

# Universal Periodic Review

## All country summary and recommendations

related to the right to a  
nationality and the rights of  
stateless persons

44th Session, 4th Cycle  
06 November - 17 November 2023

This document highlights the **statelessness** related challenges in States that will be reviewed during the 44th Session of the Universal Periodic Review (UPR): **Azerbaijan, Bangladesh, Burkina Faso, Cameroon, Canada, Cape Verde, Colombia, Cuba, Djibouti, Germany, Russian Federation, Turkmenistan, Tuvalu and Uzbekistan**. The issues raised in this summary include gender and racial discrimination in nationality laws, arbitrary deprivation of nationality and the child's right to a nationality. All recommending states are urged to draw on this document when formulating recommendations to States under review. In addition to this summary, the Institute on Statelessness and Inclusion (ISI) and its partners made joint submissions on human rights and statelessness issues in [Bangladesh](#), [Germany](#) and [Russian Federation](#).

## Azerbaijan

Azerbaijan is a party to both the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. According to UNHCR, there were 3,585 stateless people in the country in 2022.<sup>1</sup> There is no available data on stateless persons from the latest census conducted in 2019, but during the UN Committee on the Elimination of Racial Discrimination (CERD) meeting in 2022, Azerbaijan's Deputy Foreign Minister stated that the issue of statelessness pertained to around 600 people.<sup>2</sup> Azerbaijan does not have a dedicated statelessness determination procedure, which inhibits the country's ability to produce and publish clear data on statelessness, and causes barriers to stateless individuals in accessing other human rights. Further, the country has not yet adopted a policy to address structural discrimination faced by Roma and Dom communities in receiving identity documents and accessing other services. The 2014 amendments to the 1998 Citizenship Act, deemed unconstitutional, remain in effect and outline the causes for involuntary citizenship revocation. They have been used by the government to also strip nationality from human rights activists as well as opponents.<sup>3</sup>

### Proposed Recommendations:

1. Establish a clear and effective statelessness determination procedure that guarantees basic procedural rights and safeguards, and make data on statelessness publicly available.
2. Ensure the right to a nationality of all stateless persons born in the country and the issuance of identity documents, including to Roma and Dom people.
3. Ensure that the law prohibits any deprivation of nationality that is disproportionate, discriminatory, and arbitrary, especially where such deprivation may result in statelessness, and restore the nationality of those from whom it was stripped as a result of their political opposition to the government.

## Bangladesh

Bangladesh is not a party to either the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. According to UNHCR, there were 952,309 stateless people in the country in 2022.<sup>4</sup> However, no data has been made available on stateless people in the country by the government. Bangladesh is home to 300,000 Biharis.<sup>5</sup> Despite this Urdu-speaking community was recognised Bangladeshi and promised national identity cards in 2008, they have continued to face discrimination and barriers towards their access to Bangladeshi nationality as well as all the rights that come with it. Bangladesh also hosts more than a million Rohingyas who reside in the refugee camps of Cox's Bazar and over 30,000 in Bhasan Char island.<sup>6</sup> The human rights situation in Myanmar is not currently conducive to safe and voluntary repatriations. There is no legal framework in Bangladesh that enables them to regularise their legal status. As a result, Rohingyas are deprived of quality education, developmental opportunities and face exploitation and violence including gender-based violence. Furthermore, digitalisation of the birth registration process has further exacerbated the citizenship acquisition process in Bangladesh. The shift to the digital application system has made the process inaccessible for a large group of people. Moreover, while gender discriminatory provisions that prevent women from passing nationality to their children were removed through amendments to the Citizenship Act in 2009, under existing law, women remain unable to confer nationality onto their foreign spouses on an equal basis with men.

### Proposed recommendations:

1. Ensure that the judgments of the Bangladeshi Supreme Court for the Urdu-speaking community are implemented by the government without any delay to ensure right to nationality, housing rights as well as other human rights.

<sup>1</sup> UNHCR, 'Global Trends 2022. Statelessness', Annex, Table 5, available at: <https://www.unhcr.org/globaltrends.html>.

