

Evaluation of UNHCR- Led Initiatives to End Statelessness

EXECUTIVE SUMMARY
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Background

UNHCR's mandate to address statelessness has evolved significantly since 1951 from responsibilities for stateless refugees only, to the identification and protection of non-refugee stateless persons and the prevention and reduction of statelessness itself. In 2014, UNHCR redoubled its efforts under this mandate and established the Global Action Plan to End Statelessness: 2014 - 2024 (GAP) as a guiding framework for its Campaign to End Statelessness by 2024.

This evaluation was commissioned by the UNHCR Evaluation Service to generate evidence and insights regarding UNHCR's work to support States to end statelessness and was timed to inform potential adjustments for the remaining years of GAP implementation. The evaluation covered the period of 2001 to 2020 with particular focus on actions and advocacy efforts of UNHCR and partners to support the GAP since 2014.

A stateless person is defined as 'a person who is not considered as a national by any State under the operation of its law' (Article 1 of the 1954 Convention Relating to the Status of Stateless Persons). The causes of statelessness include discrimination, conflicts between or gaps in nationality laws, state succession, border or sovereignty disputes, lack of documentation (including birth registration), and forced migration. Stateless persons often lack access to basic socioeconomic and political rights that citizens enjoy. Statelessness affects millions of people globally, though the exact number of stateless persons is unknown. In 2019 UNHCR reported 4.2 million stateless persons in 76 States as persons of concern.¹ Between 2010 and 2019, 754,500 stateless persons have acquired nationality.²

The evaluation consisted of five key phases: the inception phase, remote data collection phase (global survey, interviews with internal and external stakeholders, documentation reviews), "deep dives" into four country operations (Cote d'Ivoire, Kenya, the Philippines, and Tajikistan), three regional case studies (Americas, Europe, and the Middle East and North Africa (MENA), and consultations with Regional Engagement Groups in Africa and Asia and finally an analysis, validation and report writing phase. The final draft report was also subjected to a review by a Reference Group, comprising senior stakeholders from UNHCR and key partner agencies.

Key Findings

Evidence collected in the course of this evaluation reaffirm the importance that gaining nationality and official identification documentation (e.g. birth registration) has had for persons of concern, including the ability to access health care, housing, education, social services, facilitate freedom of movement and formal employment opportunities. Perhaps more importantly, citizenship and official recognition increase the sense of belonging and dignity and reduce fear of persecution and discrimination, as noted by persons formerly at-risk of statelessness in Cote d'Ivoire.

Most key informants expressed the belief that the overall objective of the Campaign, to end statelessness in ten years, was aspirational. Although predicated on the fact that statelessness is solvable with adequate political will and investments, the underlying causes include multiple persistent political and socio-cultural drivers in addition to simply technical and administrative hurdles. While the Global Action Plan to End Statelessness is widely viewed as a useful framework to guide States, UNHCR and other partners, monitoring data against targets on the 10 GAP actions suggest underachievement of six and challenges or lack of information on the other four.

UNHCR Contributions to Results

Nevertheless, according to UNHCR, 754,500 stateless persons have acquired nationality in the past decade, including 341,000 since the campaign was launched in 2014. Most key informants believe that UNHCR and its partners have substantially contributed to this overall achievement through directly preventing and resolving cases of statelessness, advocacy, capacity building, technical

¹ UNHCR Global Trends Forced Displacement in 2019, page 68. This number of stateless persons include the number of persons of 'undetermined nationality' who may be confirmed as such if a stateless determination would take place.

² See UNHCR (2020) Refugee Global Trend. <https://www.unhcr.org/en-ie/statistics/unhcrstats/5ee200e37/unhcr-global-trends-2019.html>

support, and the provision of protection services. In addition, the evaluation found that UNHCR has directly and indirectly improved the lives of many stateless, formerly stateless, and people at risk of statelessness by giving voice to their rights and working to ensure obstacles to their recognition as equal members of society are addressed.

