

BACKGROUND GUIDE

Ending Statelessness

The Challenge

Stateless people are those who lack an officially recognized nationality. The number of stateless people there are worldwide can be difficult to determine because stateless people are often rendered “invisible” by their lack of official documentation. UNHCR’s latest Global Trends Report will have the latest estimated number.

Why It Matters

Having a recognized national identity is essential for people to realize their human rights. Stateless people often cannot access the most basic rights, such as education, employment, property ownership and healthcare.

Stateless people are forced to live in the shadows of society, without basic social safety nets and unprotected. They are at greater risk of gender-based violence, incarceration, exploitation and mental health problems. Statelessness also affects society more broadly. It can be a root cause of poverty, social unrest, displacement and conflict.

Root Causes of Statelessness

STATE SUCCESSION

Dissolution of States remains one of the biggest causes of statelessness. The dissolution of the Soviet Union and Yugoslavia in 1991, for example, left hundreds of thousands stateless as many people missed the deadline to register for a new nationality due to language barriers and location, among other factors.

STATELESSNESS AT BIRTH

A baby might be born stateless because of inadequate nationality laws. For example, a child born in a foreign country can risk becoming stateless if that country does not permit nationality based on birth alone or prevents parents from passing on their nationality in a new country.

Sometimes people also don’t register their newborns because the registration costs are too high or because they live in remote areas far away from administrative offices.

Every child has the right to a nationality and to be registered immediately after birth.

— Convention on the Rights of the Child, Article 7

DISCRIMINATION AND DENATIONALIZATION

Throughout history, discrimination against ethnic and religious minority groups has often led to deprivation of their nationality. In many contexts, governments pass a law or issue a decree that leads to the denationalization of a particular group.

For example, in 1972, the government of the Democratic Republic of Congo (DRC) retroactively invalidated the nationality of people of Rwandan or Burundian origin. Similarly, In 1982, Myanmar passed a citizenship law that rendered stateless most Rohingya, a Muslim minority that is now one of the largest stateless population in the world.

NATIONALITY AND GENDER INEQUALITY

In countries where nationalization is passed down to a child through the father only, the child can be rendered stateless if a father is not willing to claim the child or confer nationality. For example, in Lebanon, women cannot register their own children with the civil registry.

STATELESSNESS UPON A CHANGE IN CIVIL STATUS

In many countries, the nationality of a person might change in the event of marriage or divorce. Generally, the naturalization process is easier for people married to or adopted by a national. However, in some cases, people may lose their nationality if they marry a non-national. This is true of women who live in countries where their nationality is dependent on that of her husband. In such cases, a recently married woman may lose her original nationality without being able to obtain her husband's nationality. A woman may also become stateless after divorce or upon the death of her husband.

STATELESSNESS IN THE CONTEXT OF DISPLACEMENT

Migrants and refugees are at a greater risk of statelessness. This is the case for many children who are born while their parents are fleeing their home country. People fleeing conflict might not be able to bring citizenship documents with them or they might lose them during dangerous journeys. It becomes difficult for them to prove their nationality and if the problem is not addressed, their own children can be at risk. Sometimes, people also lose their nationality of origin after living several years abroad due to legislation in their country of origin.

Responses and Solutions

UNHCR, THE UN REFUGEE AGENCY

UNHCR is the main agency working to find solutions to statelessness and protect stateless people and created the Global Action Plan to End Statelessness, a list of 10 actions to be undertaken by States and other stakeholders.

Global Action plan to End Statelessness

1. Resolve existing major situations of statelessness
2. Ensure that no child is born stateless
3. Remove gender discrimination from nationality laws

4. Prevent denial, loss or deprivation of nationality on discriminatory grounds
5. Prevent statelessness on cases of state succession
6. Grant protection status to stateless migrants and facilitate their naturalization
7. Ensure birth registration for the prevention of statelessness
8. Issue nationality documentation to those with entitlement to it
9. Accede to the UN Stateless conventions (1954 and 1961 conventions explained below)
10. Improve qualitative and quantitative data on stateless populations

GOVERNMENTS

The first action that States can take is to accede to the 1954 and 1961 conventions.

- The 1954 Convention relating to the Status of Stateless Persons establishes the definition of a stateless person as someone who is “not recognized as a national by any State under the operation of its law.” This Convention also establishes the minimum number of rights that must be afforded to stateless people, including the right to identity, travel documents, and administrative assistance.
- The 1961 Convention on the Reduction of Statelessness is an international framework to ensure the right of every person to a nationality. It requires that States establish safeguards in their nationality laws to prevent statelessness at birth and later in life. The most important provision of the convention establishes that children are to acquire the nationality of the country in which they are born if they do not acquire any other nationality.

Here are specific examples of actions that States can take to end statelessness.

- Granting citizenship, legal status, or personal documentation to stateless persons
- Changing the laws that create statelessness in the first place such as birthright citizenship and registration and ending discriminatory laws that deny nationality.
- Protecting the wellbeing of stateless persons: until they are granted nationality, it is also important to ensure that stateless people have the same rights as citizens. This includes social and economic inclusion, protection from abuse, and freedom of movement.

OTHER AGENCIES

- Many nongovernmental organizations (NGOs) and other UN agencies such as The UN Human Rights Office (OHCHR) and UNICEF are also active in the fight against statelessness. OHCHR focuses on ending gender discrimination in nationality laws.
- The Coalition on Every Child’s Right to a Nationality is a co-led effort by UNHCR and UNICEF and includes 70 international NGOs. The coalition aims to “expand and strengthen international co-operation to raise awareness about and combat the hidden problem of childhood statelessness.”

Questions to Guide Debates

- How can we better identify stateless persons?
- How can we fight discrimination in nationality laws?
- How can we better include stateless people in education, healthcare, and the economy?
- How can we better educate the public about the existence and consequences of statelessness?
- How can we encourage States to grant citizenship to stateless people in their country?
- How can we protect stateless people from gender-based violence and economic exploitation?
- How can we resolve statelessness in cases of state succession?
- How can we protect refugees and displaced people from statelessness?
- How can nationality-holders better support stateless people in their country?
- How to encourage States to enact laws that grant citizenship to children born within their borders?
- How can we ensure that non-legal barriers to birth registration such as fees and distance (for stateless people living in remote areas) are removed?

Useful Resources

- [Displaced and stateless women and girls at heightened risk of gender-based violence](#)
- [The 1961 Statelessness Convention: 60 years of protecting the right to a nationality](#)
- [What does it mean to be stateless? \(UNHCR\)](#)
- [Living as a Stateless Person \(VIDEO\)](#)

Webpages, Articles, and Stories

- [OHCHR and the right to a nationality](#)
- [Birth Registration - UNICEF Data](#)
- [What is birth registration and why does it matter?](#)

Documents and Reports

- [Global Action Plan to End Statelessness \(2014 - 2024\)](#)
- [Birth Registration for Every Child by 2030: Are we on track?](#)

Contact Us

If you have any questions about this background guide, please visit our [webpage](#) or contact lindner@unhcr.org.