



NEPAL

TOGETHER WE CAN

THE COVID-19 IMPACT ON STATELESS PEOPLE & A ROADMAP FOR CHANGE

INTRODUCTION

The COVID-19 pandemic and state responses to it have had a significant negative impact on the lives, wellbeing, and rights of the approximately 15 million stateless people around the world who have been denied a nationality, as well as tens of millions whose nationality is at risk. Globally, the devastating impacts of exclusion and denial of fundamental rights, including healthcare, during the pandemic relate to much deeper structural problems – the historic and systemic exclusion, deprivation and marginalisation of communities that have been made stateless as part of wider discriminatory political acts, or pursuant to dominant, discriminatory ideologies. COVID-19 has shone a light on these challenges and also presents a unique opportunity to raise visibility, address the structural causes of statelessness, and secure lasting change, through working directly with stateless people and being accountable to them. The same is true for **Nepal**, where the pandemic has further brought to light the acute human rights deprivations endured by the stateless community in Nepal predominantly affected by gender discriminatory nationality laws.



This publication is an extract of the global report, **Together We Can: The COVID-19 Impact on Stateless People & a Roadmap for Change**,¹ published in June 2021 by the COVID-19 Emergency Statelessness Fund (CESF) Consortium,²

a global consortium of NGOs and citizenship rights activists, initiated by the Institute on Statelessness and Inclusion (ISI) in June 2020 to respond to the impact of COVID-19 on stateless populations. It focuses on the situation in **Nepal**, by presenting the Nepal chapter of the global report, along with the **key thematic findings** and a practical 3-step

Roadmap for Change, which provides a framework for resolving and addressing the structural discrimination and exclusion of stateless people, during times of COVID-19 and beyond.

The **Together We Can** global report is grounded in the experiences and expertise of Consortium members drawing on a mix of desk research and findings from research-based action advocacy projects being implemented by CESF consortium members in 13 countries. In addition to documenting challenges, the report identifies emerging positive practice and concrete examples from the CESF project countries. It also draws on information from other countries, solicited through an open call for information which ISI shared with partners, regular tracking of news and information on COVID-19 and statelessness by the ISI team, as published in ISI Monthly Bulletins,³ interviews and conversations with relevant partners, and dedicated desk-based research conducted for this report. All desk research reflects public information available at the time of writing. While we have made efforts to verify the ongoing nature of practices identified, this was not always possible, and we welcome any updates or corrections from relevant stakeholders. All information is up to date as of 25 May 2021.

ACRONYMS

CAPN – Citizenship Affected Persons Network
CESF – COVID-19 Emergency Statelessness Fund
CDO – Civil Documentation Offices
COVID-19 – Corona Virus Disease 2019

INJUSTICE, INEQUALITY, AND EXCLUSION DRIVE AND PERPETUATE THE MARGINALISATION OF VULNERABLE AND STIGMATISED POPULATIONS, INCLUDING STATELESS COMMUNITIES. THESE FACTORS HAVE LED TO DEVASTATING CONSEQUENCES DURING THE COVID-19 PANDEMIC, AS STATELESS PEOPLE, THE MAJORITY OF WHOM LIVE IN POVERTY, ARE FORCED TO WORK IN UNSAFE ENVIRONMENTS WITHOUT ACCESS TO HEALTH CARE, TESTING OR VACCINES. ALL OF US IN THE PUBLIC HEALTH AND HUMAN RIGHTS COMMUNITY HAVE A DUTY TO PROTECT THE RIGHT TO HEALTH CARE FOR ALL POPULATIONS, IRRESPECTIVE OF THEIR CITIZENSHIP OR IMMIGRATION STATUS. THUS, IT IS CRUCIAL THAT WE UNDERSTAND AND RESPOND TO THE WAYS IN WHICH THE PANDEMIC HAS AGGRAVATED THE ALREADY GRAVE STATELESSNESS CRISIS. THIS REPORT AND ROADMAP PROVIDE AN EXCELLENT GUIDE TO MORE INCLUSIVE APPROACHES TO ADDRESSING THE CRISIS INCUMBENT ON MULTIPLE STAKEHOLDERS, AND THEY ARE AN IMPORTANT STARTING POINT FOR ALL HEALTH AND HUMAN RIGHTS ACTORS DEDICATED TO AN EQUITABLE, INCLUSIVE, AND EFFECTIVE RESPONSE TO THE PANDEMIC.