<sup>2</sup> Committee on the Elimination of Racial Discrimination (CERD), 'Experts of the Committee on the Elimination of Racial Discrimination Commend Azerbaijan on its Regional Legal Counselling Centres, Ask Questions about the Conflict in the Nagorno-Karabakh Region and the Baku Multiculturalism Centre', (16 August 2022), available at: <https://www.ungeneva.org/en/news-media/meeting-summary/2022/08/examinant-le-rapport-de-lazerbaïdjan-les-experts-du-cerd>.

<sup>3</sup> GLOBALCIT, 'Report on Citizenship Law: Azerbaijan', (January 2019), available at: <https://core.ac.uk/download/pdf/186509876.pdf>.

<sup>4</sup> UNHCR, 'Global Trends 2022. Statelessness', Annex, Table 5, available at: <https://www.unhcr.org/globaltrends.html>.

<sup>5</sup> Geoffrey Macdonald, 'Bangladesh: Urdu-Speaking 'Biharis' Seek Recognition, Respect and Rights,' International Republican Institute, (4 February 2021), available at: <https://www.iri.org/resources/new-bangladesh-report-reveals-priorities-of-thebihari-minority/>.

<sup>6</sup> '963 more Rohingyas relocated to Bhasan Char', The Daily Star, (17 October 2022) available at: <https://www.thedailystar.net/rohingya-influx/news/963-more-rohingyas-relocated-bhasan-char-3145186>.

2. Recognise Rohingyas as refugees by issuing them with refugee cards and ensuring increased mobility of the Rohingyas in the country, and provide access to other human rights that enable Rohingyas to access decent work in and outside the camps and lift themselves out of the cycles of poverty and exploitation.
3. Ensure universal and free birth registration, particularly in remote areas and areas where minority communities live. Provide an alternate manual paper-based birth registration system for those who do not have access to digital registration and identification systems.
4. Reform the Nationality Code to uphold the right of Bangladeshi women to confer nationality on their non-citizen spouse on an equal basis with, and under the same conditions required of Bangladeshi men.
5. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.

## Burkina Faso

Burkina Faso is a party to both the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. No data is available on statelessness in the country. Despite this, it is estimated that more than 2,000,000 people are at risk of statelessness in Burkina Faso, mainly due to the non-registration of births resulting in the lack of civil status and identity documents for the population.<sup>7</sup> Burkina Faso does not have a dedicated statelessness determination procedure. People living in border regions (e.g. Sahel region)<sup>8</sup> face a risk of statelessness due to border disputes and lack of clarity regarding which country they were born in. Often the populations affected by such border disputes have had very little contact with the central administrations of either country, and thus are likely to have few to no documents to prove their nationality.

Proposed recommendations:

1. Establish a clear and effective statelessness determination procedure that guarantees basic procedural rights and safeguards and make data on statelessness publicly available.
2. Realise universal free birth registration, issue birth certificates to all children and strengthen the awareness of the importance of birth registration.
3. Prevent and resolve statelessness among people living in border regions.

## Cameroon

Cameroon is not a party to either the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. No data is available on statelessness in the country. The Committee on the Elimination of Racial Discrimination (CERD) expressed its concerns regarding the large number of births which are not being registered and can cause further challenges in accessing Cameroon's nationality.<sup>9</sup> In early August 2023, the government announced a campaign to issue 500k birth certificates to undocumented children.<sup>10</sup> However, such policy's implementation is still unclear. Gender discrimination in Cameroon's nationality laws remains as women cannot pass their nationality onto their foreign spouses. People living in disputed border areas face heightened risks of statelessness. The most famous case is the transfer of sovereignty of the Bakassi Peninsula from Nigeria to Cameroon.<sup>11</sup>

Proposed recommendations:

1. Take all necessary steps to break down barriers to accessing birth registration and ensure that the births of all children born in Cameroon are registered immediately.
2. Amend nationality laws to remove all gender discriminatory provisions, particularly for women's transmission of their nationality to their foreign spouses.
3. Prevent and resolve statelessness among people living in border regions.
4. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.

## Canada

Canada is party to all the core human rights treaties that include provisions related to statelessness and/or nationality and to the 1961 Convention on the Reduction of Statelessness. However, it is not a party to the 1954 Convention relating to the Status of Stateless Persons. According to the UNHCR, there were 4,802 stateless people in the country at the end of 2022.<sup>12</sup> Canada's Citizenship Act does not define a stateless person, nor has it adopted a procedure to determine

<sup>7</sup> UNHCR, 'Annual Results Report, 2022, Burkina Faso, available at: <https://reporting.unhcr.org/files/2023-06/WA%20-%20Burkina%20Faso.pdf>.

