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This *Year in Review* looks back at developments in the field of statelessness and nationality during 2016. It highlights the most noteworthy some of the news, law and policy updates, publications and resources featured in our monthly bulletins over the course of the year.

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Statelessness in the UN human rights system

Universal Periodic Review

A wide array of topics relating to statelessness and the right to a nationality were raised during the three sessions of the **Universal Periodic Review (UPR) held in 2016**. These included recommendations to states to take further steps to fulfil children's right to a nationality; facilitate solutions to existing cases of statelessness; remove gender discrimination in nationality laws; restore of nationality lost as a result of discriminatory provisions in nationality laws; prevent arbitrary detention of stateless persons; address the situation of those at risk of statelessness; accede to the Statelessness Conventions; and promote the enjoyment of rights by stateless persons.

During the **24th session of the UPR** (January), a total of **46 recommendations were made in relation to statelessness and/or the right to a nationality**. Latvia and Estonia received the highest number of recommendations on statelessness, accounting for 17 and 12 recommendations respectively. The recommendations were made by many different states, of which Spain, Mexico, Ecuador, Australia, Kenya and the Russian Federation were most active. At the **25th session of the UPR** (May), a total of **14 recommendations relating to statelessness and/or the right to nationality** were made, addressed to six of the 14 countries reviewed. Swaziland received the highest number of recommendations (7), followed by Greece (3). Recommendations were made by 11 states from four of the five regional groups. During the **26th session of the UPR** (November), a total of **13 recommendations relating to statelessness and/or the right to nationality** were made to six of the countries reviewed, including two to Syria on the gender discriminatory law (see the Institute's joint submission with the Global Campaign for Equal Nationality Rights [on gender discrimination in nationality rights in Syria](#)). To find out more, see the Institute's summary analysis of statelessness-related recommendations made during: [UPR24](#), [UPR25](#) and [UPR26](#).

With the 26th Session, the UPR has come to the end of the Second Cycle. The Third Cycle will start in May 2017, with Algeria, Bahrain, Brazil, Ecuador, Finland, India, Indonesia, Morocco, Netherlands, Philippines, Poland, South Africa, Tunisia and the United Kingdom under review. An interesting read in the meantime, about the good practices in UPR implementation, is UPR Info's [The Butterfly Effect: Spreading Good Practices of UPR Implementation](#).

ACCESSING UPR RECOMMENDATIONS

In 2016, 'Statelessness and the right to a nationality' was added to the UPR-INFO [database on UPR recommendations](#) as one of the thematic issues to search and filter all UPR recommendations.

Human Rights Council

The most significant session of the UN Human Rights Council in 2016 was the 32nd session, which wrapped up in Geneva on the 1st of July. Two resolutions relating specifically to nationality issues were adopted. In the recurring [Resolution \(A/HRC/C/L.8\) on human rights and arbitrary deprivation of nationality](#), adopted without a vote, the Council reaffirmed that the right to a nationality of every human being is a fundamental human right and calls upon states to refrain from enacting or maintaining legislation that would arbitrarily deprive persons of their nationality on grounds of race, colour,

sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including disability. In [Resolution \(A/HRC/C/L.12\) on the right to a nationality: women's equal nationality rights in law and in practice](#), also adopted without a vote and with an impressive 111 co-sponsoring states, the Council urges all states to refrain from enacting or maintaining discriminatory nationality legislation, with a view to avoiding statelessness and loss of nationality, preventing vulnerability to human rights violations and abuses, decreasing the risk of exploitation and abuse, and promoting gender equality in the acquisition, change, retention or conferral of nationality. Importantly, this resolution mandates the convening of an intersessional workshop prior to the 36th session of the Council. At a [side event to the Human Rights Council on Women's equal nationality rights in law and practice](#) issues were discussed relating to gender discriminatory provisions in national legislation which can lead to statelessness by Catherine Harrington of the [Global Campaign for Equal Nationality Rights](#) and state representatives. Several other resolutions adopted during this Session included language relevant to tackling the root causes of statelessness or provide opportunities to further raise the profile of the issue of statelessness within the human rights system, such as a [resolution on the Human Rights of Migrants](#) and a resolution on [Trafficking in Persons, especially women and children](#). A number of special procedures, including the Rapporteurs on the rights of internally displaced persons, violence against women and the situation of human rights in Eritrea were extended, as was the mandate of the Working Group on discrimination against women. Statelessness intersects with the mandates of all of these special procedures, and others, so there will be renewed opportunities for engagement in the coming years.

