

Introductory Remarks by Volker Türk
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International Conference on Migration and Statelessness:
Identifying challenges and the way forward
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Foreign Minister Meredov, Excellencies, Ladies and Gentlemen,

At the outset, let me express my profound gratitude, also on behalf of the High Commissioner, to the people and the Government of Turkmenistan for this important Conference. Turkmenistan has set a positive example through its response to statelessness and we deeply appreciate the efforts and the leadership demonstrated.

There is a fundamental contradiction in a world of nation-states in which millions of individuals are not recognised as belonging to any state. Sixty years ago, the international community adopted the 1954 Convention relating to the Status of Stateless Persons, the first international treaty regulating the status of stateless persons and in 1961 on the Convention on the Reduction of Statelessness. Yet the scourge of statelessness persists, affecting the lives of individuals and communities the world over. It ought not to exist in the 21st Century. We still have some 10 million people in relation to whom no State has formalised the legal bond of nationality. The fate of the stateless is harmful for the individuals concerned since they do not exist for the State, are invisible and deprived of the fundamental rights associated with nationality.

To be stateless is to not be considered as a national by any state under the operation of its law. This is not to say that stateless people do not have ties to a particular country. However, as a result of state action or inaction, because of gaps in laws and procedures or simply because of an unfortunate convergence of circumstances, they have fallen through the cracks. This is almost always by no fault of their own.

There are multiple inter-linkages between statelessness and migration. Some individuals become stateless due to migration, for example because they lose their nationality due to long-term residence abroad. Many children born to migrants abroad acquire neither the nationality of the country of their parents, nor that of the country where they are born.

As well, statelessness can be linked to displacement and, if affecting whole communities, can impact social stability and peaceful relations. It is one of the causes of conflict and has led to forced displacement on numerous occasions. The global impact in terms of refugee movements is considerable: one fifth of the refugees resettled in the past five years are stateless.

Yet, as we will hear from many of the delegations represented at this Conference, including our gracious host, the Government of Turkmenistan, statelessness can be resolved. With a concerted effort and political will, it can be eliminated. Please allow me to outline some key steps to this end, beginning with prevention of new situations

In order to ensure every person has a nationality, UNHCR places great emphasis on provision of technical advice on drafting and application of nationality laws. The 1961 Convention on the

Reduction of Statelessness provides a useful yardstick, assisting States to understand where there may be gaps in their legislation.

Preventive action needs to be taken to avert potential instances of mass deprivation of nationality and to ensure new situations of state succession, for example, do not result in statelessness.

Further, nationality laws and administrative procedures must be reformed to eliminate discrimination and ensure that adequate safeguards are in place to prevent statelessness, particularly among children.

To this end, UNHCR has intensified the provision of technical advice and promotion of legal reforms to address gaps in nationality and related legislation, notably from a gender equality and child protection perspective. We have worked with a number of States on reforms to allow mothers to confer their nationality on their children on an equal basis with fathers. Kenya, Senegal and Tunisia have all amended their nationality legislation in recent years to affirm gender equality and thus removed the bars to the passing on by women of nationality. 27 States have yet to do so, however.

Birth registration is an invaluable tool for the prevention of statelessness because it provides all-important proof of parentage and the place of one's birth and thereby documents the relationship between the child and the State. Both Georgia and the Russian Federation have implemented pledges made at our 2011 ministerial level meeting in Geneva in respect of civil registration and documentation systems, and birth registration will continue to be a priority for UNHCR.

Increasingly, governments have recognised the cost of statelessness in terms of human rights, slower growth and development. Consequently, a number of states have taken the initiative to reform their nationality laws and policies over the last decade. Many countries including Côte d'Ivoire, the Kyrgyz Republic, Turkmenistan, Sri Lanka, Bangladesh and the Russian Federation have made considerable progress in resolving long-standing situations of statelessness by granting nationality to stateless populations.

However, the fact is that there large stateless populations remain around the world and they require protection. Until such time as they can acquire a nationality, stateless persons require a legal residence status similar which allows them to access basic services. This is why UNHCR is also committed to promoting accession to the 1954 Convention, which regulates the treatment of stateless persons.

Since stateless people are often without personal documentation, and therefore uncouned and unseen, identifying the magnitude of stateless situations has been a considerable obstacle in addressing this issue. But there is some progress here, with states pledging to undertake studies and surveys, and to report on the issue of statelessness. The Philippines is leading the way in this regard, and a number of countries, including Georgia, Moldova and the UK, have established statelessness determination procedures to improve the identification and protection of stateless persons.

Since 2011 there have been an unprecedented 33 accessions to the two statelessness Conventions, with 22 states across four continents acceding to one or both of the Conventions.

Belgium, Georgia, Gambia, Colombia and Paraguay have passed the requisite legislation for accession and are all expected to deposit their instruments to one or both Conventions at a special treaty event next week in Geneva.

Looking forward, we continue to see solid progress in the endeavour to eradicate statelessness, including by states finding new and innovative ways of engaging in the debate, for example through efforts of the United States to advocate in human rights fora for action by other states to reduce statelessness, or technical advice provided by Hungary to a range of states.

This coming September, UNHCR will launch a campaign to end statelessness within a decade. We will publish a report which draws attention to the impact of statelessness around the world and a strategy which sets out how the problem can be successfully tackled. We are also organizing the first Global Forum on Statelessness at the Peace Palace in The Hague to bring together government experts, NGOs, academics, stateless persons and UNHCR staff to discuss statelessness worldwide and how it can be addressed.

In parallel to our global advocacy efforts, it is essential that national authorities and civil society receive adequate support to address statelessness on the ground. UNHCR is putting additional funding to work where we see opportunities to resolve existing situations. In 2014, we have allocated more than USD1million to special projects in a number of countries, including Kyrgyzstan, Kazakhstan and Malaysia. We have also created specialist posts to address statelessness, including one for Central Asia.

Our most powerful allies are the governments around the world who have led by example, showing that with political will, solutions can be found. UNHCR therefore seeks to enlist the support of champion governments to assist in resolving the many remaining situations of protracted statelessness within the next ten years.

Let me also reiterate our commitment to provide the technical and operational support necessary to resolve situations of statelessness –including through facilitation of inter-State cooperation and dissemination of good practices by States that have effectively addressed the issue.

Against this background, we are looking forward to discussing with you the special issues around statelessness in Central Asia and more broadly so that we can learn from each other and inspire collective action. Indeed, with a spirit of partnership, we can make statelessness a faint memory of a by-gone era.

Thank you for your attention.