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NEPAL

Due to **gender discriminatory** nationality laws, a patriarchal social structure and low birth registration rates, Nepal may have one of the largest stateless populations in the world.⁵ Hundreds of thousands of persons who should be recognised as Nepali citizens, have no legal identity or status. Without status, Nepal's 'non-citizens' face disadvantage, exclusion and **discrimination** throughout their lives, forced to live in the margins of society. They cannot own or inherit land, travel freely, study, practice certain professions, open a bank account or even get a sim card.⁶ Although there are no up-to-date and accurate statistics of statelessness in the country, the scale of the issue remains significant, with no significant progress being made to address it.⁷ In Nepal it is projected that around 6.7 million people do not have citizenship certificates, of which, an unconfirmed number of the population are actually stateless.⁸

Statelessness and the risk of statelessness is caused and exacerbated by Nepal's gender-discriminatory Constitutional provisions and the Citizenship Act of 2063 (2006).⁹ The Act was recently amended through an ordinance that has neither expanded nor restricted the constitutional provisions.¹⁰ The law denies Nepali women equal rights in conferring nationality to their children. The Constitution of Nepal¹¹ states that a child born in Nepal to a Nepali mother whose father cannot be traced, can acquire citizenship by descent, however if it is later determined that the father is a foreigner, the child will lose their citizenship by descent and must become a naturalised citizen. The legal procedure requires the Nepali mother to submit a self-declaration stating that the father of the child cannot be traced and is not a foreigner. If the statement is later found to be untrue, the nationality of the child is cancelled. Additionally, street children and other foundlings who are not raised in an orphanage do not have legal means to apply for nationality and are stateless.

Statelessness is also a product of the xenophobic attitudes of the government officials and the jingoistic political agendas of the central political parties. The Madheshi community and in particular the Madheshi Dalits are most affected by this as they have the least access to citizenship certificates.¹² As Nepal shares an open border with India and there is a culture of cross-border marriage, there are a number of children born to such mixed nationality marriages who are at risk of statelessness because of the chauvinistic bureaucracy which is dominated by the hilly ethnic groups.

Other groups who are stateless or are at risk of statelessness include the 'Lhotshamps' who were deprived of their Bhutanese nationality and displaced from Bhutan to Nepal during the 1990s. The total number of displaced Lhotshamps is over 100,000; 19,573 of whom still reside in refugee camps in Nepal. Descendants of Tibetans exiled from Tibet in the 1950s are also at risk. Despite many being born in Nepal, they are still at risk of statelessness.¹³

The COVID-19 pandemic and subsequent lockdown policies have had a negative impact on the livelihood of those who are stateless and at risk of statelessness in Nepal, exacerbating their pre-existing vulnerabilities as a result of their lack of nationality.

"The statelessness issue is a very pressing issue even without the pandemic. This pandemic has hit us in two ways. First, we are stuck and have not been able to do any substantial lobbying at the policy making level. Second, it has hit us hard and caused a crisis of survival. The stateless have been pushed further into marginalisation. Survival has become a priority and has affected citizenship-less people at every angle."

*CAPN Founder,
Deepti Gurung*

RIGHT TO NATIONALITY, DOCUMENTATION AND LEGAL STATUS

During the first lockdown (24 March to 21 July 2020), CDOs were closed, causing delays to citizenship application processes. Those with applications pending were further unable to reach out to government offices to follow-up on their cases.¹⁴ Following the lockdown, civil documentation and other government offices reopened. During this time, people were able to register for citizenship certificates. This however was short lived – as the second wave of pandemic hit Nepal, all the government offices closed again.

