

Contents

- UNHCR-NGO Consultations
- We need your help: Online petitions against statelessness
- What's new: Law & Policy
- What's new: Publications, Tools & Resources
- Announcements & events
- Popular on Twitter this Month
- A day in the life of...

A day in the life of... Adam Weiss, Managing Director at the European Roma Rights Centre.

“Support litigation. There is huge potential for the courts – especially the European Court of Human Rights – to end statelessness, and we have not yet exploited it. If you are a lawyer, start building cases. If you are not, get lawyers interested and excited about statelessness.”

Read the full interview in this month’s “A day in the life of...” at the bottom of this bulletin.

2016 UNHCR-NGO Consultations in Geneva

This year’s UNHCR-NGO Consultations took place from 15 to 17 June, and Youth was the central theme throughout the sessions. The nexus between statelessness and youth was highlighted on several occasions during the consultations, but also during various side events and the NGO strategic planning meeting with 23 NGO’s working on statelessness organised by the Institute and funded by the Open Society Justice Initiative.

[The Statelessness Food for Thought Session](#) - organized by ISI and the UNHCR Statelessness Section- took place on the second day of the NGO Consultations. During this event, over 50 participants composed of NGO, UN and Government representatives discussed questions posed by stateless children and youth from across the globe on the meaning and impacts of stateless. Questions related to, among others, the inability to acquire a nationality, action that is undertaken to combat statelessness and statelessness as an inter-generational issue.

Several side events touched upon statelessness affecting youth. On 15 June a **side event in the [Human Rights Council on Women’s equal nationality rights in law and practice](#)** addressed issues relating to gender discriminatory provisions in national legislation, which can lead to statelessness. Catherine Harrington of the Global Campaign for Equal Nationality Rights elaborated on impacts of gender discrimination in nationality laws and pointed out that 27 States globally still contain provisions that are discriminatory in different degrees. The Ambassador of Algeria and the State representative of Madagascar elaborated on developments at national level and the impact of international human rights instruments encouraging removal of gender discrimination in national legislation. Algeria reformed its nationality law in 2005 and Madagascar is currently in the process of amending their nationality legislation.

Addressing the right to a nationality through the Convention on the Rights of the Child

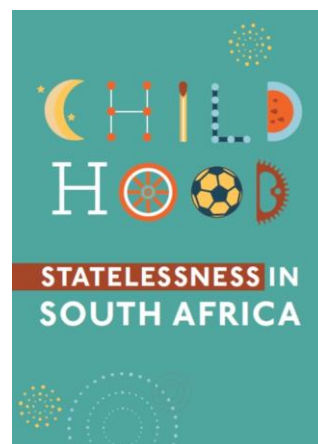
A Toolkit for Civil Society



The Institute on Statelessness and Inclusion also launched its latest publication: [Addressing the Right to a Nationality through the Convention on the Rights of the Child: A Toolkit for Civil Society](#) together with a corresponding [website](#) where the elements of the toolkit can be freely explored. The launch event was hosted by UNHCR. ISI Co-Director Laura van Waas explained how NGOs can

use the toolkit to make submissions on the right to a nationality for children to the Committee on the Rights of the Child, but also for further understanding on how to engage with the Committee or to more generally get a deeper understanding of the issue of childhood statelessness. Francesco Cecon gave a broader perspective on the Committee's work and talked people through [Child Rights Connect's mini-site](#) on how to navigate the reporting process.

During this event Liesl Muller from Lawyers for Human Rights launched their report [Childhood Statelessness in South Africa](#) – jointly produced by the Institute and LHR. This easy-to-digest booklet was met with much praise as it manages to communicate the importance of protecting the right of every child to a nationality through the presentation of a series of short case studies of children who face statelessness in South Africa, while also clearly pointing to the law or policy gap which is at the root of their situation and what solution could be adopted, in accordance with the country's obligations under the Convention on the Rights of the Child.