Treaty bodies

During 2016, the **Committee on the Rights of the Child** issued several concluding observations which included explicit recommendations in relation to children's right to a nationality. During its 71st session (**January**) a total of 6 countries received 8 recommendations in relation to the right to a nationality for children. The content of the recommendations touched upon several causes of childhood statelessness, including gender discrimination in conferral of nationality to children, derivative loss of nationality, and restrictions in acquisition of a nationality for children who are expelled from their country of birth or born to non-citizens. Moreover, the Committee recommended various measures on how to realise children's right to a nationality and prevent statelessness to 8 states varying from revising nationality legislation, carrying out data collection projects and ratifying relevant conventions relating to statelessness. At the 73rd session (**September**), a strong set of recommendations on protecting children's right to a nationality were addressed in the Concluding Observations to [Saudi Arabia](#) and to [South Africa](#). For

Saudi Arabia, the focus was on amending its nationality law to remove gender discrimination. In respect of South Africa, a broader revision of all legislation and regulations relevant to birth registration and nationality was recommended to ensure the country's full conformity with the Convention. Both countries were recommended to pay particular attention to the specific situation where children would otherwise be stateless and to accede to relevant statelessness Conventions. During the same session, Nauru and Suriname also received recommendations relating to accession to the statelessness conventions. Sierra Leone did not receive relevant recommendations, despite the fact that the law restricting access to nationality through the mother, when a child is born outside the country. Further information on issues relating to the child's right to a nationality in [Saudi Arabia](#), [South Africa](#) and [Sierra Leone](#) can be found in the submissions made by the Institute with its civil society partners to the Committee on the Rights of the Child ahead of this session.

In **March**, the **Human Rights Committee** issued its [concluding observations](#) on the initial State party report of **South Africa** regarding the ICCPR. The report includes recommendations regarding access to documentation and mentions protracted detention of stateless persons in relation to deportation. And on **23 November** a [complaint](#) was lodged before the Human Rights Committee after domestic courts found that there was a gap in **the Netherlands** law and procedure, but failed to step in and facilitate access to nationality. The case involves six-year old Denny who was born stateless in the Netherlands but has been unable to access Dutch nationality through the special safeguard in the country's law because he has not been able to get his statelessness recognized by the authorities.

Jurisprudence and law reform

European Court of Human Rights

The European Court of Human Rights (ECtHR) decided several cases in 2016 that relate to the right to nationality. At the end of **May** the ECtHR ruled in [Biao v Denmark](#), about discrimination among nationals in family reunion matters. The Court found a violation of ECHR article 14 read in conjunction with article 8 caused by the Danish Aliens Act's exemption (the so-called 28 years rule) to the attachment condition requiring that the couple's aggregate ties with Denmark must be stronger than their aggregate ties with another country. The exemption was found to have the indirect discriminatory effect of

CRC TOOLKIT

In June 2016, the Institute on Statelessness and Inclusion (ISI) launched its 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. At the launch event 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 more generally to get a deeper understanding of the issue of childhood statelessness. See www.statelessnessandhumanrights.org

favouring Danish nationals of Danish ethnic origin, thereby having a disproportionately prejudicial effect on persons who acquired Danish nationality at a later time in life, and who are of another ethnic origin than Danish.

On **21 July** the ECtHR found a violation in the case of [Foulon and Bouvet v France](#) (in French). The case involved the French authorities' refusal to register the births of children born to French nationals in India, on the suspicion that the births were the result of surrogacy arrangements, which in France are illegal. The violation was held to be similar to the one found in the *Mennesson and Labassee* case, as a violation of article 8 ECHR with respect for private life of the children involved.

In [Ramadan v Malta](#) (**17 October**) the Court ruled on a case in which Mr. Ramadan, who is thought to have acquired his Maltese nationality by fraud through marriage with a Maltese national and was to subsequently be deprived of that nationality, leaving him stateless. The applicant claimed that article 8 European Convention on Human Rights (ECHR) would be violated if his nationality would be revoked by the Maltese authorities. The decision reaffirmed that "in recent years the Court has held that although the right to citizenship is not as such guaranteed by the Convention or its Protocols, it cannot be ruled out that an arbitrary denial of citizenship might in certain circumstances raise an issue under Article 8 of the Convention because of the impact of such a denial on the private life of the individual". However, no violation of this article is found in the case as the court determined that the withdrawal of nationality was in accordance with the law and executed in such a way as to meet due process requirements. The reasoning of the court – and the ruling itself – has been met with some criticism, including in this [blogpost](#). Also noteworthy is the dissenting opinion by Judge Pinto de Albuquerque who believes that in allowing such deprivation, it was not taken into account that the applicant had real and meaningful ties only with Malta and that it failed to consider that the applicant would become stateless as a result.

