

## 2023 Global Refugee Forum Pledging Guidance: Statelessness

*This note provides guidance on the development of pledges on statelessness for the second Global Refugee Forum, to be held in December 2023. It provides an update on pledges to date, lists thematic priorities for pledging and sets out key considerations in developing new pledges.*

### **The Global Compact on Refugees and statelessness**

The Global Compact on Refugees (GCR) aims to strengthen the international response to large movements of refugees and to provide more predictable and equitable burden-and responsibility-sharing among countries. The issue of statelessness is firmly embedded in the GCR. Firstly, it acknowledges that statelessness is a major issue for many refugees and urges states, with the support of other actors, to address and prevent statelessness. Secondly, the GCR also encourages states to address statelessness among populations that are not displaced, who are so-called *in situ* stateless. The GCR also calls for improving the protection of stateless individuals and providing them with access to civil documentation, and other rights and services.

### **Statelessness pledges to date**

In 2014 UNHCR launched the [#IBelong Campaign](#) which aims to end statelessness within ten years, by identifying and protecting stateless people, resolving existing situations of statelessness, and preventing the emergence of new cases. The [Global Action Plan to End Statelessness](#) accompanied the launch of the Campaign and includes a set of actions and targets which countries are encouraged to take to address statelessness.

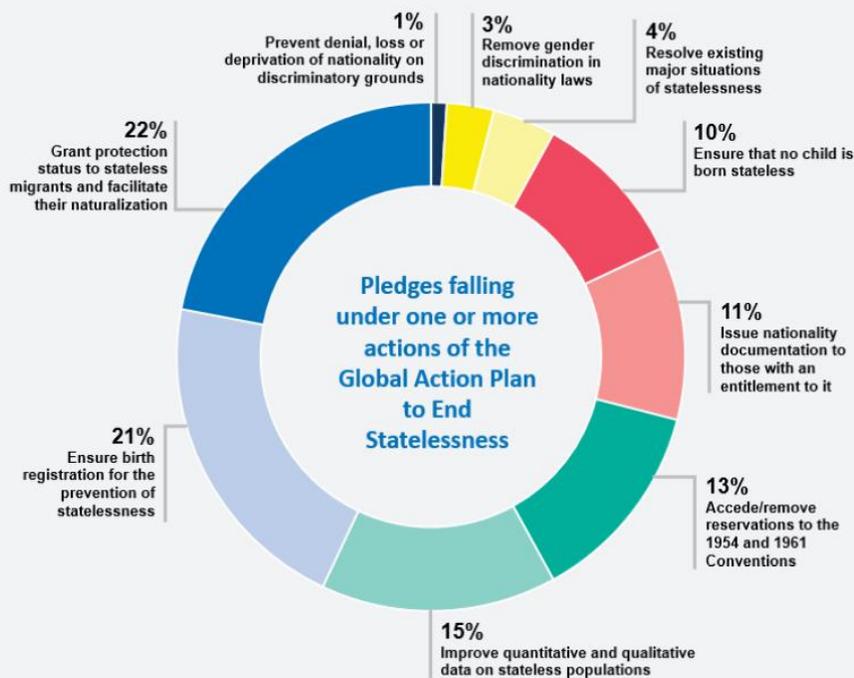
At the mid-point of the Campaign in 2019 a [High-Level Segment on Statelessness](#) was convened which was an opportunity for States to highlight their achievements and to make pledges to be implemented during the second half of the Campaign. These pledges fed into the first Global Refugee Forum (GRF) which was held in December 2019. At these events, a total of 389 pledges have been submitted, 280 by States, 38 by regional and international organizations, and 71 by civil society organizations.

Of the 280 statelessness pledges submitted by States, 49 have been fully implemented (18%), 85 are partially implemented or are in progress (30%), and 146 remain unimplemented at this stage (52%). The pledges that have been implemented signify important milestones for the countries concerned. States have strengthened their legal frameworks relating to prevention and response to statelessness.