After the Consultations, the Institute and Open Society Justice Initiative organised a roundtable meeting for 20 civil society organisations from around the world, at Quaker House in Geneva, to discuss developments in the field of statelessness, unpack shared challenges and identify opportunities for closer coordination or collaboration. Some common themes which emerged as relevant to the work of most participants were explored in more depth, including discrimination, childhood statelessness and the nexus between statelessness and forced migration. There was consensus that it is useful to have the opportunity to share information and experiences on such topics across different regional networks and between the diversity of organisations now engaged on the issue in different parts of the world, and that it would be worthwhile to have similar conversations of this nature in future. Some of these organisations also joined the subsequent UNHCR-NGO Statelessness Retreat which brought together 30 NGOs and key UNHCR Regional and Headquarters-based staff working on statelessness to undertake what has become a very useful annual, collective stocktaking and planning exercise. Among the areas in which we can expect to see an increase of activities in coming months is in respect of statelessness and the SDG framework, in further promoting the right of every child to a nationality and in continuing to push for the comprehensive mainstreaming of statelessness throughout the UN human rights system.

Interested in reading more on the NGO Consultations? Chris Nash, Director of the European Network on Statelessness, wrote a [blog post](#) on his experiences at the 2016 Consultations.

We need your help: Online petitions against statelessness

[Help end childhood statelessness in Europe:](#) The European Network on Statelessness has launched a petition calling on European leaders to act now to end childhood statelessness in the region. While there are lots of different reasons why children become stateless, it is never their fault. Still, thousands of children in Europe are growing up without a nationality, without a country to belong to, and with all of the negative consequences attached to being stateless. Without the chance to grow up like other kids, statelessness brings hardship and anguish to children and their parents alike. More than half of European countries are currently failing to put simple legal safeguards in place that would address the problem. All it takes it European governments to act and make simple changes to their nationality laws. Please, sign the [petition](#), and join us in urging European leaders to act now on protecting every child's right to a nationality.



[Help address Childhood Statelessness in South Africa:](#) Simultaneously, Lawyers for Human Rights have set up a petition with regard to ending childhood statelessness in South-Africa. Through this petition LHR wishes to urge the Department of Home Affairs of South Africa to change practices and legislation. Please also sign consider signing this petition and showing your support for the protection of the right of every child to a nationality.

What's new: Law & Policy

Bahamas votes “no” to gender equal nationality law

Supporters of efforts to eliminate gender discrimination in nationality laws, including the [Global Campaign for Equal Nationality Rights](#), were **deeply disappointed by the failure of The Bahamas Gender Equality Referendum**, which took place June 7. If passed, the referendum would have reformed gender discriminatory provisions in the Constitution pertaining to nationality rights and enshrined a ban on gender-based discrimination in any future legislation in The Bahamas. Despite efforts to advance gender equality by human rights defenders, civil society groups, and government leaders, the referendum's failure was largely due to misinformation espoused by the opposition regarding the extent to which gender equality is presently protected – it is not – as well as inaccurate and inflammatory rhetoric regarding the intent of the referendum. Due to the referendum's failure, The Bahamas remains one of only twenty-seven countries worldwide – one of two in the Western Hemisphere – that denies mothers the right to confer nationality to their children on an equal basis with men. The Bahamas will also now continue to deny unmarried fathers the ability to confer nationality to their children. Because of this, today children born abroad to Bahamian women or unmarried Bahamian men continue to be at risk of being stateless, while families may be torn apart because Bahamian women are denied the ability to confer nationality to spouses, a right reserved only for Bahamian men. The Global Campaign for Equal Nationality Rights and our coalition members around the world, including in The Bahamas, remain dedicated to working for legal reforms to end gender discrimination in nationality laws and call on the international community to join us in advocating for equal nationality rights for equal citizens, women and men. To help with efforts to highlight the ongoing challenge of ensuring that mothers are able to pass nationality to their children on the same terms as fathers, the Institute has put together a [6-page factsheet](#) outlining the issue and how it relates to different human rights frameworks and has also posted [two interactive maps on its website](#) to allow the user to explore relevant recommendations issued by the Committee on the Rights of the Child, the CEDAW Committee and under the Universal Periodic Review process.

