

**Human Rights Council****Fortieth session**

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Agenda item 5

Human rights bodies and mechanisms**Recommendations of the Forum on Minority Issues at its eleventh session on the theme “Statelessness: a minority issue”*****Report of the Special Rapporteur on minority issues***Summary*

The recommendations in the present report draw primarily from the discussions and contributions made by participants at the eleventh session of the Forum on Minority Issues, held on 29 and 30 November 2018 on the theme “Stateless: a minority issue” and conducted under four thematic panel discussions on (a) root causes and consequences of statelessness affecting minorities: preventing statelessness through a human rights approach; (b) statelessness resulting from conflicts, forced population movements and migration affecting minorities: main challenges and possible solutions; (c) ensuring the right to a nationality for persons belonging to minorities through facilitation of birth registration, naturalization and citizenship for stateless minorities; and (d) minority women and children affected by statelessness: advancing gender equality in nationality laws. The recommendations are based on international law and standards. They aim to provide guidance to further implement the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter’s control.



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Report of the Special Rapporteur on minority issues on recommendations made by the Forum on Minority Issues at its eleventh session on the theme “Statelessness: a minority issue”

I. Introduction

1. In its resolutions 6/15 and 19/23, the Human Rights Council decided that the Independent Expert on minority issues should guide the work of the Forum on Minority Issues and prepare its annual meetings, and invited him/her to include in his/her report thematic recommendations of the Forum and recommendations for future thematic subjects, for consideration by the Council. In its resolution 25/5, the Council decided to extend the mandate of the mandate holder as Special Rapporteur on minority issues. The present report, which was prepared pursuant to resolutions 6/15 and 19/23, contains the recommendations of the eleventh session of the Forum, held on 29 and 30 November 2018. At its eleventh session, the Forum considered the theme “Statelessness: a minority issue”. The work of the Forum was guided by the Special Rapporteur on minority issues, Fernand de Varennes. The Chair of the session was Rita Izsák-Ndiaye (Hungary). About 600 participants attended, including representatives of Member States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental and regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies and non-governmental organizations, and representatives of minorities, academics and experts on minority issues.

2. The recommendations in the present report draw primarily from the discussions and contributions made by participants at the eleventh session of the Forum. The recommendations are based on international law and standards. They aim to provide guidance to further implement the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

3. Key elements of the legal and normative framework include the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of all Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and the Council of Europe Framework Convention for the Protection of National Minorities. Specifically on the topic of minority rights with regard to statelessness, the following instruments are of reference: the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

4. The recommendations of the eleventh session of the Forum are organized under the four agenda items that framed the discussion during the session. The recommendations:

(a) Aim to address a wide range of situations faced by stateless people from minority communities around the world;

(b) Highlight the primary responsibility of the State to prevent and combat statelessness by promoting and protecting the human rights of persons belonging to national or ethnic, religious and linguistic minorities;

(c) Emphasize the importance of combating discrimination and stigma against minorities, as well as the need to address their systematic marginalization and exclusion;

(d) Stress the importance of inclusion of stateless minorities and their representatives in policy and decision-making processes affecting them;

(e) Reaffirm that, regardless of their nationality status or statelessness, everyone must enjoy human rights and fundamental freedoms without discrimination and recognize the importance of the realization of the right to a nationality to guarantee access to those rights.

5. The recommendations also recognize the important role the United Nations, civil society organizations, representatives of minorities and other stakeholders can have in preventing and combating statelessness.

6. The present recommendations are intended to be implemented in countries across the world in full respect of universal human rights standards.

II. General considerations

A. Panel discussions

7. The United Nations, its Member States, representatives of civil society and other stakeholders have recognized that statelessness is a human rights issue disproportionately affecting minorities around the world. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), as of 2017, more than 75 per cent of the world's known stateless populations belonged to minorities.

8. Although there has been some uncertainty in the past as to the main factors resulting in millions of individuals being or becoming stateless, it has become clearer in recent years that discriminatory practices, arbitrary nationality requirements and other underlying human rights issues are at the core of the causes of statelessness, particularly when minorities are disproportionately affected. The promotion and protection of the human rights of persons belonging to national or ethnic, religious and linguistic minorities can therefore serve as an important and effective framework to address and combat the issue of statelessness.