"Due to lockdown CDO offices are closed. I would have started my master's degree after getting citizenship and had plans to find a job. At this time of pandemic and lockdown, nothing can be done to pressure government regarding citizenship and waiting for things to get normal and stay at home doing nothing about my problems is actually very stressful. I wish the lockdown ends soon so that I can continue the procedures for the citizenship."¹⁵

*CAPN Field Study Respondent,
Bikash Mandal, 22*

RIGHT TO HEALTH

Private healthcare in Nepal is available to those who are able to afford it. Those with citizenship issues tend to work in the informal economy and earn daily wages. Access to healthcare is therefore often limited as the financial cost is a barrier. Government hospitals are offering free healthcare for pandemic related treatment, however due to the rates of infection the hospitals are unable to cope with the number of people requiring care. Officially, proof of citizenship is not mandatory to receive vaccinations in Nepal. Any form of ID is acceptable and in situations where an individual has nothing to provide i.e., they

THIS CHAPTER LOOKS MORE CLOSELY AT **RIGHT TO NATIONALITY, DOCUMENTATION AND LEGAL STATUS; RIGHT TO HEALTH AND SOCIO-ECONOMIC RIGHTS,**⁴ AND MAKES THE FOLLOWING **CALL TO ACTION** TO THE GOVERNMENT AND OTHER RELEVANT STAKEHOLDERS:

ENSURE EQUAL ACCESS TO FOOD AND ALL OTHER RELIEF MEASURES FOR THOSE WORKING IN THE INFORMAL ECONOMY AND THOSE WHO HAVE LOST THEIR INCOME DUE TO COVID-19.

ENSURE EQUAL AND FREE ACCESS TO HEALTHCARE AND MENTAL HEALTHCARE SERVICES FOR STATELESS PEOPLE, THOSE AT RISK OF STATELESSNESS AND OTHER MINORITIES, INCLUDING BY ALLOCATING ADEQUATE SPACE IN GOVERNMENT HOSPITALS TO THOSE WHO CANNOT AFFORD PRIVATE HEALTHCARE.

IMMEDIATELY REMOVE IDENTIFICATION REQUIREMENTS AND ASSOCIATED FEES TO RECEIVE COVID-19 AND NON-COVID-19 HEALTHCARE IN GOVERNMENT HOSPITALS, INCLUDING COVID-19 TESTING AND VACCINES.

AMEND ARTICLES 11(3), 11(5) AND 11(7) OF THE NEPALI CONSTITUTION TO REMOVE GENDER DISCRIMINATORY PROVISIONS AND ENSURE WOMEN CAN CONFER CITIZENSHIP TO THEIR CHILDREN AND SPOUSES ON AN EQUAL BASIS AS MEN.

IMMEDIATELY AMEND THE 2006 NEPALI CITIZENSHIP ACT TO ELIMINATE ALL GENDER DISCRIMINATORY PROVISIONS AND BRING IT INTO COMPLIANCE WITH INTERNATIONAL STANDARDS.

do not have a workplace ID or a school ID, they can be issued a letter from a Ward Office with a simple directive that they can receive a vaccination. The acquisition of this letter from a Ward Office does not require documentation. Despite this however, people are still being asked to present their citizenship certificates and Ward Offices are working at a limited capacity due to lockdowns, especially during the second wave. This has increased the difficulty for stateless persons and those without documentation to receive these letters from the Ward Offices, affecting their access to vaccinations.