<sup>8</sup> UNHCR, 'Country Operation Update, Burkina Faso', (January-February 2020), available at: <https://reliefweb.int/report/burkina-faso/unhcr-burkina-faso-country-operation-update-january-february-2020>.

<sup>9</sup> Committee on the Elimination of Racial Discrimination, 'Concluding observations on the combined twenty-second and twenty-third reports of Cameroon', CERD/C/CMR/CO/22/23, (26 May 2022).

<sup>10</sup> Biometric Update, 'Cameroon begins campaign to issue 500k certificates to undocumented children', (29 August 2023), available at: <https://www.biometricupdate.com/202308/cameroon-begins-campaign-to-issue-500k-birth-certificates-to-undocumented-children>.

<sup>11</sup> Please see: <https://citizenshiprightsafrika.org/region/cameroon/>.

<sup>12</sup> <https://www.unhcr.org/statistics/2022GTannextableSTA.xlsx>

statelessness. Currently, there are disproportionate barriers in place to access to birth registration for children of indigenous communities. This creates a risk of statelessness among these children born in the country.

#### Proposed Recommendations:

1. Accede to and fully implement the 1954 Convention Relating to the Status of Stateless Persons.
2. Adopt and apply the 1954 Convention definition of 'stateless person' in all national legislation and policy documents.
3. Establish a statelessness determination procedure, in line with international law and UNHCR Guidelines.
4. Ensure that all children born in Canada, in particular indigenous children, have the right to acquire Canadian citizenship, eliminating any risk of statelessness.

### Cape Verde

Cape Verde has not signed the 1954 and 1961 Statelessness Conventions. There is little information on statelessness in the country. According to the UNHCR, the most recent data on statelessness in Cape Verde is based on the 2010 census and states that at that time there were 783 stateless people in the country.<sup>13</sup>

#### Proposed Recommendations:

1. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.
2. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.

### Colombia

Colombia is a party to both the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. According to UNHCR, there were 11 stateless people in the country in 2022.<sup>14</sup> However, it is believed that the actual number of stateless people is much higher. No data has been made available on stateless people in the country. Since 2015, more than two million Venezuelans have fled to neighbouring Colombia.<sup>15</sup> Colombia has taken historic steps to grant protection status for millions of Venezuelans, including birth registration of children born to migrant parents in the country through the "*Primero la Niñez*" policy.<sup>16</sup> Despite this progress, in February 2022, Colombia's authorities deprived more than 42,000 Venezuelans with dual nationality of their Colombian IDs, following an internal review carried out by the Colombian Registrar to "*identify inconsistencies*" in dual nationality registrations and leaving children born to Venezuelans at risk of statelessness.<sup>17</sup>

#### Proposed recommendations:

1. Ensure that the law prohibits any deprivation of nationality that is disproportionate, discriminatory, and arbitrary, especially where such deprivation may result in statelessness, and restore the nationality of those from whom it was stripped.
2. Continue to provide a clear and accessible pathway to registering children born from Venezuelan migrant parents.
3. Collect and make publicly available reliable and disaggregated data on statelessness.

### Cuba

Cuba is not a state party to either the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. No data is available on statelessness in the country. No safeguards exist for otherwise stateless children born abroad to a Cuban parent(s). Such children do not automatically acquire the parent's nationality and have to meet strict conditions. However, requirements for registration in Cuban territory and a three-month residency requirement were eliminated through a new decree enacted on 30 December 2017. This was a significant step forward, but there has been no public information on this policy's implementation.

#### Proposed recommendations:

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<sup>13</sup> <https://www.unhcr.org/statistics/2022GTannextableSTA.xlsx>

<sup>14</sup> UNHCR, 'Global Trends 2022. Statelessness', Annex, Table 5, available at: <https://www.unhcr.org/globaltrends.html>.

<sup>15</sup> Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V), 'Venezuelans refugees and migrants in the region', (December 2022), available at: <https://www.r4v.info/en/document/r4v-latin-america-and-caribbean-venezuelan-refugees-and-migrants-region-dec-2022>.