9. Statelessness can also have a significant negative impact on a person's ability to fully enjoy human rights and fundamental freedoms and to have access to a remedy for human rights violations. Stateless people have difficulties accessing education, health-care services, employment, property rights and freedom of movement, among others. They often face multiple and intersecting forms of discrimination both as minorities and as stateless people. With more than three quarters of the world's stateless persons belonging to minorities, it is important to consider how human rights violations against stateless persons belonging to minorities can be addressed to avoid the denial or deprivation of nationality resulting in statelessness for millions of members of minorities.

10. The right to a nationality is furthermore a fundamental human right enshrined in the Universal Declaration of Human Rights and many other international instruments, including the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Nationality of Married Women, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

11. The 2030 Agenda for Sustainable Development, and in particular its target 16.9, aiming to achieve "legal identity for all, including birth registration", can be another useful framework for ensuring the right to a nationality for all without discrimination and with the commitment to leave no one behind.

12. The eleventh session of the Forum on Minority Issues was a unique opportunity to hear the voice of minorities affected by statelessness. The discussions evolved around four thematic panels.

13. During the first thematic panel, participants discussed and formulated recommendations with regard to addressing the root causes and consequences of statelessness and preventing statelessness through a human rights approach. They discussed the role of combating all forms of discrimination against minorities as both a root cause and a consequence of statelessness.

14. During the second panel, participants addressed statelessness arising from conflicts, forced population movements and migration affecting minorities and aimed to suggest solutions to the main challenges in that regard. The participants raised the issue of uprooting

caused by conflict, forced displacement and migration, which can also, *inter alia*, result in family separation, loss of identity documentation and prolonged exile from the place of origin.

15. During the third panel discussion, participants raised the issue of ensuring the right to a nationality for persons belonging to minorities through facilitation of birth registration, naturalization and citizenship for stateless minorities. Participants emphasized the importance of fair and effective legislative and administrative measures which would ensure the enjoyment of the right to a nationality for all without discrimination or arbitrary barriers.

16. The fourth panel discussion addressed the situation of minority women and children affected by statelessness and the importance of advancing gender equality in nationality laws. The participants pointed out the multiple and intersecting forms of discrimination that women and children face both because of their status as women and children and as a result of their statelessness, as well as the continuing existence of legislation in some countries preventing women from passing their citizenship to their children.

B. General recommendations

17. **States should ratify, accede to and adhere to all international and regional human rights instruments that protect and promote the rights of minorities and those aiming to combat statelessness.**

18. **States should ensure full implementation of international human rights instruments, including, in particular, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and should take steps to incorporate them in national legislation.**

19. **States should take legislative, administrative and policy measures aimed at eliminating statelessness affecting minorities by, *inter alia*, adopting anti-discrimination legislation addressing birth registration and a fair, facilitated and transparent procedure for accessing identity and other documentation necessary to acquire a nationality and citizenship for persons belonging to minorities.**

20. **All States, international organizations, non-governmental organizations, civil society and other entities working on the rights of minorities should make efforts to collect disaggregated data to inform policymakers about statelessness of minorities with the aim of addressing the issue in the most comprehensive manner.**

21. **States are encouraged to increase international and regional cooperation on combating the issue of statelessness and promotion of the rights of persons belonging to minorities and share best practices and effective strategies in this regard.**

22. **States and the United Nations are encouraged to designate an international day on the elimination of statelessness with the aim of raising further awareness, *inter alia*, on the importance of combating statelessness through the promotion and protection of the rights of persons belonging to minorities.**

23. **States, national human rights institutions and civil society representatives are encouraged to use the United Nations human rights mechanisms, including the Human Rights Council, the universal periodic review, treaty bodies and other appropriate forums to raise the issue of statelessness and minority rights, provide recommendations and call for action to eliminate statelessness.**

24. **National human rights institutions should take measures to address situations of statelessness of minorities and take action to combat statelessness in their respective countries.**

25. **States should refer to minority rights and statelessness affecting minorities when developing and adopting relevant resolutions, policies, guidelines and other tools.**

26. **States should create a safe and enabling environment for civil society representatives working on minority issues to monitor the implementation of States' obligations towards ensuring the right to a nationality for stateless minorities.**

III. Recommendations to eliminate root causes and consequences of statelessness affecting minorities and preventing statelessness through a human rights approach

A. Discussion

27. The discussion was moderated by John Packer (Canada), Neuberger-Jesin Professor of International Conflict Resolution at the Faculty of Law and Director of the Human Rights Research and Education Centre, University of Ottawa. Presentations on the topic under discussion were made by Amal de Chickera (Sri Lanka), Co-Founder and Co-Director of the Institute on Statelessness and Inclusion; Diana Gichengo (Kenya), Identity and Inclusion Programme Manager at the Kenya Human Rights Commission; and Olena Vaidalovych (Ukraine), Coordinator of the Youth Initiative Group at the charitable organization Roma Women Fund “Chiricli”.