While laudable, UNHCR has struggled to meet statelessness targets for all but one key statelessness indicator within its Results Framework. There are serious limitations within the RBM system for measuring and reporting on UNHCR's success in achieving planned statelessness results. In particular, lack of data on stateless populations automatically creates inaccuracies in estimating a number of indicators - for example, the percentage of stateless persons granted nationality.

Despite challenges in estimating the total numbers of stateless, and the lack of systematic evidence on UNHCR's specific contribution to alleviating specific underlying causes of statelessness, key informants, survey respondents and documents reviewed suggest that most UNHCR-led statelessness initiatives have been highly relevant and appropriate, taking into account key drivers of statelessness and contextual factors. However, the evaluation found that there is scope for country-level strategies to shift to longer-term approaches and to move beyond legal and administrative causes of statelessness and to take other social, economic and cultural drivers and impacts of statelessness more systematically into account. Gaps in some of these areas suggest that other UN and non-UN organizations (including in particular civil society organizations who work in close proximity with stateless persons) could usefully play a more important role in preventing and ending statelessness.

At the global level, UNHCR has effectively convened and mobilized States to increase commitment to ending statelessness through events such as the 2011 Ministerial Intergovernmental Event, the 2014 Global Forum on Statelessness at Tilburg University and the 2019 HLS and preparatory meetings. At a regional level UNHCR has worked to further operationalize government commitments to ending statelessness by contributing to, and in some cases facilitating, dialogues among States and other interested parties, largely based on the efforts of regional statelessness officers. In addition to increasing knowledge and awareness, such efforts have resulted in specific regional treaties, agreements and plans of action with obligations for Member States.

The evaluation found that UNHCR has established a wide range of partnerships at various levels, which have been critical to the progress achieved. Some implementing partners shared the impression that UNHCR engagement has been opportunistic, time-limited and project based and that sustaining their involvement once partnership agreements and funding have expired is not easy. At the same time, CSOs and NGOs value the relationships UNHCR has with governments and the direct access this gives them, which allows UNHCR to link partners to key policy advocacy efforts.

Numerous bilateral global partnerships have added value, with other UN agencies, academic institutions, and governments. The Geneva-based Friends of the Campaign to End Statelessness is a good example of engaging Member States to align and exert diplomatic influence to support the campaign. The longstanding partnership with the Inter-Parliamentary Union (IPU) was also viewed as particularly important in disseminating information to parliamentarians around the world and engaging them in discussions on promising practices. However, overarching coalition building and UN system-wide cooperation have not been fully maximized.

Institutional Effectiveness

Some internal and external key informants noted that UNHCR's focus on statelessness has diminished as attention has shifted to refugee crises, the GRF, partnership with the World Bank and more recently COVID-19. Key informants described a strongly siloed culture where protection and operations staff do not always interact and coordinate on a regular basis, with statelessness often seen as a technical and legal issue to be handled solely by protection staff.

Between 2001 and 2014 UNHCR made significant strides towards institutionalizing and mainstreaming its statelessness mandate through the creation of the Statelessness Section, introduction of regional statelessness officer positions, addition of the statelessness surge capacity

sub-roster, adoption of the 2010 Strategy on UNHCR Action to Address Statelessness, and the introduction of the dedicated budget and planning pillar for statelessness work. Since the launch of the campaign, statelessness tools and resources to support planning have continued to increase and improve, with the introduction of the GAP Map, the Global Strategy and Implementation Plan (GSIP), and Good Practice papers.

Senior leadership attention to and support for work on statelessness, while somewhat inconsistent over time and geography, was frequently cited by key informants as playing a critical role in mainstreaming and integration at a global level, though with the recent regionalization / decentralization changes some questioned whether “top down” prioritization guidance would remain as influential. Moreover, the evaluation found that there is a gap in coordination of efforts on statelessness across different divisions and functions.