Thousands of formerly stateless persons or persons of undetermined nationality have had their nationality confirmed and risks of statelessness have been reduced in many countries.

## Overview of existing pledges

Entities	No. of entities	No. of pledges
States	78	280
International/regional organizations	11	38
Civil society organizations	21	71
<b>TOTAL</b>	<b>114</b>	<b>389</b>



## Overall guidance on the formulation of new pledges

In line with the [general guidance for GCR pledges](#), a high-quality pledge is:

- **New or additional**, meaning that pledges do not reiterate commitments already made but involve new or additional support, allocation of resources, or engagement in pursuit of GCR objectives.
- **Quantifiable**, providing, where possible, an implementation timeline, beneficiary data, and details of the activities to be undertaken or support provided or needed for implementation of the pledge.

- **Needs-driven**, aligning the pledge with the [key recommendations](#) and the GCR principles and objectives.
- **Measurable**, within a specific period, where possible.

Further considerations in developing pledges to address statelessness:

- **Individual or joint pledges:** States and other stakeholders may announce pledges either individually or jointly.
- **Consultations with stakeholders, including affected populations:** pledging entities are encouraged to consult with relevant stakeholders, including stateless populations and those at risk of statelessness in the design, planning, and implementation of pledges to ensure that responses are appropriate, accessible and inclusive.
- **Inclusion of stateless populations in non-statelessness specific pledges:** pledging entities are encouraged to include consideration of stateless populations in pledges that may not specifically focus on addressing statelessness.
- **Pledge implementation plan:** pledging entities are encouraged to develop pledge implementation plans, outlining the steps required, associated timelines, budget, and actors involved.

New pledges will be added to the [database of existing pledges](#) announced since 2019. Pledging entities are encouraged to prioritize the implementation of both existing and new pledges.

## Thematic priorities

All pledges that seek to enhance the prevention and reduction of statelessness and the identification and protection of stateless people are welcome. To provide a strategic focus and maximize the impact of the Global Refugee Forum on efforts to address statelessness, pledges are encouraged in the following areas:

1. **Address protracted *in situ* stateless situations:** Protracted *in-situ* statelessness situations refer to situations where populations have been living in a particular place for a long time, often for generations, without access to citizenship or other forms of legal status. In many contexts *in-situ* stateless people belong to ethnic, religious, or linguistic minorities. In some contexts, they may belong to cross border populations. Stakeholders are encouraged to submit pledges to take measures or support efforts to resolve their plight.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] undertake legal reform to grant/confirm nationality to all individuals who/whose ancestors have lived in [country] since a particular date and issue nationality documents to them.
- [NGO name] commits to by [year] support the Government of [country] in mapping all stateless people in the country and provide legal aid to ensure that those who qualify for citizenship under the law are recognized as citizens.

2. **Develop and strengthen systems for the identification and protection of stateless migrants:**

Although most stateless people remain in the country of their birth, some leave and become

migrants or refugees. Many are not recognized as stateless and face serious human rights problems due to their lack of legal status. To meet their obligations under the 1954 Convention relating to the Status of Stateless Persons, States should establish procedures to determine who is stateless. This determination should permit stateless migrants to acquire a secure legal residence which in turn allows them to enjoy basic human rights and accumulate the number of years of residence necessary for naturalization. Statelessness determination procedures are recommended for stateless persons in migratory situations. It is not a suitable procedure for situations with large-scale *in situ* stateless populations. States are encouraged to facilitate the naturalization of recognized stateless people, for instance by reducing the required number of years of residence or lowering or waiving application fees.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] establish a statelessness determination procedure, to identify stateless migrants and grant protection status, including a residence permit, and establish a pathway to naturalization for these persons.
- The national human rights institute of [country] commits to undertake advocacy efforts to reduce the residency requirement for naturalization to [number] years for recognized stateless people.