28. The panellists addressed issues of discrimination, exclusion and marginalization of minorities as root causes of their statelessness. They identified discrimination on the basis of race, ethnicity, religion and language as a root cause of statelessness. It was recalled that such discrimination was often justified by legislative, administrative and technical requirements to acquire a nationality or the absence of any safeguards against arbitrary deprivation of nationality. Consequently, discrimination prohibited minorities from accessing birth registration and national identity documentation to prove their existence, and often served as the cause for arbitrary and discriminatory deprivation of nationality.

29. The participants identified dissolution of States and the requirement to register as citizens of newly formed countries as well as displacement as reasons for statelessness among minorities. The panellists spoke about the violation of fundamental rights and freedoms faced by minorities as a result of statelessness, including accessing health-care services, education and employment, among others. The need to challenge the perceived tension between State sovereignty and the right to a nationality in relation to the determination of the entitlement to the right was also discussed.

30. Panellists suggested that international human rights law and instruments addressing the rights of persons belonging to minorities and the right to a nationality be effectively implemented. The inclusion of minorities and minority organizations in policymaking was essential. The panellists placed particular emphasis and importance on ensuring access to birth registration and identification documents.

31. Participants discussed the role of discrimination, persecution, isolation and marginalization of minorities as causes of statelessness and the need to combat them. Lack of respect for human rights and impunity for human rights violations were among the problems to be tackled. The need to combat deep-rooted stereotypes and to ensure the inclusion and integration of all communities, without discrimination on any ground, including migratory status, was also mentioned. Importance was also attached to the elimination of discriminatory citizenship laws and requirements and ensuring access to birth registration and identity documentation.

32. The need for law and policy reform was emphasized, as was the need to accede to international and regional instruments addressing the issue of statelessness and the rights of persons belonging to minorities and their implementation at the national level. The participants cited examples of how statelessness violated human rights and dignity.

33. Participants highlighted that ensuring the right to a nationality at birth was a way to tackle the issue. Reference was made to the Sustainable Development Goals, in particular target 16.9 to provide legal identity for all.

34. Reference was also made to the Convention on the Rights of the Child and other instruments specifically referring to the right to a nationality and, therefore, State responsibility to respect those instruments and their obligations thereto.

B. Recommendations

Eliminating all forms of discrimination

35. States should take legislative and policy measures to combat discrimination against minorities and ensure equal access to human rights and fundamental freedoms, including the right to a nationality for all without any form of discrimination.
36. States should combat discrimination against minorities through education and awareness-raising activities. Civil society representatives can also play an important role in this regard.
37. States should ensure that birth registration, civil registration and national identification documents are provided without discrimination on any ground, in particular race, ethnicity, religion and language. Multiple forms of discrimination, including on the basis of gender or disability, should also be addressed by recognizing the cumulative and aggravated impact of discrimination on several grounds.
38. States should ensure the implementation of the Sustainable Development Goals without any form of discrimination against minorities and stateless people, and in particular target 16.9 to provide legal identity for all.
39. States and the international community are encouraged to establish a global programme of action on the implementation of the Sustainable Development Goals for minorities, in particular target 16.9.
40. States should ensure that human rights protection applies to stateless minorities, regardless of their legal status and even before they obtain a nationality, as human rights are universal and apply to everyone, regardless of their nationality status.
41. States should include minorities, including stateless minorities, their representatives and organizations in decision-making processes affecting them and strategies and action plans to combat and prevent statelessness. These decisions should be made and steps taken in consultation with and with the participation of minorities.
42. States should consider adopting national action plans to combat statelessness of minorities that should, inter alia, include provisions to eliminate the root causes of statelessness such as racial discrimination, hate propaganda, intolerance and stigmatization.

Access to justice

43. States should ensure that all instances of discrimination, hate crime, violence, abuse and persecution of stateless minorities and the defenders of their rights are properly investigated and punished.
44. States should ensure that stateless minorities have access to justice and remedy for human rights violations and that stateless minorities can appeal to relevant judicial and administrative bodies in case of denial or deprivation of nationality.
45. States should ensure that judicial and administrative institutions view such cases in a transparent and fair manner, with no prejudice or discrimination on the grounds of the nationality, ethnicity, religion or language of stateless minorities.