Mental Health: The COVID-19 pandemic and lockdown are helpful tools to explain statelessness to those who do not understand or cannot comprehend the experiences of stateless persons. During lockdown, Nepali citizens are facing discomforts and restrictions, which have led to many people developing serious mental health issues that demand professional intervention; stateless people live in a state of perpetual lockdown with very limited (if any) access to equal rights and opportunities. The innumerable restrictions faced by stateless people throughout their lives (which extend past the parameters of the COVID-19 lockdowns) have resulted in mental health issues that have never been addressed, with prominence given to the legal aspect only. There has always existed an immense need to provide mental well-being services alongside legal services to those without citizenship certificates, but now, in the context of COVID-19 and in the context of lockdowns being lifted and restrictions eased, it is essential to provide referral services to those in need. Further, the continual delay of the proposed amendments to the Citizenship Act has led to increased stress and pressure on individuals with uncertain legal status due to the uncertainty of the incorporation of effective legal remedies into national legislation, which they hope, will increase their chances of acquiring citizenship.¹⁶

SOCIO-ECONOMIC RIGHTS

Exclusion from Emergency Relief: Following the national lockdown imposed by the government in March 2020, the government made it mandatory for Nepalis to produce citizenship certificates in order to receive state relief packages, thereby excluding stateless persons from this relief. The impact on stateless persons was drastic and compounded by the adverse psychological impact of being ignored by their own government during a national emergency and global crisis. In response to this exclusion, Nepalese civil society litigation resulted in the Supreme Court of Nepal issuing an interim order to the government to grant relief regardless of citizenship or documentation. The court referred to the *“right to live with dignity of every person”* and stated that *“there is no doubt relief should be provided without discrimination.”* Despite this ruling, those without citizenship in Nepal continue to be largely excluded from relief and it is unclear to what extent the order is being adhered to.¹⁷ There have been no recent government announcements regarding the distribution of relief packages.

STATELESSNESS AND THE RIGHT TO NATIONALITY IN NEPAL

The Constitution of Nepal¹⁸ and the 2006 Nepal Citizenship Act¹⁹ are the relevant laws regarding citizenship. Citizenship can be obtained through

birth or naturalisation. Article 10 of the Constitution recognises the right to citizenship as a fundamental right and states that no one *“shall be denied the right to acquire citizenship.”* Article 11(2) regulates who shall be deemed citizens of Nepal. It includes those *“who have their permanent domicile in Nepal”* and *“whose father or mother was a citizen of Nepal at the birth of such person”* as citizens by descent. However, Article 11(3) of the Constitution confirms that children whose parents are *both* citizens are eligible to apply for citizenship by descent after becoming an adult. This limits the ability of women to confer citizenship independently. Secondly, Article 11(5) stipulates that children born in Nepal to Nepali mothers may acquire citizenship by descent if their fathers cannot be traced, but if later the father is confirmed as a foreign citizen, the citizenship of children will change to naturalised. This rule does not apply to children of Nepali fathers, which means their nationality will not change depending on the mother’s

nationality. Thirdly, Article 3(1) of the 2006 Citizenship Act provides similar rights as Article 11(2) of the Constitution, however, Article 3(2) and Article 5(2) deem that children born *“out of wedlock by a Nepali female to a foreign national”* can only acquire citizenship through naturalisation, with extra criteria and a procedure to be followed. On 21 May 2021, an ordinance amending the 2006 Nepal Citizenship Act was passed. The ordinance offers nothing new and simply amends certain provisions in the Act to make it consistent with Article 11(3) and (5) of the Constitution. The passing of the Bill however means that children of Nepali mothers born in Nepal whose fathers cannot be traced can finally apply for Nepali citizenship. Without the amendment in the Act, this provision was limited to the constitution and the procedures were not laid down. The Act now stipulates that if the child and the mother present a self-declaration stating that the father cannot be traced, they will be able to acquire Nepali citizenship by descent.

THE CESF CONSORTIUM PROJECT

Following an extensive research phase, this project carried out by CAPN aims to respond to the impacts of COVID-19 on stateless people in Nepal and spread awareness about statelessness among the public. To achieve this, CAPN is creating an audio-visual podcast series to engage in dialogue about how COVID-19 is impacting stateless people, while simultaneously raising awareness about statelessness and spreading accurate information about COVID-19. CAPN has also created a phonenumber offering a referral service that provides users with guidance and support on mental wellbeing, as well as legal advice and support. The project is designing several tools to raise awareness, including a programme on Nepal’s national radio FM station and social media accounts to expand outreach across national and global audiences. To boost further advocacy, a research report will be published and shared with relevant stakeholders in a strategic advocacy push for change.