3. **Introduce provisions in the nationality law to prevent statelessness and ensure effective implementation of these safeguards:** The majority of stateless people have lacked any nationality since they were born. This is often due to gaps in nationality laws. Every country has laws which establish under what circumstances someone acquires nationality or can have it withdrawn. If these laws are not carefully written and correctly applied, people can be excluded and left stateless. The 1961 Convention on the Reduction of Statelessness provides three key safeguards that States are to introduce in their nationality laws in order to prevent childhood statelessness, namely (i) to grant nationality to children born on the territory if they would otherwise be stateless, (ii) to grant nationality to children found on the territory to unknown parentage (foundlings), (iii) to grant nationality to children born abroad to nationals if they would otherwise be stateless. Many States Parties to the 1961 Convention have not yet inserted these safeguards in their nationality laws.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] insert a provision in the nationality law to grant nationality to children born on the territory if they would otherwise be stateless and to establish procedures to identify children who should benefit from this safeguard.
- [Name NGO] will undertake an information campaign to raise awareness of the procedures for children born to stateless parents to acquire nationality.

4. **Remove discrimination from nationality laws which may lead to statelessness and ensure that all those who are entitled to nationality can access nationality documentation:** Discrimination on grounds of gender, ethnicity, religion and language is a root cause of statelessness. Nationality laws may be overtly discriminatory, or the implementation of laws can lead to the exclusion of groups on discriminatory grounds. Pledges to remove such discrimination may be focused on legislative reform or seek to address discrimination in policies and procedures.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] undertake legal reform to ensure that mothers can confer nationality to their children on an equal basis with men.

- The Government of [country] commits to by [year] undertake legal reform to remove any discriminatory provisions in acquisition of nationality by birth.
- [Name NGO] commits to support the Government of [country] in training citizenship authority officers to ensure that all those who have an entitlement to nationality can access citizenship documentation.

**5. Ensure access to birth registration by removing barriers and discriminatory provisions from laws, policies and practices:** Lack of birth registration can create risks of statelessness in particular where it concerns a person who belongs to a minority. Governments are encouraged to assume a proactive role to ensure marginalized populations can have their birth registered. This can include decentralization of services or technological solutions to bring services closer to those who are at greatest risk of statelessness.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] undertake legal reform to ensure that children born to undocumented parents can have their births registered.
- [Name NGO] commits to by [year] contribute resources and expertise to strengthen the capacity of national civil registries to facilitate timely access to birth registration for marginalized populations.

**6. Enhance access to rights and services for stateless people:** Stateless people often face a range of obstacles that hinder their ability to fully participate in society and to realize their potential. They may have limited access to education and healthcare, limited economic opportunities and face social exclusion and marginalization. While accessing nationality is the only solution to statelessness, the inclusion of stateless people in national systems should be improved while their situation is not yet resolved. Consideration of stateless populations in national and/or sub-national development plans and plans for the implementation of the Sustainable Development Goals is also essential.

*Examples of potential pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] ensure that stateless people have access to healthcare services/education/employment at the same level as nationals.
- The Government of [country] commits to by [year] include considerations for stateless people in the National Development Plan.
- The United Nations Country Team of [country] commits to include statelessness in the Common Country Analysis and UN Sustainable Development Cooperation Frameworks

**7. Improve quantitative data on stateless populations:** Fewer than half of all countries report quantitative data on stateless populations and some of the most populous countries in the world with large suspected stateless populations do not report on statelessness at all. Statistics and information on the situation of stateless populations can be gathered using a range of methods, including analyses of civil registration data, population censuses, targeted surveys and studies. The Expert Group on Refugee, IDP and Statelessness Statistics is developing the International Recommendations on Statelessness Statistics (IROSS) which will be submitted to the UN Statistical Commission in March 2023 for discussion and adoption. Once adopted, States are encouraged to make pledges to improve quantitative data on stateless populations in line with the IROSS.

