

STATELESSNESS

Excerpt from the
UNDG Guidance Note on
Human Rights for Resident
Coordinators and UN Country
Teams

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Statelessness*

Key points and messages that the Resident Coordinator should know about the issue

- A stateless person is someone who is not considered to be a national by any State under the operation of its law. It is estimated that there are millions of stateless persons worldwide. Statelessness is sometimes referred to as an ‘invisible problem’ because stateless people may remain unseen and unheard, living on the margins of society. Statelessness can limit access to birth registration, identity documentation, as well as basic rights such as education, health care, legal employment, property ownership, political participation and freedom of movement. Denial of these rights impacts not only the individuals concerned but communities and societies as a whole, as the marginalization linked to statelessness may create social tension and significantly impair efforts to promote economic and social development.
- Statelessness can be caused by a number of factors including discrimination in nationality laws (on the basis of gender, or ethnic, racial, religious, or linguistic minority status), conflicts between nationality laws, State succession, lack of safeguards to prevent statelessness in nationality laws, and lack of birth registration or other documentary proof of identity. Forced displacement can also be both a cause and consequence of statelessness. It can be a driver of forced displacement or voluntary movement across international borders, particularly where it is linked to human rights abuses and poor development outcomes for those affected by it. Statelessness can also result from displacement or migration, particularly where displacement becomes protracted or in situations of irregular migration.
- Although statelessness may in many contexts be a hidden problem, stateless people are found in all regions of the world. The majority of stateless people were born in the countries in which they have lived their entire lives. Countries with notably large stateless populations include Myanmar, Kuwait, Côte d’Ivoire, Thailand, Iraq, and the Dominican Republic. Significant populations also live in the more than 20 countries around the world that do not allow mothers to confer their nationality to their children on an equal basis as fathers. This can result in children being left stateless when fathers are unknown, missing or deceased.
- In 2014, UNHCR, the UN Agency mandated to prevent and reduce statelessness and protect and identify stateless persons, launched the [#IBelong Campaign to End Statelessness in 10 Years](#). The Campaign encourages States and other actors to take steps, in accordance with the [Global Action Plan to End Statelessness](#), to address statelessness with a view to eliminating it by the year 2024.

Relevant international standards

- International treaties such as the [International Covenant on Civil and Political Rights](#), the [Convention on the Elimination of All Forms of Discrimination against Women](#), and the [Convention on the Rights of the Child](#), among others, establish obligations for States relating to acquisition and loss of nationality.
- Specific obligations relating to the protection of stateless persons and the prevention and reduction of statelessness are set out in the two international statelessness conventions:
 - The [1954 Convention Relating to the Status of Stateless Persons](#) provides the definition of a stateless person and contains key protections for stateless persons, including obligations relating to the issuance of identity and travel documents and provisions related to the right to work.
 - The [1961 Convention on the Reduction of Statelessness](#) requires that States Party includes certain safeguards in their nationality legislation to address statelessness occurring at birth or later in life. The convention also establishes obligations for States in the event of State succession.
- These conventions are complemented by standards contained in international and regional human rights treaties. Regional treaties in [Africa](#), the [Americas](#) and [Europe](#) recognize the right to a nationality and establish additional obligations for States Parties relating to the prevention of statelessness.

Role that the Resident Coordinator and UN Country Team can play in promoting the issue

- The Resident Coordinator must fully acquaint him or herself with the statelessness issues in the country in order to demonstrate clear and strong leadership to resolve the issue. UNHCR, as the agency mandated to address statelessness, is able to provide an in-depth briefing or training to the RC and other members of the UN Country Team to ensure a common understanding of the issues.
- It is critical for each UN Country Team (UNCT) to develop a joint statelessness strategy that is tailored to the local context and political realities, and which draws on the strengths of the different members of the UN Country team. Such a common strategy should include the development of joint and complementary advocacy messages, as well as the engagement of other actors, including the diplomatic community and civil society actors
- Because addressing statelessness frequently requires high-level political advocacy, UNCT members may be able to engage more effectively with different government ministries as a group than any one agency can by itself.
- In the area of human rights, greater coordination by the UNCT could yield positive results, including through the strategic use of UN Human Rights Treaty Mechanisms.
- The 2030 Sustainable Development Agenda offers an important window of opportunity to frame statelessness in the context of development concerns. The UNCT should identify the Sustainable Development Goals (and related Targets) most relevant to addressing statelessness in the country, and advocate for the inclusion and prioritization of activities and associated indicators related to these SDGs in national development plans and the UNDAF. The SDGs also offer a potentially less sensitive entry point to addressing statelessness in certain country contexts, for example, through advocacy and activities aimed at promoting legal identity and belonging (SDG 16.9).

Support and tools available from the United Nations system

- [Handbook on Protection of Stateless Persons](#);
- Guidance Note of the Secretary-General: The United Nations and Statelessness;
- [Nationality and Statelessness: Handbook for Parliamentarians](#);
- [Protection the Rights of Stateless Persons: The 1954 Convention on relating to the Status of Stateless Persons](#);
- [Preventing and Reducing Statelessness: The 1961 Convention on the Reduction of Statelessness](#);
- [Background Note on Gender Equality, Nationality Laws and Statelessness 2017](#);
- [The Sustainable Development Goals and Addressing Statelessness](#);
- [Access and Registration for the UNHCR e-learning on Statelessness](#).

**This two-pager was developed by UNHCR and UNICEF based on the “Frontier Dialogues” on emerging human rights issues launched in 2016 by the former UNDG Human Rights Working Group with members taking the lead on specific issues. These messages were approved by the UNDG and have been incorporated into the UNDG Guidance Note on Human Rights for Resident Coordinators and UN Country Teams.*