The project is implemented by CAPN. Formed in 2015 by individuals severely affected by the discriminatory nationality law, CAPN was established prior to the promulgation of the new Constitution of Nepal in order to give a voice to affected people, facilitate dialogue, and lobby for equal citizenship rights. Over 1800 affected persons currently belong to CAPN, through which they find powerful ways to advocate for equal citizenship rights and the eradication of statelessness.

Impact

When COVID-19 first hit, CAPN initially distributed humanitarian relief to 40 Musahar²⁰ families. Following this they carried out similar relief activities for a further 40 people including 2 post-natal cases. In the initial stages of their project, CAPN researched the impact of COVID-19 on stateless communities in Kathmandu, Pokhara and the Terai regions and the adverse effects on mental health as a result of being left out of government relief initiatives, through interviews and surveys. This research helps bridge a gap between Nepali citizens and the stateless regarding issues of equal citizenship laws and also enabled CAPN to identify and address the practical issues faced by stateless people, such as their mental health and legal needs. This in turn, has shaped follow up activities described above. Seven individuals with citizenship issues have reached out to CAPN for support. Due to the pandemic, pursuing legal action is not currently an easy avenue so the CAPN team provided direct support and three of the clients have been referred to the Forum for Women Law and Development for legal advice. As soon as court resumes two of these clients’ written petitions are ready to be filed in court.

KEY GLOBAL THEMATIC FINDINGS

Many of the above findings on Nepal, also resonate at the global level. As the **Together We Can report** sets out, denial of the **right to nationality, documentation and legal status** as well as **inequality and discrimination** represent the main structural challenges impacting stateless people in a cyclical and intergenerational way. The other three thematic issues addressed in the global report - **right to health, socioeconomic rights** and **civil and political rights** - relate to some of the main rights deprivations stateless people endure, exacerbated by the pandemic. These challenges are interrelated and mutually reinforcing, heightening the cost of statelessness, generating new risks of statelessness and stifling efforts to promote the right to nationality and the rights of stateless people.

THE RIGHT TO HEALTH:

The right to health should have universal application regardless of race, religion, legal status or other criteria. A year into the pandemic however, healthcare related challenges faced by stateless people have only heightened. The cost of healthcare continues to be an insurmountable hurdle for many stateless people who are excluded from healthcare plans, subsidies, insurance schemes and free healthcare. The lack of documentation has further prevented access to healthcare, while fear of arrest, detention and harassment by police or officials has also cultivated a culture of fear around accessing healthcare for stateless and undocumented people. The inability to carry out effective preventative measures including social distancing and wearing PPE, as well as lack of access to sanitation and hygiene products and facilities due to living and working conditions, also places stateless communities at great risk. The mental health impacts of lockdowns, loss of livelihoods, exposure to health risks and starvation and exclusion from state relief measures, are also significant. There is an urgent need to ensure inclusivity in the roll out of COVID-19 vaccines, rising above

vaccine nationalism. Unfortunately, we are already seeing a 'citizens first' approach to vaccine distribution and worrying initiatives including vaccine passports which would further exclude stateless people.

SOCIO-ECONOMIC RIGHTS:

When the pandemic took hold in early 2020, state responses prioritised citizens to the exclusion and detriment of migrants, refugees and stateless people. Over a year into the crisis, there has been hardly any shift in the approach to social and economic support by states and other actors. There has been a significant impact on **employment and income** and consequently the **loss of livelihoods** amongst the stateless and those at risk of statelessness. Jobs are mainly found in the informal sector which have been brought to a standstill with the implementation of lockdowns and curfews. There are further **barriers to education** during lockdowns due to the nature of online classes and the need for access to equipment and the internet.