Domestic jurisdictions

On **6 September** the **Supreme Court of Appeal in South Africa** cleared the way to nationality for stateless children born in the country and with foreign national parents by confirming the order of the High Court of Pretoria in a [landmark ruling that offered](#) the South African authorities and the Department of Home Affairs to make regulations for stateless children born in the country to apply for citizenship. In [De Wilde v. Minister of Home Affairs](#) of **23 June** the **Supreme Court of Namibia** ordered that the appellant be declared a Namibian citizen based on his birth in Namibia to parents who were ordinarily resident at the time of birth. Namibia has proposed a [bill to amend the Constitution](#) as to define "ordinary residence" as "permanent residence" in relation to acquisition of citizenship at birth. The Namibian president later [rejected](#) the bill, saying that the proposed amendment is not needed and that "lawmakers and the executive should not be seen as sidestepping courts' decisions." A [decision](#) from March 2016 by the **Civil Court of Rome** brings Europe one step closer to ending Romani statelessness by overturning a previous refusal of citizenship for a Romani woman who, although of Bosnian origin was born and raised in Italy, fulfilled the conditions for Italian citizenship, and yet was refused on the technicality that her parents had not completed all of the registration formalities for her as a child. The Court confirmed that the woman is Italian, providing a precedent for the future.

In the **US**, the **Supreme Court** also considered [gender bias in nationality law](#), when on **9 November** an oral argument took place at the in the case of *Lynch v. Morales-Santana*, concerning a gender discrepancy in US immigration law that affects access to citizenship for children born abroad, out of wedlock, and when they can access nationality through their father. And the **UK Supreme Court** in [R \(Johnson\) v Secretary of State for the Home Department](#) unanimously held that the deportation of R. as a "foreign criminal" who would have had British citizenship save for the marital status of his parents at birth had been a violation of ECHR article 8 read in conjunction with article 14.

Law reform

In **October 2016**, **Norway** strengthened its legal framework to protect children from statelessness when the Norwegian Ministry of Justice and Public Security issued a [new instruction](#) to the immigration authorities to align their practice with Norway's international obligations under the 1961 Convention – taking an important step towards ensuring that no child born in Norway remains stateless. According to the instruction, the requirement of lawful residence is no longer to be applied in cases concerning persons born stateless in Norway but instead factual, stable residence of three years is enough. This positive step follows advocacy efforts made by the UNHCR and the Norwegian organization for Asylum Seekers (NOAS), with support provided by the European Network on Statelessness and using the [tools](#) developed by the Institute.

In **February 2016**, **Canada** issued a Bill which [repealed grounds for citizenship revocation](#) that were introduced in May 2015; the revoked grounds previously allowed citizenship to be taken away from dual citizens for certain acts against the national interests of Canada. In **September 2016** **Canada** further considered its nationality legislation by [considering changing a law](#) that allows Canadians to be stripped of their citizenship without a hearing, making it possible for the government to revoke the citizenship of anyone deemed to have misrepresented themselves. The case of Mr. Oberlander, a 92-year old former Nazi death squad member, relates to this. Mr Oberlander won a [case](#) before the **Canadian Supreme Court** in July, protecting him from the government's attempts to revoke his citizenship: after WWII Oberlander emigrated to Canada where he became a citizen but did not reveal his wartime record.

ACCESSIONS TO THE STATELESSNESS CONVENTIONS IN 2016

- ✓ Sierra Leone (1954 & 1961)
- ✓ Mali (1961)
- ✓ Guinea-Bissau (1965 & 1961)

Campaigns and petitions

Online petitions

In March 2016, Amnesty International launched a petition to focus attention on the situation of **stateless people of Haitian descent in the Dominican Republic**: [#YesIExist](#). You can watch the [video](#) and sign the [petition](#).

In June 2016, Lawyers for Human Rights 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. At the start of 2017 the petition had reached 1,159 supporters and remains open for support. In June, Liesl Muller from LHR, also launched the LHR report [Childhood Statelessness in South Africa](#) – jointly produced by the Institute. 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 short case studies of children facing statelessness in South Africa.

In November 2016, the [European Network on Statelessness](#) presented a petition calling on European leaders to act now to **end childhood statelessness in Europe** to the EU Parliament's Petition's Committee and the Parliamentary Assembly of the Council of Europe (PACE) on behalf of **more than 22,000 signatories**. More than half of European countries fail to put simple legal safeguards in place that would address the problem, while all it takes is European governments to act and make simple changes to their nationality laws. Read on about [what more needs to happen](#).