At headquarters, the Senior Executive Team (SET) has a critical role to play in overall prioritization as well as for facilitating coordination across divisions. Despite early indications that the campaign was intended to be ‘co-owned’ by DIP and DER, many stakeholders felt that the campaign suffered from a lack of attention and prioritization by DER, due in part to inadequate personnel and budgets and a focus on emergencies, as well as the lack of knowledge and comfort level to communicate about statelessness. The new Division of Strategic Planning and Results in headquarters is starting to play an important role in supporting priority setting by Representatives, highlighting the importance of situation analysis across groups of PoC to inform multi-year plans, and ensuring that plans are aligned to the Global Strategic Priorities and follow other guidance for planning and budgeting. Regional Bureau Directors were cited as serving a key ‘tone-setting’ function for the staff within their bureau and for country operations under their responsibility and have major influence over allocating budget envelopes within their regions and approving country operations plans (and now strategies).

In the end, the evaluation found that Country Representatives play the most critical roles of all, as the face of UNHCR with national governments and the most influential decision-makers regarding whether an operation will prioritize statelessness work. They determine the degree to which statelessness work is funded and staffed, and whether operations make substantial efforts to influence government decisions, build the awareness and capacity of partners and governments, and whether politically sensitive topics should be broached publicly, privately or not at all. The familiarity of Representatives with statelessness topics and comfort level in engaging key decision-makers plays an important part in determining whether UNHCR can overcome obstacles to progress and move forward with specific initiatives towards sustainable solutions to statelessness.

To help operationalize work on GAP actions, the GSIP identifies UNHCR activities aligned to the 10 GAP actions for target countries. However, efforts to guide operations towards addressing GAP actions relevant in their country through the GSIP are commendable but have not always translated into inclusion of statelessness activities in operations’ plans and budgets.

Changes to the Results Framework and RBM system are ongoing, and their potential influence on UNHCR’s statelessness work remains somewhat speculative. Some potential concerns raised by stakeholders include the planned elimination of the pillar structure for planning and budgeting and the intention to allow operations to link activities and budgets to more than one population group. Both of these potential changes have logical merit from a programming perspective, given numerous examples of activities and initiatives that support more than one population group, or where population groups overlap. The new Results Framework also offers clearer linkages to the SDGs. However, the evaluation expects that these changes may further complicate UNHCR’s ability to clearly demonstrate the link between resources and results for its statelessness work, potentially reducing transparency and accountability.

UNHCR Investments in Ending Statelessness

From 2012 to 2019 UNHCR invested just under USD 300 million in statelessness – with annual expenditure remaining relatively flat since the launch of the campaign in 2014. Budgets allocated for statelessness work represented an overall decrease in the overall organizational expenditure from 1.6 percent in 2012 to 0.9 percent in 2019. While expenditure for refugee programming increased

proportional to the growth in the numbers of refugees globally, budgets for statelessness work did not increase as known stateless populations grew by 25 percent.

Just 10 out of 83 UNHCR offices with statelessness budgets made up 62% of all statelessness expenditures from 2012- 2019, including Myanmar (18%) and the U.S. multi-country office, which covers the Dominican Republic (12%). Within statelessness budgets, the evaluation found that some GAP action areas received greater attention than others. Work on status determination procedures received the highest percentage of budget requests. Work to improve public attitudes towards persons of concern received 64% of funding requested and strengthening of law and policy received 63%. Other areas, such as work on individual documentation, civil registration and civil status documentation, and identification of statelessness cases received significantly less support.

UNHCR resource mobilization efforts have not substantially increased the availability of funding for statelessness. In 2016 UNHCR launched the first ever special appeal that focused on statelessness and sought (unsuccessfully) to draw attention to the funding needed for implementation of the #IBelong Campaign. Earmarked contributions for statelessness work have been limited, totaling slightly over USD 58 million between 2010 and 2020.