IV. Recommendations to address the main challenges of statelessness arising from conflicts, forced population movements and migration affecting minorities and to find possible solutions

A. Discussion

46. The panel was moderated by Joshua Castellano (India), Executive Director of Minority Rights Group International, and presentations on the topic were made by Shahrzad Tadjbakhsh, Deputy Director of the Division of International Protection at UNHCR; Wai Wai Nu (Myanmar), Director of Women's Peace Network; and P.P. Sivapragasam (Sri Lanka), President of the Human Development Organization.

47. It was noted that minority groups tend to be disproportionately represented in situations of statelessness in the context of conflict, forced displacement and migration, as they are usually the ones who bear the brunt of the discrimination, marginalization and denial of basic rights that accompany the condition of being stateless.

48. The panellists highlighted that statelessness could equally be both a root cause and a consequence of conflict, forced displacement and migration. What unites the theme of statelessness as a potential consequence of conflict, forced displacement and migration is that all these phenomena often have the effect of uprooting a person from the place where they were born or had lived most of their lives and placing them in a situation where they become "outsiders", or at least are perceived as such.

49. It was noted that for those who belong to minority communities, the "outsider" status can be reinforced because of their faith, their language, their customs, or the colour of their skin. This can result in family separation and loss of identity documentation, making it more difficult for minorities to prove their nationality or entitlement to it.

50. Reference was made to repressive laws that resulted in some of the most horrific crimes in the history of humankind. Such laws "justifying" denial or arbitrary deprivation of nationality could trigger violence, mass atrocities and displacement, forced migration and deportations, and even the destruction of entire groups and communities.

51. The panellists highlighted the important role of international organizations and civil society organizations in fostering reconciliation and combating discrimination against minorities in situations of conflict. Reference was also made to the UNHCR "I Belong" global campaign to end statelessness by 2024, and its thematic focus in the past two years on stateless minorities.

52. Participants reaffirmed the statements by panellists emphasizing that discrimination and hate propaganda against minorities created tensions in countries which could lead to conflicts, forced deportations and migration. Minorities were particularly vulnerable and marginalized in those situations and prone to situations of statelessness.

53. Participants also highlighted the important role of the United Nations in preventing mass atrocities, including genocide, which, in turn, could have an impact on preventing and combating statelessness. In that context, they highlighted the importance of cooperation between United Nations bodies addressing peace and security, human rights and refugees and stateless people.

54. Participants also attached great importance to the facilitation and enabling of voluntary return and repatriation of minorities who had been forced to leave their homes. In situations where that might not be possible, the States where they resided were encouraged to facilitate the provision of legal identity, registration and naturalization of minorities.

B. Recommendations

Prevention of statelessness arising from conflicts, forced displacement and migration

55. States should prevent conflicts by promoting and protecting the rights of persons belonging to minorities. States should promote tolerance and support diversity and inclusion of minorities. States should include these concepts in human rights education and school curricula to prevent discrimination and combat stereotypes against minorities through education starting at an early age.

56. States should step up efforts to resolve existing protracted situations of statelessness which are left unaddressed and could lead to conflict and forced displacement.

57. States should combat hate propaganda and discrimination against minorities. All cases of hate crime, persecution and violence against minorities should be properly investigated and perpetrators should be punished.

58. States should identify and protect stateless minorities in a migratory context through the establishment of statelessness determination procedures that allow stateless persons to access basic rights.

59. States should refrain from arbitrary and discriminatory denial or deprivation of nationality of minorities, in line with international standards prohibiting the arbitrary deprivation of nationality and prohibiting discrimination on any ground. States should consider incorporating the prohibition of arbitrary and discriminatory denial or deprivation of nationality into their domestic legislation, as well as ensure that there is an effective remedy to address such cases.

60. States should take measures to ensure documentation and citizenship rights for minorities in the context of conflict, displacement and forced migration.

61. States are encouraged to set up national minority rights bodies and/or mechanisms tasked, among other things, to eliminate discriminatory practices and hate propaganda against minorities and to address statelessness of minorities, in particular in situations of conflict, displacement and migration.

Possible solutions and redress

62. States should take active measures to address the situations of statelessness affecting minorities in situations of conflict and displacement and reform discriminatory citizenship laws.

