EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER’S PROGRAMME
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NGO Statement on Statelessness
Agenda Item 2b
Extended Version

Mr Chair, Ladies and Gentlemen,

This statement has been drafted in consultation with, and is delivered on behalf of, a wide range of NGOs and aims to reflect the diversity of views within the NGO community.

Statelessness is a global issue requiring a global response. NGOs welcome, endorse and support the UNHCR-led #Ibelong campaign to end statelessness by 2024, and urge states to do so as well. NGOs are committed to working with UNHCR, other UN agencies and states to solve statelessness through strong legal, political and diplomatic engagement and multidisciplinary approaches.

NGOs welcome the commitments made by states through the Brazil Declaration to Strengthen the International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean; the Economic Community of West African States Declaration to Eradicate Statelessness; and increased engagement of the European Parliament on statelessness. NGOs also encourage further steps towards adopting a Protocol to the African Charter of Human and People’s Rights on the Right to Nationality; and are encouraged that statelessness remains included within the Sustainable Development Goals, through Goal 16.9 (legal identity), Goal 10 (equality) and the general emphasis on inclusion.

NGOs remain concerned that large numbers of Palestinian refugees in the Arab world have remained stateless and deprived of basic rights over multiple generations. NGOs encourage UNHCR, in collaboration with UNRWA to join them in engaging Arab states on this sensitive issue, and to help clarify the nationality status of Palestinians in different contexts.

We recognize gender discriminatory nationality laws as one of the greatest contributors to statelessness and other significant human rights violations. We call on States to ensure full gender equality in their nationality laws. NGOs with UNHCR initiated a Global Campaign for Equal Nationality Rights to urge all countries that maintain gender discrimination in their nationality laws (in contravention of Article 9 of CEDAW), including the 27 states that deny women equal rights as men to confer nationality to their children, to reform their laws. Furthermore, NGOs around the world are working to ensure that all children enjoy the right to a nationality, including in Europe through a Campaign to End Childhood Statelessness.
While acknowledging the above advances, NGOs remain concerned about developments that undermine protection and can increase statelessness, including discrimination based on sex, ethnicity and religion. NGOs urge UNHCR and states to enhance protection for stateless refugees, especially Rohingya refugees who were pushed back out to sea by Malaysia, Thailand and Indonesia in May 2015. The root causes of their forced migration from Myanmar must be addressed, and regional and international responses must take into account and provide solutions for their statelessness. NGOs are also concerned that, unless preventative action is further prioritised, mass displacement resulting from the Syrian conflict in conjunction with sex-discriminatory laws could lead to statelessness among children born to refugees. One of the less anticipated consequences of the devastating earthquakes in Nepal has been that stateless people and those who have lost identity documents are now facing difficulty accessing aid and proving property ownership; this threat is exacerbated by the inability of Nepali women to confer nationality to their children due to sex-discriminatory laws and practices. These are pertinent reminders that the impacts of statelessness and gender discrimination are far reaching, especially in the aftermath of natural and man-made disasters.

Finally, NGOs record growing concern over states depriving citizens of their nationality in response to political dissent (in Kuwait and Bahrain) or the threat of terrorism (in the UK). Such acts are of deep concern and, particularly when they result in statelessness, are likely to amount to arbitrary deprivation of nationality. The mass-scale deprivation of nationality of Dominicans of Haitian descent by the Dominican Republic and subsequent threat of deportation are an extreme example of arbitrary deprivation and its deep human impact. The failure to protect the nationality rights of the Rohingya in 1982 has led to over 30 years of persecution, exclusion and discrimination. The failure to protect Dominicans of Haitian descent today, could have similar long-term consequences unless greater commitment is shown to addressing this situation.

To end on a positive note, we are pleased to announce that Civil society groups in Asia and the Pacific have agreed to set up a new and dedicated network to prevent and eradicate statelessness in the region and advocate for the right of every person to a nationality.

Thank you, Mr. Chair