UNHCR and the #ibelong campaign

On **4 November**, the UNHCR **#IBelong Campaign** to end statelessness celebrated its second anniversary. The High Commissioner for Refugees [commemorated this anniversary at the UNHCR Headquarters in Geneva](#). ENS' Macedonia Youth Ambassador Ivan Kochovski was among the speakers and you can read about his impressions of the event and current (youth) engagement on the issue in [his blog for ENS](#). The World Council of Churches hosted a [Webinar on Ending Statelessness](#) to mark the anniversary. More information can be found in the quarterly updates on the #IBelong Campaign, on continuing work to address statelessness at national, regional and global levels ([April](#), [July](#), and [October](#)).

Launch of global coalition on Every Child's Right to a Nationality

The UN High Commissioner for Refugees and UNICEF have jointly initiated a [global coalition](#) on Every Child's Right to a Nationality. The Coalition aims to develop, expand and strengthen international co-operation in raising awareness about and combatting childhood statelessness. The coalition simultaneously wants to promote the right of every child to acquire a nationality. Reaching these goals includes *i.a.* that no child is born stateless, the elimination of laws and practices that deny children nationality on discriminatory grounds, removal of gender discrimination from nationality legislation, improvement of birth registration and the encouragement of states to accede to the UN Statelessness Conventions.

Spotlight on... Bahamas, Bahrain, Kenya, Myanmar & Syria

Bahamas

On **7 June** The Bahamas voted "no" to gender equal nationality law in a public referendum. 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](#). 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. 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 27 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 also continues to deny unmarried fathers the ability to confer nationality to their children.

GENDER DISCRIMINATION IN NATIONALITY LAWS

To help 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.

Bahrain

[Human rights organisations](#) continued to express 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. The stripping of nationality from Sheikh Isa Qassam in June 2016 has been [especially controversial](#) and sparked reactions from other countries in the region. On 31 October 2016, Amnesty International, ARTICLE 19, Gulf Center for Human Rights, Human Rights Watch, Institute on Statelessness and Inclusion and the Salam for Democracy and Human Rights held a joint [one-day seminar](#) in London on nationality revocation, examining Bahrain as one of a number of case

studies. The Institute also submitted a [report](#), with Americans for Democracy & Human Rights in Bahrain, ahead of the 27th session of the UPR (May 2017) which addresses – among others – the problem of deprivation of nationality.

Kenya

Members of the Makonde community in Kenya, after 40 years of statelessness, have [finally found recognition as Kenyan citizens](#). The Makonde people say they were born in Kenya after their forefathers arrived in the country in 1936 and were recruited to work on sisal and sugar farms owned by European settlers in Kwale county. They were, however, not seen as one of the 42 tribes of Kenya when the country gained independence in 1963. The community consists of several thousand individuals and has faced much [injustice](#). In order to solve their situation, the [Kenya Human Rights Commission](#) together with members of the Makonde community and other activists marched from Kwale to Nairobi under the organisation of ‘[Trekking against Statelessness](#)’ in October. Against these odds, the trekkers marched on and arrived in Nairobi on 13 October where President Uhuru Kenyatta [apologised](#) to the Makonde and ordered that “*between now and the month of [December](#) we shall ensure that all of [the Makonde] have been issued national identity cards so that you are fully recognised as Kenyan citizens*” (BBC). In Kenya [Paralegals are also helping Kenyan Nubians obtain Citizenship](#): This Namati report, written by Paul McCann, features a compilation of personal stories from Kibera where Nubian Kenyan paralegals help to empower their community to confront the discrimination and corruption that deprives them of their identity rights.

Myanmar

At the beginning of 2016, news and writing about the Rohingya focussed mostly on the issue of Rohingya migration and looking back at the horrifying events that marked the Rohingya refugee crisis of 2015. Ramandeep Kaur in this [working paper](#) from February discusses the issue of Rohingya migration through the lens of international law: to what extent do destination countries comply with their international legal obligations and what will the likely future be in this regard. The [second meeting of the Asia Dialogue on Forced Migration](#), also from February 2016, addressed the Rohingya with the purpose to “highlight and prompt discussion of lessons learnt and possible improvements in order to inform better long-term preparedness for mass forced displacement in the region”. This [post](#) of June, 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. [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. In October, the Burmese Rohingya Organization UK [reported](#) that the Rohingya faced further gross violations of international law and mass starvation. Following attacks on 9 October on three border posts in Myanmar’s North Rakhine State during which nine Myanmar border police officers were killed, the state mounted a sustained, indiscriminate and disproportionate programme of collective punishment of Rohingya in North Rakhine State. Allegations of a range of gross human rights violations carried out by the Myanmar army, including arbitrary arrests and torture, the displacement of over 30,000 persons, indiscriminate killings and rapes of women and the destruction by fire of entire villages, have been met by denial from the Myanmar government. The state blocked all access to humanitarian aid (including existing programmes) and bar independent human rights monitors and reporters from entering the area. As a result, the region faces yet another humanitarian crisis, with 140,000 people being denied the aid they need, over 3,000 children facing life-threatening acute malnutrition and over 3,000 having fled to Bangladesh, which has closed its border. Myanmar’s state-run media has referred to Rohingya as ‘terrorists’ a ‘foreign threat’ and most disturbingly, as ‘[human fleas](#)’. The situation in Myanmar has been described as amounting to ethnic cleansing, by UNHCR Bangladesh, and as genocide by the International State Crime Initiative of Queen Mary University of London. Meanwhile, a new report by Refugees International - [Still Adrift: Failure to Protect Rohingya in Malaysia and Thailand](#) – highlights the human rights challenges faced by Rohingya in these countries.