The [World Humanitarian Summit](#) convened on 23-24 May 2016 saw efforts to “*generate commitments to reduce suffering and deliver better for people around the globe.*” The plight of stateless people all around the world was part of the agenda for the summit as reported in the UN Secretary General's report [One Humanity: Shared Responsibility](#). Reports on the Summit include:

- [Some Progress at World Humanitarian Summit in Istanbul – But World Leaders Fail to Deliver the Goods](#) (Oxfam)
- [#WHSummit Scorecard: Winners and Others](#) (Ground Truth Solutions)
- [The World Humanitarian Summit: Winners and Losers](#) (IRIN). Also from IRIN is this collection of how participants described the Summit in one word: [The World Humanitarian Summit - In a Few Words](#)
- [World Humanitarian Summit: Meeting Expectations or Falling Short?](#) (RSIS)

Bangladesh is currently debating a new Citizenship Law which contains a number of problematic provisions, according to the online comment [The Curious Contents of the Citizenship Law](#) by Dr. Abrar. He voices concern about the threat of serious adverse implications on the nationality status of various categories of people, including the worrying possibility of denying children citizenship by descent if their father are involved in activities that go against Bangladeshi state security.

Bahrain strips Sheikh Isa Qassam of nationality: One of the latest people to be deprived of his nationality in Bahrain under rules which allow for withdrawal of nationality in response to a threat to state security, is leading Shia spiritual leader Sheikh Isa Qassam. This was reported by the international press on 21 June 2016. [Human rights organisations](#) have already expressed severe concern over the increased use of nationality withdrawal by the Bahraini authorities in response to protests against the regime. Over 200 people were stripped of their Bahraini nationality in 2015 alone. This latest case has been [especially controversial](#) and sparked reactions from other countries in the region.

Football Championship for unrecognized regions and stateless peoples: While the football fans in Europe and the Americas watch their nations' teams fight to be their region's best during the European Championships and the Copa América, the Confederation of Independent Football Associations staged its second “World Football Cup” for FIFA left-outs: A collection of aspiring states, micro-nations together with unrecognised stateless persons. This year *Abkhazia* won the finals.

What's new: Publications, Tools & Resources

Statelessness Working Paper Series: The second edition of the Institute on Statelessness and Inclusion Statelessness Working Paper Series has been published, presenting four new working papers. Firstly, [Dorothy Khan](#) wrote a paper in which she explores the parameters of microfinance programs for stateless Rohingya women in Bangladesh and the relation with empowerment. ‘Statelessness Displaces: Update on Syria's Stateless Kurds’, written by [Thomas McGee](#),

provides a case study update on the Ajanib and Maktumeen Kurds from Syria. [Maylis de Verneuil](#) wrote about the evolution of the concept of EU citizenship as to determine its potential for fostering greater inclusion of stateless Roma. And lastly, [Melanie Waite](#) provides insight in the relationship between statelessness and the right to health by focusing on the Rohingya as a case study.

[Livelihood Strategies of Rohingya Refugees in Malaysia 'We Want to Live in Dignity'](#): This Humanitarian Policy Group and Overseas Development Institute report, written by Caitlin Wake and Tania Cheung, explores the lives and livelihoods of Rohingya refugees in Kuala Lumpur, Malaysia. The findings are based on interviews with refugees, thereby this interesting report is able to show the perspective of the refugees on their situation.

[The Andaman Sea Refugee Crisis a Year on: What Happened and how did the Region Respond?](#) This article discusses what happened twelve months ago when more than 25.000 people, Rohingya and Bangladeshi refugees, fled Myanmar and Bangladesh by boat, and how the region responded to this crisis. Part two of this two-part post, [The Andaman Sea Refugee Crisis a Year on: Is the Region now Better Prepared?](#) considers events since the crisis and insight into avoiding similar disaster from happening in the future.

[Life after Limbo: Stateless Persons in the United States and the Role of International Protection in Achieving a Legal Solution](#): David Baluarte wrote this article on statelessness in the United States and the role of international protection in achieving a legal solution found in the Georgetown Immigration Law Journal.

[Longing for Home: Forced Displacement and Postures of Hospitality](#): M. Jan Holton examines the concept of 'home' in this book, considering the psychological, social and theological impact of forced displacement, the homeless and returning soldiers from wars abroad. Although Holton does not focus on the 'home' concept for stateless people per se, the research may provide the reader with insight into home and exclusion.

[Number of Persons at Risk of Statelessness in Serbia Reduced by Half](#): According to a UNHCR survey "Persons at risk of Statelessness in Serbia – Progress Report 2010-2015", the number of legally invisible Roma, Ashkali and Egyptians has more than halved in the studied period.