Seeds for Solutions funding was found to have a positive effect in scaling up UNHCRs operational work on statelessness

While experienced and appropriately skilled personnel are UNHCR's best asset, the evaluation found that there are few dedicated staff positions on statelessness within UNHCR (3 in HQ and between 10-17 in regional bureaus and country operations). The majority of Representatives, Protection Officers and External Relations staff spent less than 25% of their time on statelessness. Well appreciated reinforcements, through the global protection surge capacity roster for statelessness work, have come to an end in 2020 when the joint Surge project with the IRC ended.

While a significant focus of UNHCR's work on statelessness has been on capacity building of partners (national governments in particular), there has been less emphasis on learning and capacity building of its own workforce. The only dedicated training on statelessness within UNHCR is an online self-study module that was developed in 2012 (now out of date) which has been complemented by other ad hoc external training. This patchwork of training and learning support may not be able to ensure growing demands for capacity, and inadequately target staff in different functions and at different levels of responsibility within the organization.

Key enabling and hindering factors

Political will, awareness of statelessness, and strong partnerships across government, civil society and other organizations are the most important influencing factors that can enable or hinder government progress against statelessness. Finding key entry points among supportive government officials and parliamentarians and building their awareness and understanding, allowed some operations to build greater political will to act. Political incentives can also be generated through increasing public awareness and support, including the awareness of stateless or at-risk populations themselves. Partnerships across government and between external actors were credited with building momentum for positive change, influencing key decisions, and expanding government capacities.

A considerable number of internal and external stakeholders described UNHCR as risk-averse in terms of public advocacy on statelessness, though in some case study interviews and open-ended survey responses UNHCR staff suggested that low levels of public communications on statelessness are also due to lack of staff familiarity, perceived complexity of statelessness issues, and staff not having direct contact with stateless populations to help develop a better understanding of their situation. Given that discriminatory practices and beliefs are key drivers of statelessness, public advocacy is a potentially important tool for UNHCR and partners to try to shift sociocultural attitudes and create a more enabling environment for systems and legal changes.

Key informants and documents repeatedly emphasized data gaps and challenges in improving the reliability and quality of data. A lack of data can limit UNHCR's ability to communicate and advocate around the issue of statelessness, whereas good data can "open eyes and doors". In this regard, many UNHCR operations have invested in statelessness mapping studies to fill gaps in official data sources. However, the evaluation found that while augmenting official data collection can support building awareness and understanding of statelessness, it can be an expensive short-term solution for a systemic problem – requiring technical expertise and management support. The evaluation found that ongoing efforts and partnerships (UNSC, World Bank) at global level to work on common standards for statelessness statistics and statistical models for estimating statelessness offer a more sustainable model for improving statistics on statelessness over the longer term.

Conclusions

UNHCR and partners have positively impacted on the lives of many stateless people and those at risk of statelessness, evidenced by the number of people that have acquired nationality, stories about the value of gaining citizenship, and the many good and innovative initiatives to prevent and resolve statelessness. By working together, UNHCR and partners have successfully raised awareness of statelessness and begun to build the necessary political will and capacity to prevent and resolve statelessness. Since 2001 there is a growing dialogue on statelessness and more political will to act, with notable successes in particular countries and regions, as well as at the global level.

The GAP has been a useful framework for guiding States, UNHCR and other partners, and its broad scope allows for application in a range of different contexts. Global diplomatic events, such as the 2011 Ministerial Intergovernmental Event and the 2019 HLS have inspired momentum and pledges for future action. Within UNHCR, in the absence of a strong theory of change for ending statelessness, the GSIP has provided a foundation for setting organizational direction.