Syria

The Institute on Statelessness and Inclusion and the Norwegian Refugee Council completed a joint 7-month project to deliver and disseminate knowledge about both the risk of new cases of statelessness arising among Syrian refugees and their children and the particular vulnerabilities of stateless refugees from Syria, including looking at what is and can be done to address these problems. The [research report](#) and accompanying [online toolkit for refugee practitioners](#) was launched in the week of 21-25 November with events in London, The Hague and Oslo. The executive summary of the report is also available separately, in English and Arabic [here](#). As part of the workshop ‘Long-term Challenges of Forced Migration: Local and Regional Perspectives from Lebanon, Jordan and Iraq’ Zahra Albarazi from the Institute also presented this [paper](#) considering the particularities for the Syrian context in the nexus between displacement and statelessness for three groups of displaced persons: the general refugee population, those at high risk of statelessness and the stateless refugees (also available in Arabic). UNHCR moreover published a [report](#) on statelessness in the MENA region, with a big focus on the situation in Syria in September 2016.

THE ISI WORKING PAPER SERIES AND...

MYANMAR: [Dorothy Khan](#) explores the parameters of microfinance programs for stateless Rohingya women in Bangladesh and the relation with empowerment. [Melanie Waite](#) provides an insight in the relationship between statelessness and the right to health by focusing on the Rohingya as a case study.

SYRIA: ‘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. [Katalin Berényi](#) reflects on the potential advocacy tools of the EU in reducing childhood statelessness beyond its borders, with a special focus on Syria and persons displaced by the conflict.

Other significant developments in 2016 (by region)

Africa

The President of the **Member States of the Economic Community of West African States (ECOWAS)** [advocated for a “global movement to end the scourge of statelessness”](#) while at a forum in Abuja organised together with the UNHCR in March. In West Africa, around one million people are estimated to be stateless or at risk of statelessness. Many people in the region fail to acquire nationality due to laws that prevent women from conferring nationality to their children, as well as due to lack of effective birth registration practices. On 25 February West Africa marked the [first anniversary of the Declaration of Abidjan](#). In the twelve months since the adoption of the Declaration, several states took concrete steps towards eradicating statelessness. For instance, **Côte d’Ivoire** was commended for implementing a provision within its nationality law, which makes it possible to apply for nationality for certain groups of people, including those who are stateless. Over 123.000 people submitted applications to the authorities, some of whom were stateless. 6.400 people have since acquired confirmation of their nationality, and another 6.000 received late birth certificates, an important measure to have their nationality confirmed in the future. In December, a [comprehensive study of statelessness in Côte d’Ivoire](#) was published by UNHCR. As of March, Nimba County, **Liberia**, has [mobile birth registration](#) and the turnout proves to be high. At the mobile registration point, children aged 0-12 years can get registered and receive the certificate the same day. **Benin** and **Gambia** have approved action plans, at the ministerial level on eradicating statelessness. Other positive progress has been made as well, as other states work on action plans to end statelessness and voice their intention to accede to the Statelessness Convention. In **Nigeria** however, UNHCR’s representative to Nigeria and ECOWAS warned that [people living in Bakassi may become stateless](#). Bakassi is a peninsula on the Gulf of Guinea which has become the territory of Cameroon and people from Bakassi may be left unable to prove a link with either country. For more on statelessness in West-Africa see the UNHCR [newsletter](#) number 9 for the period April–June 2016 and [Who Belongs? Statelessness and Nationality in West Africa](#), an article in which Bronwen Manby discusses statelessness, the lack of identity documents and statelessness for West Africa. Manby also released a revised and updated 3rd edition of [Citizenship Law in Africa: A Comparative Study](#). In November 2016, the SADC CRAI Network branch of the Citizenship Rights in Africa Initiative (CRAI) submitted a [contribution](#) to the African Committee of Experts on the Rights and Welfare of the Child on the “Africa’s Agenda for Children 2040: Fostering an Africa Fit for Children” of the African Union. The contribution focuses mainly on birth registration, nationality and statelessness.