63. States should include the affected minority communities in addressing statelessness of minorities and take necessary actions in consultation with the representatives of affected minorities.

64. States, the United Nations and the international community should step up efforts to combat racism, xenophobia and intolerance, which often are underlying factors for conflicts and ethnic tensions and can lead to situations of statelessness.

65. States, the United Nations and the international community should step up efforts to address systematic and ongoing situations of persecution, exclusion and marginalization of minorities.

66. States, the United Nations and civil society should continue to work together for the inclusion of minorities in the realization of the UNHCR “I Belong” global campaign to end statelessness by 2024.

67. Civil society organizations should continue their important functions as public watchdogs and raise awareness about human rights violations of minorities during conflicts, forced population movements and migration with the aim of combating such situations.

V. Recommendations to ensure the right to a nationality for persons belonging to minorities through facilitation of birth registration, naturalization and citizenship for stateless minorities

A. Discussion

68. The panel discussion was moderated by Amal de Chickera (Sri Lanka), Co-Founder and Co-Director of the Institute on Statelessness and Inclusion, and presentations were made by Elizabete Krivcova (Latvia), Member of the Board of the Latvian Non-Citizen's Congress; Khalid Hussain (Bangladesh), Chief Executive of the Council of Minorities; and Beneco Enecia (Dominican Republic), Director of the Center for Sustainable Development.

69. The panellists shared their experiences in ensuring the right to a nationality for minorities in their respective countries and made recommendations based on those experiences. They reaffirmed the fact that statelessness is often the result of human rights violations, leaving minorities socially, culturally and economically subject to marginalization and exclusion. Although stateless persons may enjoy certain rights in some countries, they are nevertheless still stigmatized and lack access to many important services and rights. Such situations should not be viewed as justified.

70. In their presentations, panellists emphasized the importance of using all available judicial, legal and administrative measures at the national, regional and international levels to fight to ensure the right to a nationality for stateless minorities, without discrimination. Panellists made reference to article 7 of the Convention on the Rights of the Child and target 16.9 of the Sustainable Development Goals, calling on States and other stakeholders to be guided by them when addressing statelessness of minorities.

71. Participants stated that it was essential for everyone to have access to the right to a nationality through, inter alia, access to civil documentation such as birth certificates, national identity cards and passports. Participants reaffirmed that the absence of such documentation often hindered the full realization of essential civil, political, economic, social and cultural rights of minorities. Stateless minorities could in some cases be deprived of the opportunity to marry and form a family, education and employment opportunities, as well as access to basic social services.

72. Participants also highlighted the importance of acceding to the 1954 Convention Relating to the Status of Stateless Persons, which sets out a number of rights to which stateless persons are entitled, and the 1961 Convention on the Reduction of Statelessness, which provides a set of tools for eradicating statelessness. Participants and panellists also suggested the creation of a mandate of special rapporteur on the right to a nationality.

B. Recommendations

Legal and administrative framework

73. **States should comply with their international human rights obligations and ensure the right to a nationality for all minorities without any form of discrimination.**

74. **States should ratify or accede to the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and ensure their full implementation for everyone, particularly minorities.**

75. **States should ratify or accede to the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities as well as all other relevant international and regional human rights instruments, and ensure the implementation of the provisions relating to the right to a nationality therein. This also implies removing any reservations pertaining to those provisions.**

76. States should provide necessary civil registration documentation, such as birth certificates, legal identity documents and passports, to minorities and facilitate their naturalization process. States should refrain from imposing arbitrary barriers and procedural requirements for naturalization or issuance of civic documentation that may put people at risk of statelessness.

77. States should protect the rights of lawyers and human rights defenders working to ensure the right to a nationality of minorities, and adequately investigate and provide redress in cases of reprisals or intimidation against them.

International engagement and cooperation

78. States are encouraged to establish an international mechanism/mandate for ensuring the right to a nationality, which will also be mandated to pay particular attention to the implementation of the rights of persons belonging to minorities.

79. States are urged to share best practices and deliver pledges in relevant international forums to take steps to end statelessness through law and policy reform, accession to treaties and other key steps, with particular reference to the promotion and protection of the rights of persons belonging to minorities, including at the World Conference on Statelessness and Inclusion to be held in June 2019 and the UNHCR high-level event on statelessness to be held in October 2019.