[UNHCR 2014 assessment](#): The Multilateral Organisation Performance Assessment Network (MOPAN) has assessed the United Nations High Commissioner for Refugees. The findings are presented in the reports available on this website, and discuss organisational effectiveness, organisational relevance, reporting on humanitarian results and case studies in 5 countries.

[No Nation to Call Home](#): In this episode of the *Let's Talk about the Middle East* podcast series Zahra Albarazi, senior researcher at the Institute on Statelessness and Inclusion, joined the talk on statelessness in the Middle East. The podcast takes 31 minutes.

[Statelessness in a World of Nation-States: The Cases of Kurdish Diasporas in Sweden and the UK](#): The Journal of Ethnic and Migration Studies recently published another set of articles. It includes this article on the Kurdish diasporas in Sweden and the UK, written by Barzoo Eliassi. Note that this specific article has no open access, so you may not be able to access it without paying.

Announcements & events

[Research for Health in Humanitarian Crises: Call for Proposals](#): The call is open to proposals that address public health issues (specific or multiple) through the gathering of data or evidence with the aim of improving public health outcomes in humanitarian contexts. Currently, proposals that address public health needs in urban humanitarian contexts or the efficiency and quality of service delivery are particularly welcomed. **Deadline for proposals is 15 July 2016. A webinar for those interested in applying for funding is held on 2 June 2016.**

[Enhancing Capacity for Asylum Representations in the U.S.:](#) UNHCR-USA announced the formal launch of a new two-year project. The aim of the project is to inform lawyers of UNHCR's position on key issues and how to use this information to represent asylum-seekers as effectively as possible in U.S. proceedings. The project will present "digestible and user-friendly" information, focusing on resources that focus on key issues in the U.S. context, including statelessness. Resources will be made available through UNHCR's website over the next few months. Starting this summer there will also be trainings and webinars for asylum case lawyers, for which the dates will be announced in the coming weeks. If you want to share particular ideas for contributions or feedback on the project, do not hesitate to contact Colleen Cowgill via cowgill@unhcr.org.

Popular on Twitter this Month

Index on Censorship @IndexCensorship May 27 #Bahrain: critics still face twin threat of statelessness and deportation <http://bit.ly/1SBYsVP>

Statelessness Europe @ENStatelessness Jun 15 No nationality means no right for #StatelessKids Help us end childhood statelessness [_you.wemove.eu/campaigns/end-...](http://you.wemove.eu/campaigns/end-...)

InstitutesSI @institute_si Jun 16 Every conversation about #statelessness is really a conversation about human rights – need to make better use of that framework #UNHCRNGOs

Abdelrahman Rashed @AbdelrahmanMKTR Jun 12 I really can't believe that it's 2016 and we still have #stateless persons! What the h*ll is wrong with the world we're living in! #Imagine

Louis Imbert @LouisMRImbert Jun 11 Minister of Home Affairs: End Childhood Statelessness in South Africa – Sign the petition!

A day in the life of...

Adam Weiss

Managing Director at the [European Roma Rights Centre](#)

How did you get involved in working on statelessness?

Statelessness has always been “[in the water](#)” for me; it was only in late 2013 that I started to realise that it was in there. Before I came to the European Roma Rights Centre (ERRC), I worked mainly on migration issues (EU free movement law, and immigration- and asylum-related cases in the European Court of Human Rights) in the UK. I cheered on the side-lines as the UK introduced its statelessness determination system, not fully understanding the implications and vaguely suspicious about why they were doing it. The organisation I was working for at the time joined the European Network on Statelessness (ENS) because it seemed like a good thing and we ought to be part of it. Then I came to the ERRC (August 2013). I read [our current programme strategy](#) back-to-back. It does not use the words “stateless” or “statelessness” once, and that did not strike me; I didn't even notice. It does talk a lot about lack of “lack of personal identity documents”. My old contacts at the ENS got in touch about whether the ERRC should join the network. My first, negligent, response was “oh, we don't do statelessness, maybe we should”. I asked around the office and got the same answer. Then I re-read our strategy about lack of personal identity documents. And then I remembered David Foster Wallace's speech, and saw statelessness, there, in the water.