Despite successes, the ambitions of the campaign and targets set within the GAP have proven to be highly aspirational and are unlikely to be achieved by 2024. The challenges of statelessness will continue to remain beyond the lifetime of the Campaign. The most significant progress on granting nationality and mainstreaming and institutionalizing actions to end statelessness was seen in the period leading up to the launch of the campaign. Since then, statelessness tools and resources to support planning have continued to increase and improve, while overall resourcing has not grown. Experience has proved that ending statelessness is a long-term and complex undertaking, which is highly dependent on political will and susceptible to set-backs – including other crises, such as COVID-19 – that can divert attention and either slow or reverse progress.

The invisibility of stateless persons and those at risk of statelessness in many places has hampered progress. Gaps in reliable data on stateless persons and the effect that statelessness has on their lives have made it more difficult to communicate and prompt action. More progress has been made to strengthen statelessness data in contexts where there is already political will to address the issue and some degree of public awareness. However, it is precisely in the places where the least is known about statelessness, and where political appetite to discuss and tackle statelessness is lacking, that data is most needed to support UNHCR and partner efforts to communicate and lobby on behalf of stateless persons. The JDC funded effort to develop the IROSS provides a critical opportunity to systematically improve the quality and comparability of national statelessness data.

Internal leadership on statelessness has been crucial to successes so far. Country Representatives play the most critical roles of all – as the face of UNHCR with national governments and the most influential decision-makers when it comes to prioritization of statelessness work. However, the ambitions of the campaign and the organization's clear mandate for statelessness have not been met with commensurate UNHCR statelessness budgets nor efforts to systematically mainstream statelessness within UNHCR. Leadership on the prioritization for statelessness has been inconsistent, with much greater attention to other priorities such as the GCR. Hesitancy to lobby on behalf of stateless persons in some sensitive contexts has been a risk to UNHCR's credibility. A short-term, emergency mindset has further relegated statelessness down the list of priorities within a culture that emphasizes quick impact over the long-term nature and results of statelessness work. Overall, the

institutional culture of UNHCR has not adequately evolved to match the needs and challenges of the objective of the campaign and the organization's mandate for statelessness.

UNHCR's financial investments in statelessness have been critical to the progress made so far, providing opportunities to prevent and end statelessness for both the organization and its partners. However, UNHCR has not adequately prioritized statelessness in its resource mobilization efforts. Additional, sustained and carefully prioritized funding (and fundraising) is required, however, particularly for specific countries and regions where progress has been slow and for GAP actions that have been relatively neglected.

Investment in UNHCR's workforce is crucial, as work on statelessness relies primarily on knowledgeable and skilled personnel. Dedicated staffing has been a critical success factor in a number of operations. Conversely, where staff are stretched too thin and/or lack the necessary confidence to lobby on the topic, statelessness is often one of the first areas to be deprioritized. More dedicated statelessness staff and communications capacity are needed in key operations, including additional short-term surge capacity, and increased responsibility for statelessness is required across UNHCR staff functions. This implies a greater and more targeted effort to build knowledge and skills at all levels – allowing UNHCR to achieve more on statelessness with the limited resources available.

Ongoing changes within UNHCR – such as decentralization and multi-year planning and budgeting – are both opportunities and challenges for the work on statelessness. As responsibilities and authorities shift within the organization, and as ways of working evolve, a continued corporate prioritization of statelessness is required. Better configuration and use of systems for reporting on statelessness-related results would help UNHCR monitor its own performance during this period of transition and allow for greater transparency and accountability.

Aspects of UNHCR's institutional culture including the perceived primacy of the refugee mandate, concerns about jeopardizing access and relationships in politically sensitive situations, and a short-term emergency mindset have negatively affected UNHCR's ability to meet the campaign's objectives for ending statelessness in some contexts where statelessness is a severe problem.

UNHCR has been particularly successful in implementing initiatives to address the legal and administrative causes of statelessness, which align with its institutional strengths. There are other key drivers of statelessness, however, including political, social and economic aspects, which need to be more consciously and robustly addressed. Similarly, the broader socio-economic impacts of statelessness, such as exclusion from schools, legal employment and social welfare, and the suffering that they cause, need to be more holistically recognized and addressed.