Americas

Throughout 2016, the revocation of citizenship and creation of **statelessness in the Dominican Republic (DR)** remained an issue of human rights violations and of international concern. Researchers B. Shaw Drake and Raimy Reyes [wrote](#) about the situation of many children of Haitian descent living in the DR without the possibility to enroll in school this year. The Americas Network on Nationality and Statelessness (Red ANA) [reported](#) on a [panel discussion](#) and screening of the documentary ‘Our Lives in Transit’ ([trailer](#)) on **23 September 2016; the date that marks the third anniversary of Judgement 168-13** by the Dominican Republic’s Constitutional Court which revoked the Dominican citizenship of tens of thousands of people born in the DR, most of whom from Haitian descent. Two days before, on 21 September, the Minister of the Presidency of the DR received from Amnesty International the signatures of more than 50.000 citizens from 134 different counties preoccupied by the situation of statelessness in the DR. To mark the third anniversary of Judgment 168-13 the American Jewish World Service moreover published two extensive blog posts on statelessness in the DR: One telling the [individual stories](#) of the lives of statelessness persons and the other setting out the fight of the [Dominican civil society in their efforts of solving the statelessness crisis](#). The cover of the **August** edition of the [Spanish Newsweek](#) also featured stateless women from the Dominican Republic who fight to recover their nationality which was taken from them by that same country. On a more positive note, **Chile** in **September** agreed to rectify as soon as possible the [registration of people identified in two cities, Antofagasta and Calama, who had been denied Chilean nationality at the time of their birth](#), therefore being registered as children of foreigners in transit. And in **November 2016** a [statelessness determination entered into force in Costa Rica](#). The **Inter-American Commission on Human Rights** launched a [multimedia website](#) in relation to their [report on the situation of human rights in the DR](#), and another report ["Situación de derechos humanos en República Dominicana"](#). In November the Inter-American Commission furthermore published a [report](#) on Legal Standards for People in the Context of Human Mobility, including important standards and guidelines concerning the protection of stateless persons in the Americas. In **June 2016**, an [article](#) by David Baluarte got published on **statelessness in the United States** and the role of international protection in achieving a legal solution found in the Georgetown Immigration Law Journal.

Asia Pacific

March 2016 saw the English translation of [Statelessness Conventions and Japanese Laws: Convergence and Divergence](#), a UNHCR report written by Professor Osamu Arakaki and based on analyses of the position of statelessness legislation and jurisprudence in Japan relative to the international Statelessness Conventions. In **May** Michael Caster discussed [Eliminating Statelessness in Southeast Asia](#) on the basis of the role of **ASEAN** in addressing the plight of statelessness in Southeast Asia. In agreement, [according to UNHCR](#), nearly 3.000 stateless people in the south of the **Philippines** have been granted either Philippine or Indonesian nationality during 2016. The formerly-stateless people are of Indonesian descent but have lived in the Philippines for generations. Other cases are still under review. In **Thailand’s** efforts in addressing statelessness the Department of Provincial Administration officially requested all Thai districts to [identity and issue legal status to eligible stateless students in Thailand](#) under the government’s database. Up to 65.000 students may benefit from the directive, which equals about 15% of those registered as stateless in Thailand at the end of October 2015. In July, a [case study](#) set out

the efforts made by civil society organisations and the Australia Indonesia Partnership for Justice to expand access for **Indonesian** citizens to legal identity documents, particularly for the period 2011-2015. In April 2016 UNHCR and the University of Melbourne's School of Government and Melbourne Law School organised a **workshop on researching statelessness and citizenship in Asia and the Pacific**. This [report](#) summarises the workshop and its recommendations. In September, UNHCR hosted the first regional forum to exchange lessons learnt and practical ideas for the future concerning statelessness and the two UN Statelessness Conventions. A short report on the two-days conference can be found [here](#). For the first newsletter of the International Association of Refugee Law Judges (IARLJ) from September 2016, Judge San Juan-Torres wrote a [piece](#) (for the newsletter's final section, *The Closing Word*) exploring statelessness in Southeast Asia. For more on statelessness in Central Asian countries see the April 2016 [UNHCR newsletter](#) which features information regarding statelessness and case studies of those suffering from the consequences of being stateless in the region. In November, civil society actors representing over 40 organisations from across the Asia Pacific region officially inaugurated the **Statelessness Network Asia Pacific (SNAP)**, following a 3 day conference in Kuala Lumpur, Malaysia.