CIVIL AND POLITICAL RIGHTS:

In order to address the threat to public health, most States have implemented restrictions which limit civil and political rights. Some states have also introduced more permanent restrictions. Stateless communities and those whose nationality is at risk face ongoing restrictions and rights violations which, due to pre-existing conditions, have a disproportionately devastating impact. **Arbitrary detention, the risk of arrest and fear of harassment** by officials has impacted stateless populations and those whose nationality is at risk. For those in detention, there is an increased risk of infection due

to the inability to adequately social distance or self-isolate. Restrictions on **freedom of movement** have exacerbated the impacts of COVID-19 including for those trying to seek healthcare and education outside of refugee camps and has further had an impact on livelihoods and family reunions.

THE RIGHT TO NATIONALITY, DOCUMENTATION AND LEGAL STATUS:

COVID-19 related measures have impacted the right to nationality, documentation and legal status in deeply concerning ways. Disruptions to crucial **civil registration procedures** have resulted in delays and backlogs leaving stateless people and those whose nationality is at risk in limbo, completely vulnerable to the multiple effects of COVID-19. Such documentation and registration challenges also subject people to longer-term risks of statelessness. **Unregistered births** and subsequent non-issuance of IDs can heighten the risk of statelessness, particularly among minority and border communities and those with migrant heritage. **Asylum and statelessness determination procedures** have also been disrupted, as have permanent residence applications, visa processes and other consular services.

EQUALITY AND NON-DISCRIMINATION:

Discrimination continues to be an underlying and entrenched driving force behind statelessness worldwide. There has been a rise in **hate speech, xenophobia and racism**. Minority and migrant communities have been vilified in populist political narratives and used as scapegoats for the spread of infection, including to distract from the failings of political leaders. Gender discrimination has also had a significant impact where **gender discriminatory nationality laws** deny nationality to children. Increased cases of **gender-based violence** have also been reported, where, particularly in the country contexts with gender discriminatory nationality laws, women are unable to extract themselves from unsafe situations.

For a more detailed overview of these global thematic findings and related calls to action, please refer the full report.²¹

TOGETHER WE CAN: A ROADMAP TO ADDRESS THE COVID-19 IMPACT ON STATELESS PEOPLE

This roadmap serves as a framework for resolving and addressing the structural discrimination and exclusion of stateless people during times of COVID-19 and beyond. The starting point is that change is within our grasp and can be achieved through creative, committed and courageous action. **Together we can** and **together we must** address the structural discrimination underlying statelessness, protect the rights of stateless people and meet their emergency needs. The Roadmap informs and guides the necessary inclusive responses of multiple stakeholders including governments, UN actors, humanitarian agencies, donors and NGOs.

1 CHECK FOR INSTITUTIONAL BLIND-SPOTS

We invite states, UN actors, humanitarian groups and other stakeholders to engage in careful **introspection**, check for **institutional blind-spots**, and **review and reform** policies and practices to ensure that stateless people are prioritised, their particular contexts and needs are understood and addressed and they are not excluded or left behind through:

- **strengthening awareness** of the issue at all levels;
- **acknowledging** historical failures;
- **collecting and sharing information** on statelessness and nationality rights deprivations; and
- **resourcing** the enhancement of capacities, collaborations and funding.

2 INCLUDE, CONSULT & ENGAGE IN DIALOGUE

We invite activists and NGOs to **make their expertise available** and those in positions of power, to have **open consultation** and **meaningful and constructive dialogue** with affected communities, and commit to **including stateless people on equal terms** by:

- **consulting** with activists and affected communities;
- **building trust** and strengthening solidarity with stateless communities;
- **meeting the needs and priorities** of affected communities and ensuring their meaningful participation; and
- **facilitating wider discourse** within society and institutions on equality, inclusion and the right to nationality.