80. States, in cooperation with the United Nations, civil society organizations and other stakeholders, should make efforts to identify stateless minorities and adopt comprehensive legal, administrative and policy measures to ensure their right to a nationality. States are encouraged to draw on the technical expertise of the United Nations and civil society on statelessness, the right to a nationality and the rights of persons belonging to minorities when developing such laws and policies.

81. States should revise and reform their existing citizenship/nationality laws in consultation with United Nations bodies and agencies, civil society organizations and representatives of minorities to make sure that the nationality rights of everyone are protected, especially for the minorities at risk of statelessness.

82. Where States fail to comply with their international human rights obligations, minorities and civil society organizations are encouraged to use national judicial and administrative bodies to remedy the situation, as well as, if necessary, regional and international bodies.

VI. Recommendations on addressing statelessness affecting minority women and children and advancing gender equality in nationality laws

A. Discussion

83. The panel was moderated by Anastasia Crickley (Ireland), Vice-President of the International Association for Community Development and former Chair of the Committee on the Elimination of Racial Discrimination. Presentations were made by Benyam Dawit Mezmur (Ethiopia), member of the Committee on the Rights of the Child; Noro Ravaozanany (Madagascar), President of the Focus Development Association; and Nina Murray (United Kingdom of Great Britain and Northern Ireland), Head of Policy and Research at the European Network on Statelessness.

84. The panellists commended women from minority communities for their courage and commitment in addressing many human rights issues affecting minorities, including statelessness. They noted that although statelessness is a minority issue, it is also a child's rights issue, as statelessness can have a lifelong negative – and intergenerational – impact on children. The violation of the right of the child to a nationality often starts before a child is even born.

85. It was pointed out that in some countries women are still not able to confer their nationality upon their children, which further aggravates the situation and in some instances increases cases of statelessness. The necessity of advancing gender equality in nationality laws was therefore emphasized. That should take place by first recognizing that provisions in nationality laws that directly discriminate against women are one of the main causes of statelessness and that it is necessary to eliminate them. It was recalled that the Convention on the Elimination of All Forms of Discrimination against Women explicitly requires States to grant equal nationality rights to women and men and that article 7 of the Convention of the Rights of the Child reaffirms the child's right to a nationality.

86. Nevertheless, it was necessary to take the debate beyond explicit legal discrimination to understand the subtler forms of indirect discrimination in the way seemingly neutral laws were implemented in practice. Panellists stressed the multiple and intersecting disadvantages faced by stateless minority women and children. They highlighted the importance of having disaggregated data on statelessness based on age and gender.

87. Participants also emphasized that stateless minority children were specifically affected by marginalization and faced education barriers, especially those who did not speak the official language of the country. Stateless children also faced marginalization and difficulties in accessing basic human rights due to their status as children and statelessness. Participants stressed the importance of immediate naturalization of children born to stateless parents.

B. Recommendations

Addressing statelessness affecting children

88. **States should register all children and issue birth certificates immediately after birth. States should grant nationality to all children born on their territory if the child would otherwise be stateless, regardless of the immigration status of the parents.**

89. **States should ensure that stateless children facing language barriers can access education without discrimination.**

90. **States should ensure full compliance with the Convention on the Rights of the Child, in particular its article 7, and remove all reservations to it.**

91. **States should ensure that stateless children with disabilities enjoy the same rights to birth registration, naturalization and citizenship as all other children.**

92. **States should collect disaggregated data on stateless children with the aim of ending their statelessness as well as prevent any abuse or exploitation of stateless children because of their statelessness and exaggerated vulnerability.**

Addressing statelessness through promoting gender equality

93. **States should ratify or accede to the Convention on the Elimination of All Forms of Discrimination against Women and remove any reservations to it, in particular its article 9. States should ensure that women enjoy equal rights with men to acquire, change or retain their nationality as well as equal rights with men with respect to conferring their nationality upon their children.**

94. **States should combat discrimination against women in practice, with particular emphasis on and steps addressing the aggravating effect of such discrimination for stateless minority women and their right to a nationality.**

95. **States should also recognize and effectively address the multiple and intersecting forms of discrimination faced by stateless minority women in accessing human rights, in particular in accessing sexual and reproductive health and rights, as well as access to a remedy in case of violence and abuse.**

96. States should collect, in cooperation with the United Nations and civil society, gender-disaggregated data and step up their efforts to eliminate statelessness of minority women.

97. States should include stateless minority women in decision-making affecting them and their communities when designing laws and policies to combat statelessness.