Europe

In early 2016, the **French** government considered the [deprivation of nationality](#) as a possible sentence to all citizens following a conviction of terrorism or crimes against the state, even if that leaves the person stateless. This became clear following the announcement by French president Hollande in December 2015 that France might deprive dual nationals of nationality for such convictions. This was later reconsidered, as [President Hollande dropped the plans for constitutional reform after parliament failed to reach an agreement](#). The **UK's** Independent Reviewer of Terrorism Legislation issued the [first report](#) on the operation of the power to remove citizenship obtained by naturalisation from people with no other citizenship as a consequence of committing terroristic acts. In July, **the Netherlands** expanded the possibilities regarding deprivation of nationality following terrorist crimes with the exception of the deprivation of nationality leading to statelessness. At the end of January, Parliamentarian Manlio di Stefano issued a [report](#) to the **Parliamentary Assembly of the Council of Europe** (CoE) on the lack of safeguards against childhood statelessness within the CoE. On 14 March, the **Commissioner for Human Rights of the Council of Europe, Nils Muižnieks**, published his [annual activity report](#) featuring the Commissioner's main activities and observations of concern in 2015. This year's report includes discussions on statelessness as part of the Commissioner's country visits as well as one of the highlighted thematic activities. At the end of March, the High Commissioner also published a [report on his visit to Cyprus](#), calling on Cyprus to ensure full protection of children against statelessness, including children of unknown parents, and in that context also urges accession to the 1954 Statelessness Convention and 1997 European Convention on Nationality (para. 81). This European Migration Network Ad-Hoc Query from May 2016 allowed to determine the state of play on the statelessness recognition procedures in the EU. Information was gathered by asking EU Member States to provide data on having a statelessness determination procedure in place, the rights and status granted to recognised stateless persons and statistics on the number of people applying and being recognised as stateless in the past five years ([pt. 1](#); [pt. 2](#)). The [first ever Youth Congress on Statelessness](#) took place from 11-13 July in Brussels, Belgium. The Congress featured sessions in which the 35 Statelessness *Youth Ambassadors* explored in more depth the issue of statelessness and the challenges faced in Europe. There was a particular focus on the phenomenon of childhood statelessness and what more can be done to prevent it, given that it is [ENS' #statelesskids campaign](#) which the *Youth Ambassadors* will be actively supporting. There were also numerous 'skills' sessions during the Congress, helping the *Youth Ambassadors* to become better equipped to develop advocacy messages, reach out to the media and to effectively engage social media channels behind the cause. In countries across Europe, the *Youth Ambassadors* are now working on concrete follow-up plans that they can execute to help with awareness raising and advocacy efforts in support of ENS' campaign to end childhood statelessness in Europe. You can follow the [#StatelessKids on Twitter](#) and [Facebook](#) for more updates on activities and events around Europe. **Following Brexit**, Jelena Dzankic wrote a [piece](#) for EUDO Citizenship considering Brexit and (EU) citizenship. She considers the loss of EU citizenship and efforts by British citizens living abroad in the EU to acquire other nationality (mainly Irish), as well as the legal residence status of around three million EU citizens residing in the UK. Just before the end of 2016, ENS issued three reports (on the [UK](#), [Bulgaria](#) and [Ukraine](#)) in [a series of country reports and other resources](#) relating to the protection of stateless persons from **arbitrary detention** published by ENS in partnership with national partners and with expert guidance from ISI.

Middle East and North Africa

The Beirut based NGO Legal Agenda published a series of statelessness related articles in January. [Stateless in Lebanon: Between Shame and Shadows](#), describes the phenomenon of the issue in Lebanon. The next article considers the long road from census to citizenship for the [Kurds of Syria 1962-2011](#). The last article was one on [statelessness in Mauritania](#) and the relation with discrimination. As part of Legal Agendas spotlight on statelessness several more articles were published in February. [Revoking Jordanian Citizenship: Disengagement or Discrimination](#) addresses the revoking of Jordanian citizenship following the implementing of King Hussein's decision to cut legal and administrative ties with the West Bank in 1988. Another piece by the same author Ayman Halasa, [The Status of Children of Jordanian Mothers: The Discourse of Demography](#) focuses on discrimination against Lebanese mothers to pass nationality to their children. Finally '[Nationality under Study': The Permanence of Being Stateless](#) discusses what it means to have "nationality under study" in Lebanon. In March the authorities of the **United Arab Emirates** [revoked the citizenship](#) of the children of detained human rights defender Mohammed Abdul Razzaq Al-Siddiq, leaving the children stateless and without proof of identity. In **October**, the **League of Arab States** (LAS) and UNHCR jointly convened a regional meeting on ["Belonging and Legal Identity"](#) in Cairo, Egypt. Experts from LAS Member States examined the needs, challenges and emerging good practices to ensure that all children in the region enjoy their rights to legal identity, nationality and belonging and issued a set of recommendations.