3 BUILD BACK BETTER

We invite all actors to learn the hard lessons that the pandemic has taught us and invest in **future-proofing**, ensuring a **lasting commitment to breaking down the pervasive injustice, indignity, inequality, deprivation and exclusion that stateless people face**, focusing on:

- **implementing reforms** to address discriminatory laws, policies and practices;
- **redressing** the intergenerational disadvantage and legacy of statelessness;
- **being accountable** to stateless communities and activists;
- **monitoring** the performance and progress of states;
- **ensuring access to justice and reparations** for stateless people; and
- **sustainably investing** in inclusive societies.

STATELESSNESS DOES NOT ONLY EXIST IN HISTORY BUT IS ONGOING, IN REAL TIME AND IN PRACTICALLY EVERY CORNER OF THE WORLD. EVEN THOUGH STATELESSNESS INTERSECTS WITH EVERY OTHER HUMAN RIGHTS VIOLATION, IT REMAINS LARGELY UNKNOWN AND MISUNDERSTOOD. THE LARGE STATELESSNESS KNOWLEDGE GAP, EVEN AMONG PROMINENT DEVELOPMENT, MIGRATION, HUMANITARIAN AND HUMAN RIGHTS ACTORS, IS A CHALLENGE AND BURDEN FOR STATELESS PEOPLE LIKE ME, GLOBALLY. WE ARE NOT JUST A COLLECTION OF STORIES. WE ARE OUR OWN ADVOCATES AND EXPERTS THROUGH OUR LIVED EXPERIENCES. THIS REPORT RECOGNISES STATELESS PEOPLE AS LEADERS WHO MUST SHAPE THE VISION AND MAKE DECISIONS ABOUT THE PRIORITIES THAT DIRECTLY AFFECT OUR LIVES, OUR FAMILIES AND OUR COMMUNITIES. THE ROADMAP OFFERS A WAY FORWARD FOR OUR ALLIES TO CHECK THEIR STATELESSNESS BLIND-SPOTS, CENTRE US IN THEIR ACTIONS AND BE ACCOUNTABLE US WHEN DELIVERING THEIR MANDATES. WE CANNOT END STATELESSNESS BY OURSELVES. TOGETHER WE MUST WORK TO ENVISION A WORLD WHERE NOBODY IS DEPRIVED OF NATIONALITY BASED ON THEIR RACE, ETHNICITY, SEX, GENDER, OR RELIGION. A WORLD WHERE EVERYONE'S HUMAN RIGHT TO NATIONALITY IS PROTECTED AND UPHELD, AND WHERE STATELESSNESS IS TRULY RELEGATED TO THE HISTORY BOOKS.

KARINA AMBARTSOUMIAN-CLOUGH,
FOUNDING MEMBER &
EXECUTIVE DIRECTOR,
UNITED STATELESS



¹ CESF Consortium, 'Together we Can: The COVID-19 Impact on Stateless People & A Roadmap for Change', (2021), available at: https://files.institutesi.org/together_we_can_report_2021.pdf.

² For more information about the CESF Consortium, see: https://files.institutesi.org/CESF_Brochure_2021.pdf.

³ ISI Monthly Bulletins and other key resources can be viewed here: <https://www.institutesi.org/resources>.

⁴ See further Chapter on Right to Nationality, Documentation and Legal Status, Chapter on Right to Health and Chapter on Socio-Economic Rights in Part 2 of 'Together We Can: The COVID-19 Impact on Stateless People and Roadmap for Change', (2021), available at: https://files.institutesi.org/together_we_can_report_2021.pdf.

⁵ In 2015 the Forum for Women Law and Development estimated the number of people lacking citizenship certificates in 2011, 2012, 2013 and 2014 using the population growth rate determined by the 2011 census and the total number of citizenship certificates distributed each year. From this they were then able to project the amount of people without citizenship certificates in the forthcoming years. In 2021, their projection was 6.7 million, see Forum for Law, Women and Development, 'Acquisition of Citizenship Certificate in Nepal: Estimation and Projection', (2015), available at: <https://fwld.org/wp-content/uploads/2016/06/Acquisition-of-Citizenship-Certificate-in-Nepal-Estimation-and-Projection.pdf>.