While UNHCR has played a critical and central role in highlighting and championing the situation of stateless persons, public advocacy has emerged as a gap, particularly at a global level. Furthermore, the organization has not responded to all of the drivers and impacts of statelessness, nor should it. Collaboration has been critical to the progress made so far on statelessness and UNHCR has successfully mobilized a wide range of stakeholders at different levels. Overall, however, there is not a strong enough sense of shared responsibility. UNHCR could do more to bring a diverse set of international, regional and national actors together to collectively mobilize for change, including harnessing the contributions of stateless persons directly. In particular, UNHCR should invest more in maximizing the potential for UN system-wide collaboration on statelessness.

The foundations are in place for scaling-up UNHCR and partner action to reduce statelessness, but success will require a dedicated, creative and sustained approach to overcoming the remaining challenges. The organization needs to find a way to work across divisions to elevate its work on statelessness and capacitate staff at all levels to contribute. Similarly, it will need to leverage the mandates and capacities of partners to create a stronger coalition – sharing the responsibility for preventing and ending statelessness. This comes at a time when funding and staffing are constrained, and difficult choices are already being made about how to prioritize limited resources in response to growing needs. Continued investments will be needed, however, as well as a careful look at existing commitments to maximize their potential for positive change. The reputational risk for UNHCR of not delivering against its commitments and mandate on statelessness are high. The remaining years of the Campaign are an opportunity UNHCR and its partners cannot afford to miss –

both in terms of holding stakeholders to account for the commitments already made and generating new momentum for a collective effort to prevent and end statelessness beyond 2024.

Recommendations

As noted throughout this evaluation, UNHCR cannot act alone to end statelessness. It can however devote renewed energy, linked to a whole of society approach, to engage and mobilize stateless people and actors from all sectors of society, at global, regional, national levels.

Recommended actions		Responsible
1	Strengthen UNHCR's integrated global cross-divisional leadership of the campaign in its remaining years and improve prioritization of activities to address statelessness at all levels of the organization, including clear direction from the High Commissioner to Regional Directors to give higher priority to statelessness.	SET
2	Invest in building the statelessness-related knowledge and skills of UNHCR staff and affiliates, including upskilling of Country Representatives' knowledge about, and comfort in engaging on, aspects of statelessness, and ensure surge capacity mechanisms are available to fill temporary gaps.	Global Learning and Development Centre with support of DIP, and RB protection pillars
3	Enhance organizational capacity and tools for public advocacy on statelessness, including dedicated communications staff at headquarters, Regional Bureau, and in priority countries. Prioritize public advocacy and building public awareness in operational contexts where it can influence changes in policy and practice.	DER with DIP / Statelessness Section and RB External Relations units
4	For the remainder of the campaign, UNHCR should invest in shifting from fragmented bilateral partnerships towards building a lasting multi-stakeholder coalition to end statelessness, with shared ownership and responsibilities, that is replicable at regional and national levels, to carry the statelessness agenda forward after 2024.	DIP with the support of DER
5	Assess the feasibility of targeted resource mobilization efforts for statelessness, while simultaneously elevating prioritization of statelessness in internal resource allocation processes, to ensure sufficient resources for statelessness work. Jointly develop options for financing the statelessness work of UNHCR and its partners in the coalition that follows the campaign.	DER and DSPR
6	Integrate statelessness context considerations into the new multi-year operations planning process and situation analysis tools.	DSPR with support from Statelessness Section, Regional Bureau Strategic Planning Pillars, and multi-year planning Operations
7	Integrate consideration of statelessness in broader development and human rights initiatives and mechanisms to address the broader fundamental discriminatory and exclusionary drivers of statelessness and to strengthen national systems for better collecting data on stateless people.	DIP with DRS and GDS supported by Regional Bureau Development and DIMA Officers