Selected tools & resources

Podcasts

Podcast: Statelessness as a Human Rights Issue: A Concept Whose Time Has Come?: As part of Kaldor Centre celebrations of the scholarship of Professor Guy S. Goodwin-Gill, Michelle Foster discusses statelessness as a human rights issue.

No Nation to Call Home: In this episode of the *Let's Talk about the Middle East* podcast series Zahra Albarazi of the Institute on Statelessness and Inclusion joined the talk on statelessness in the Middle East.

Arbitrary Deprivation of Nationality and Refugee Status: Global Law at Reading (GLAR) University episode 17 features Professor H  l  ne Lambert on the topics of arbitrary deprivation of nationality and the status of refugee.

Radiolab: The Girl who doesn't Exist: Alecia Faith Pennington was born at home, home schooled, and never visited a dentist or a hospital. The podcast follows her as she struggles to prove her American citizenship.

Podcast on statelessness: Nomosphon is a podcast series made by Tilburg University students of global law that treats current global legal issues. The first episode was dedicated to stateless persons and refugees.

Videos

#StatelessKids – No child should be stateless: European Network on Statelessness short video to support their #StatelessKids Campaign to prevent children from growing up without a nationality.

My Children's Future: A film by Equal Rights Trust that highlights gravely negative consequences of gender-discriminatory laws that are still implemented in 27 countries and which prohibit women the ability to transmit nationality to their children.

Needed but Unwanted: Haitians in the Dominican Republic: Short film by Emmy-award winning journalist Susan Farkas discusses how Dominicans from Haitian descent are excluded from nationality and deported from the territory.

No One Will Notice: Stateless and Detention: Short multimedia video which is part of Greg Constantine's Nowhere People project and shows the impact of detention on the lives of stateless people throughout Europe.

Statelessness in the Americas - State of the Art: The Americas Network on Nationality (Red ANA) uploaded this video on the current status of statelessness in the Americas. A mix of country- and region-specific information paints a picture of the statelessness situation in the Americas. The video is also available in [Spanish](#).

Books & articles

International Affairs Forum: on Migration and Statelessness: The winter 2016 issue of International Affairs Forum was on the topic of migration and statelessness. This includes articles by Professor H  l  ne Lambert, Professor Elizabeth Ferris, Professor James Hathaway and Dr. Victoria Redclift.

Statelessness and Child Marriage as Intersectional Phenomena: Instability, Inequality, and the Role of the International Community: California Law Review published this article written by Sheila Menz which ponders the relationships between statelessness and child marriages.

The Invisible among Us: This book talks about what living without a nationality means in an accessible way, by engaging in the plight and prospects of stateless persons. It was edited by Semegnish Asfaw from the World Council of Churches.

The Nansen Passport - Time to Revive a Realistic Utopia: Stefan Wallascheck sets out the pros and cons of a modern version of the Nansen passport.

Nationality and Statelessness in the International Law of Refugee Status: This book by Eric Fripp discusses statelessness, international laws regarding nationality and the consequences of nationality or the lack of it in the interpretation of refugee status under the 1951 Convention relating to the Status of Refugees.

Studies & reports

UNHRC report on the impact of nationality deprivation and acquisition for children: This UN Human Rights Council report highlights statelessness as a concept that goes against the principle of the best interests of the child.

Human Rights and Democracy: The 2015 Foreign and Commonwealth Office Report: The Foreign and Commonwealth Office Report discusses human rights as part of the UK's foreign policy on the basis of three broad themes. Statelessness is briefly included, such as with the Rohingya and the deprivation of nationality from human rights activists in Bahrain.

UNHCR Good Practices paper Action 6: Establishing Statelessness Determination Procedures to Protect Stateless Persons: The UNHCR published a Good Practices Paper in relation to Action 6 (Statelessness Determination Procedures) of the Global Action Plan to End Statelessness by 2024 demonstrating states how to work towards ending statelessness.

Identification in the context of forced displacement: Identification for development (ID4D): This report from the World Bank, written by Bronwen Manby, considers issues relating to (the lack of) identification in the context of forced displacement, including the risk of statelessness for children in accessing birth registration.

Statelessness and Applications for Leave to Remain: A Best Practice Guide: This joint publication by Liverpool Law Clinic and the Immigration Law Practitioners' Association equips legal practitioners with the tools they need to offer high quality legal representation to stateless persons and to implement the UK's procedure for granting statelessness leave to remain.

Other

Map: Peoples without a State: Locations and Causes of Statelessness: The Humanitarian Information Unit of the US Department of State issued a map showing the locations and causes of statelessness in a glance.

UNHCR Reporting: Global Performance Targets: Information on UNHCR Global Performance Target indicators and an interactive map, including on the topic of statelessness.