⁶ Institute on Statelessness and Inclusion, 'Stateless in a Global Pandemic: Impact Report' (2020), available at: https://files.institutesi.org/Covid19_Stateless_Impact_Report.pdf.

⁷ Citizenship Affected Persons Network, Community Action Centre Nepal, Dignity Initiative, Nepal Institute of Peace, Statelessness Network Asia Pacific, Global Campaign for Equal Nationality Rights and Institute on Statelessness and Inclusion, 'Joint Submission to the Human Rights Council, at the 27th Session of the Universal Periodic Review: Nepal', (9 July 2020), available at: https://files.institutesi.org/UJR37_Nepal.pdf.

⁸ Forum for Law, Women and Development, 'Acquisition of Citizenship Certificate in Nepal: Estimation and Projection', (2015), available at: <https://fwld.org/wp-content/uploads/2016/06/Acquisition-of-Citizenship-Certificate-in-Nepal-Estimation-and-Projection.pdf>.

⁹ Nepal Citizenship Act 2063, (2006), available at: <https://www.lawcommission.gov.np/en/archives/category/documents/prevaling-law/statutes-acts/nepal-citizenship-act-2063-2006>.

¹⁰ R. K. Kamat, 'President issues ordinance to amend citizenship act', The Himalayan, (24 May 2021), available at: <https://thehimalayantimes.com/nepal/president-issues-ordinance-to-amend-citizenship-act-5185>.

¹¹ Nepal's Constitution, (2015), available at: https://www.constituteproject.org/constitution/Nepal_2015.pdf.

¹² Forum for Women, Law and Development, 'Acquisition of Citizenship Certificate in Nepal: Understanding Trends, Barriers & Impacts', (2014), available at: <https://fwld.org/wp-content/uploads/2016/06/Acquisition-of-Citizenship-Certificate-in-Nepal-Understanding-Trends-Barriers-and-Impacts.pdf>.

¹³ Citizenship Affected Persons Network, Community Action Centre Nepal, Dignity Initiative, Nepal Institute of Peace, Statelessness Network Asia Pacific, Global Campaign for Equal Nationality Rights and Institute on Statelessness and Inclusion, 'Joint Submission to the Human Rights Council, at the 27th Session of the Universal Periodic Review: Nepal', (9 July 2020), available at: https://files.institutesi.org/UJR37_Nepal.pdf.

¹⁴ Citizenship Affected Persons Network, 'Field Study Report on Understanding and Responding to the COVID-19 Impact on Stateless People through a Dedicated Podcast Series', (2020), unpublished, on file with ISI.

¹⁵ Bikash Mandal, 22, in Citizenship Affected Persons Network, 'Field Study Report on Understanding and Responding to the COVID-19 Impact on Stateless People through a Dedicated Podcast Series', (2020), unpublished, on file with ISI.

¹⁶ Citizenship Affected Persons Network, 'Field Study Report on Understanding and Responding to the COVID-19 Impact on Stateless People through a Dedicated Podcast Series', (2020), unpublished, on file with ISI.

¹⁷ Institute on Statelessness and Inclusion, 'Stateless in a Global Pandemic: Impact Report', (2020), available at: https://files.institutesi.org/Covid19_Stateless_Impact_Report.pdf.

¹⁸ Nepal's Constitution, (2015), available at: https://www.constituteproject.org/constitution/Nepal_2015.pdf.

¹⁹ Nepal Citizenship Act 2063, (2006), available at: <https://www.lawcommission.gov.np/en/archives/category/documents/prevaling-law/statutes-acts/nepal-citizenship-act-2063-2006>.

²⁰ Musahar are a Dalit community in the Terai region of Nepal.

²¹ CESF Consortium, 'Together we Can: The COVID-19 Impact on Stateless People & A Roadmap for Change', (2021), available at: https://files.institutesi.org/together_we_can_report_2021.pdf.