*Examples of potential State pledges in line with this thematic priority:*

- The Government of [country] commits to include questions on statelessness in the [year] population census in order to improve data on statelessness and to be guided by the IROSS in this effort.
- [Name research institute] commits to support the Government of [country] in conducting a survey to identify stateless people and identify pathways to resolve their situation.

**8. Strengthening institutional coordination on statelessness:** States are encouraged to develop national action plans to end statelessness, covering identification and protection of stateless persons, as well as prevention and reduction of statelessness, depending on the context. A national action plan would outline key objectives, activities and actors responsible for implementation. It is also recommended that such plans be costed. States are also encouraged to establish a national inter-ministerial taskforce or working group on statelessness to steer implementation of the plan. Governmental taskforces or working groups are instrumental in facilitating coordination across ministries and levels of government. States are also encouraged to enhance coordination at regional level to address statelessness. Regional organizations and intergovernmental bodies can play a key role in facilitating such coordination.

*Example of potential State pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] develop and endorse a national action plan to end statelessness and to establish a national taskforce to steer the implementation of the plan.
- [Name regional intergovernmental body] commits to coordinate the development and implementation of a regional action plan to address statelessness and produce periodic reports on its implementation.

**9. Enhance engagement with stateless communities in efforts to address statelessness.** States are encouraged to consult directly with affected populations to ensure that efforts to address their situation are appropriate and effective.

*Examples of potential State pledges in line with this thematic priority:*

- The Government of [country] commits to by [year] consult with stateless communities in the development of a National Action Plan to End Statelessness.
- The Government of [country] commits to by [year] consult with stateless communities to understand their barriers in accessing civil registration services and develop measures to address these barriers.

## The UN Common Pledge 2.0

At the 2019 GRF, the UN Secretary-General and the UN's Emergency Relief Coordinator made pledges which committed the UN to systematically include refugees in their analyses and plans, and to work with hosting governments and communities for inclusion of refugees in national systems. Ahead of the 2023 Global Refugee Forum, over 20 UN entities are creating a successor pledge, the UN Common Pledge 2.0. This pledge will renew and strengthen commitment to promote the inclusion of displaced and stateless people in national plans, budgets, datasets and service delivery systems. It will also include a country-level component for participation by UN Country Teams under the leadership of Resident Coordinators to ensure measurable changes for displaced and stateless persons.

UN agencies and UN Country Teams are encouraged to include stateless persons in their pledges submitted under the UN Common Pledge.

## **Pledging in the context of the new Global Alliance to End Statelessness**

To build on the momentum towards ending statelessness generated by the #IBelong Campaign, UNHCR is leading the establishment of a new multistakeholder Global Alliance to End Statelessness, which will be launched in 2024. One of the areas of activity that the Global Alliance will support, will include a Solutions Seekers Programme, which will be launched in December 2023. To join the Solutions Seekers Programme, States and Regional Intergovernmental bodies will need to have an active pledge or pledges to address statelessness, a pledge implementation plan developed in consultation with relevant stakeholders including affected populations, and government focal point or taskforce on statelessness. States and Regional Intergovernmental Bodies are encouraged to meet these criteria with a view to pledging to join the Solutions Seekers Programme.

*Examples of pledges in line with this thematic priority:*

- The Government of [country] pledging to become a member of the Global Alliance to End Statelessness.
- The Government of [country] commits to joining the Solution Seeker programme of the Global Alliance to End Statelessness as an expression of its interest to prevent and respond to statelessness.

## **Submitting and updating pledges**

Pledges can be submitted by using the [online form](#) on the website of the GCR.

Pledging entities are requested to regularly report on the implementation status of their pledges. The [online system](#) remains open continuously and pledging entities are encouraged to submit updates throughout the year, particularly when the status of their pledge implementation changes. Twice per year UNHCR will publicize broad trends on the implementation of pledges based on the updates received.