitarian and international criminal law abuses, devastating lives and communities across all regions. The ongoing atrocities committed against Palestinians living in Gaza, many of whom are stateless, and against Rohingya in Myanmar, are the most acute and urgent situations that demand immediate and meaningful intervention.

As UNHCR's #IBelong Campaign concludes this year, we are encouraged by emerging opportunities to promote the right to a nationality internationally, including the Global Alliance to End Statelessness. This multi-stakeholder initiative of stateless-led organisations, Member States, UN bodies, intergovernmental organisations, and NGOs, provides a unique opportunity to strengthen commitments and support the implementation of practical initiatives to ensure a world in which everyone enjoys the right to a nationality without discrimination.

It is critical that UNHCR and donor States fully resource and support the Global Alliance. We also encourage States and other actors to join the Alliance as solution-seekers. Further, we ask UNHCR to significantly increase its focus and resourcing on statelessness in line with the recent [external evaluation](#) of UNHCR's statelessness work, the High Commissioner's global strategic priorities, and the UN Secretary General's [Our Common Agenda](#).

We also acknowledge the considerable support undertaken by the state-led Group of Friends of the #IBelong Campaign and urge their continued and expanded leadership to address statelessness.

Ensuring the centring and leadership of people of lived experience of statelessness and being accountable to them, is essential to achieve positive change. We welcome the launch of the [Global Movement Against Statelessness](#) during the [2024 World Conference on Statelessness](#) in Malaysia, which is led by people directly impacted by statelessness, nationality deprivation and discriminatory nationality laws, and which aims to transform and bring the statelessness field closer together to strengthen collaboration and achieve positive change.

These global initiatives are vital to address increasing and protracted situations of statelessness across all regions as follows:

#### **AFRICA**

Discriminatory and exclusionary practices and structures in the context of state succession, are a major cause of statelessness in Africa. Five African countries still discriminate against women in their ability to transmit nationality to their children. We welcome the recent legislative reforms to address this gender inequality in Liberia, Madagascar, and Sierra Leone. We also welcome the African Union's Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Rights to a nationality and the Eradication of Statelessness in Africa, which calls on all members to implement safeguards to prevent statelessness and protect the right to a nationality without discrimination. We call on African States, in the spirit of the Protocol, to prioritise action to promote and protect everyone's right to nationality and to effectively address statelessness in the continent.

## **AMERICAS**

Deprivation of nationality has been a significant cause of statelessness in the Americas. The situation in the Dominican Republic is the most notorious example where, despite remedial legislation in 2014, the issue has not been resolved. Further, in Nicaragua, nationality deprivation has targeted political opponents. Childhood statelessness is a particular risk in the humanitarian crisis in Venezuela. Despite these and other significant challenges, we welcome the Resolution 04/2023 on the protection of the right to a nationality by the Inter-American Commission on Human Rights (IACHR) and the ongoing consultations for Cartagena +40. We urge greater and more concerted action to protect the right to nationality and the rights of stateless people in the region.

## **ASIA AND THE PACIFIC**

Asia and the Pacific is home to over half of the world's stateless population. Discrimination is the major catalyst for statelessness, with the Rohingya community serving as the most extreme example of deliberate and targeted exclusion, persecution, crimes against humanity and genocide. Ongoing atrocities are well documented, and States are urged to take bolder and stronger action, in line with their international obligations. NGOs are also deeply concerned with recent forced evictions and demolitions of homes of the Sama Dilaut community in Malaysia, as well as the very real risk of Malaysia introducing regressive nationality laws, which will increase statelessness in the country. Further, we ask Malaysia, Nepal, Kiribati and Brunei to reform their nationality laws to eradicate gender discrimination. The Philippines is one of the few countries in the region that has made significant reforms in their nationality laws to address statelessness. In Central Asia, States have made progress towards resolving statelessness. However, most countries still have legislative gaps that lead to new instances of statelessness. NGOs call on States to comply with their human rights obligations, ensure equal nationality rights for all, and protect stateless people from discriminatory treatment.

## **EUROPE**

There are estimated to be over half a million stateless people in Europe, including migrants and refugees who have fled countries in which discriminatory nationality laws and policies create statelessness and the risk of statelessness. Deliberate policies of deprivation of nationality also cause statelessness in Europe, and Europe's largest stateless communities are indigenous to the continent. We are concerned by the absence of dedicated statelessness procedures enabling the identification and protection of stateless people. Equally, some children born in Europe to migrant or refugee parents are exposed to a risk of statelessness due to a combination of discriminatory nationality laws, and the lack of effective safeguards against childhood statelessness. NGOs call on all European States to implement their international obligations to ensure that all stateless children born on their territory acquire a nationality. NGOs also welcome new provisions in the EU Migration and Asylum Pact that requires the improved identification of statelessness and urge EU Member States to implement these fully in practice.

## **THE MIDDLE EAST AND NORTH AFRICA**

Statelessness is widely prevalent in the MENA region. In [October 2023](#) and [since](#), NGOs have called on the international community to utilize diplomatic and legal means relating to Gaza. We reiterate this call with increased urgency, amidst mounting evidence of a [plausible risk of genocide and other crimes against humanity being committed against the Palestinian people](#). Discrimination in law and in practice further entrenches the intergenerational statelessness of large population groups such as the Kurds, and Bidoon, who endure significant human rights challenges as a result. Further, nationality deprivation is used by several countries including Kuwait, as a tool for the oppression and exclusion of political opponents and human rights activists. Twelve countries in the region still discriminate against women in the conferral of nationality on their children and most do not uphold women's right to confer nationality on a noncitizen spouse on an equal basis with men.

As this statement demonstrates, statelessness is caused and perpetuated by discrimination, and stateless people are vulnerable to all forms of discrimination, persecution, and in the most extreme situations, to crimes against humanity and genocide.

Effectively addressing statelessness through promoting the right to nationality for all, as well as equal rights for all regardless of legal status, is one of the core challenges of our times.

We urge States to treat this global challenge with the urgency, political commitment and resource allocation it demands, while centring stateless people and their communities as the true experts who understand what solutions they need, and to whom we should always be accountable.

Thank you.