Can you give us a short description of the type of work you do?

The ERRC takes a rights-based approach to combating anti-Gypsyism across Europe. We engage in research, policy analysis, human rights education, advocacy, communications, and strategic litigation. I was brought on as Legal Director in August 2013 to lead the ERRC's strategic litigation work; I took on an expanded portfolio earlier in the year, looking after not only the strategic litigation work but all of the organisation's long-term strategic work, which also includes research, policy analysis, and human rights education. This is the “slow burn” work that we hope, over time, will eventually and dramatically expose systemic forms of discrimination against Roma and lead to a more equal European society. The work is varied and exciting. It might involve, for example, conducting or overseeing research exposing the existence of segregated maternity wards, segregated schools, or discrimination in the child-care system in a particular country, and then building cases for litigation out of that research.

Briefly describe what type of statelessness activities your organization is involved in.

We are starting a large piece of work now with ENS and the Institute on Statelessness and Inclusion to understand the link between Roma and statelessness in the Western Balkans and Ukraine. Roma, including Roma activists and NGOs, have not yet mobilized around the issue of statelessness; we hope this will get them to do so. We also want those who care about statelessness to better understand the discriminatory structures that explain why many Roma are stateless. The ERRC has some other activities around statelessness, for example, we supported successful litigation in Italy last year to help a Romani woman at risk of statelessness naturalise as an Italian citizen.

Could you describe a particular project you are working on right now?

We worked with ENS and Praxis (an NGO in Serbia) to lodge a constitutional “initiative” at the beginning of this year to challenge rules that allow registrars in Serbia not to register the births of Romani children whose parents do not

have personal identity documents. The Serbian constitution allows anyone to send this kind of initiative to the Constitutional Court to challenge legislation that they think is incompatible with the Constitution. We relied on the right of every child to be registered “immediately” at birth. Serbian legislation allows registrars to delay registration indefinitely to verify the details of the birth. This allows many Roma children born in Serbia not to be registered, increasing the risk of statelessness. You can find something about it on [ENS’s blog](#).

What do you most enjoy about this work?

The chance to experiment. I think [strategic litigation](#) is all about setting up experiments with low risk to the cause we are trying to serve (in the case of my work, the Roma rights movement), but with enormous risks to the people and institutions we are trying to challenge (segregationists and others who promote or allow discrimination to flourish). My key image is not the cliché of David and Goliath; it is [Nassim Nicholas Taleb’s Black Swan theory](#). Our work can trigger unexpected court judgments or reactions from ministers or powerful bodies such as the European Commission that will unexpectedly overwhelm the institutions and forces that allow statelessness to continue. When we look back historically, the event – which might be a judgment of the European Court of Human Rights, an EU directive on statelessness, or something else – will feel like it was inevitable, but right now we have no idea what it is.

What do you find are the biggest challenges you face in your work?

On statelessness in particular, the biggest challenge is making the legal framework real and usable. At the ERRC there are legal instruments (the European Convention on Human Rights, for example) that we think about every day. The statelessness conventions are poorly known and rarely used. In general, work at European level involves trying to operate across very different jurisdictions. It can be hard to see patterns and create a picture of what is happening transnationally, yet I think that is the vocation of an organisation like the ERRC.

What advice would you give to someone who wants to get involved in / others working on statelessness?

Support litigation. There is huge potential for the courts – especially the European Court of Human Rights – to end statelessness, and we have not yet exploited it. If you are a lawyer, start building cases. If you are not, get lawyers interested and excited about statelessness.

What do you hope to accomplish through your work?

In relation to statelessness, I want to help dispel racist stereotypes that, consciously or unconsciously, link Roma and statelessness. Roma statelessness is a particularly nasty form of the exclusion Roma experience in all areas of life. It is not a natural or inevitable phenomenon; it is not the wish or the fault of any Roma. It is the result of historical and ongoing structures of discrimination. It is in the interests of those who derive (or think they derive) privilege from the exclusion of Roma. We need to expose those structures and those interests in order to make them disappear. I also want to get Roma – particularly Romani activists – excited about the potential to use the law to challenge statelessness, as a particularly visible form of discrimination.

Contribute to the Statelessness Monthly Bulletin via news@InstituteSI.org or visit www.InstituteSI.org