<sup>16</sup> Cancillería de Colombia, CIRCULAR 168 DE 2017, available at:

[https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/circular\\_registraduria\\_0168\\_2017.htm](https://www.cancilleria.gov.co/sites/default/files/Normograma/docs/circular_registraduria_0168_2017.htm); New York Times, "Colombia Offers Citizenship to 24,000 Children of Venezuelan Refugees", (5 August 2019), available at:

<https://www.nytimes.com/2019/08/05/world/americas/colombia-citizenship-venezuelans.html>; Ana María Moreno Sáchica, 'Sobre la apatridia: que las conveniencias políticas no dejen de último a la niñez', *El Espectador*, (7 March 2023), available at:

<https://www.elspectador.com/mundo/america/apatridia-en-colombia-que-las-conveniencias-politicas-no-dejen-de-ultimo-a-la-ninez/>.

<sup>17</sup> Institute on Statelessness and Inclusion (ISI), 'Monthly Bulletin. March 2022', available at: <https://mailchi.mp/69429b036211/monthly-bulletin-march-2022>.

1. Ensure the right to nationality of all otherwise stateless children, in particular the right to a nationality for children born abroad to Cuban parents.
2. Collect and make publicly available reliable and disaggregated data on statelessness.
3. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.

## Djibouti

Djibouti is not party to the 1954 or 1961 Statelessness Conventions. There is a lack of data on statelessness in the country. Djibouti receives both migrants and asylum-seekers, most of them driven by violent conflict, insecurity, lawlessness, and dire economic conditions in neighbouring countries. Consequently, risks of statelessness exist as large groups of (stateless) migrants become resident in Djibouti.<sup>18</sup>

### Proposed Recommendations:

1. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.
2. Collect and make publicly available reliable data on statelessness.
3. Ensure birth registration for all, especially for refugees and migrant children, to prevent statelessness.

## Germany

Germany is party to both the 1954 and 1961 Statelessness Conventions, as well as the core human rights treaties that include provisions on nationality and statelessness. However, Germany retains two significant reservations to the Statelessness Conventions, namely the right not to apply Article 27 (travel documents) and to restrict the application of Article 23 (access to social welfare) to stateless people who are refugees. As of the end of 2022, there were 29,455 recorded stateless people in Germany and 97,150 people listed as having 'unclear' nationality or 'without indication'.<sup>19</sup> Without a dedicated procedure to identify and determine statelessness, estimates for the stateless population remain inaccurate and the rights of stateless people are not upheld. Information regarding statelessness in Germany is scattered across various organisations and entities. Segregated data pose a challenge in determining the scale of the issue in Germany and to monitor whether the country is complying with its international obligations to protect stateless persons and prevent and reduce statelessness. There are gaps in German nationality law that allow for children to be born stateless in the country. No procedures are in place to allow screening for statelessness upon birth with many children being reported with unclear nationality status. Refugees and undocumented migrants in Germany face barriers to accessing birth registration due to missing documents or fear of being deported. Also, late birth registration is possible in law but requires habitual residence and a travel document, which presents barriers in practice.

### Proposed Recommendations:

1. Withdraw all reservations to the 1954 and 1961 Statelessness Conventions, in line with Germany's pledge at the UNHCR High Level Segment on Statelessness in 2019.
2. Establish a national statelessness determination procedure and protection status in law and in line with good practice to give full effect to the rights enshrined in the 1954 Convention to stateless people in Germany, including residence rights.
3. Gather and make publicly available comprehensive national data to improve the protection of stateless persons in the country and facilitate the monitoring of its international obligations in relation to statelessness.
4. Amend nationality laws to ensure that all otherwise stateless children born in Germany automatically acquire a nationality at birth, in particular by removing the 'legal' residence requirement and ensure that the status of parents or criteria for late birth registration do not prevent immediate registration.

## Russian Federation

Russia is not a state party to either the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. According to the 2020-21 population census finalised in 2022, there were around 95,000 stateless people in Russia.<sup>20</sup> However, a national civil society organisation estimated that the number of stateless people in the country is up to 400-500,000 people.<sup>21</sup> Amendments to the Law on the Legal Status of Foreign Citizens in Russia came into force in 2021, allowing hundreds of stateless persons to obtain a temporary ID-card which protects them from expulsion, deportation and being found in violation of the migration regime or "illegal labour". In practice however, the documentation procedure is implemented poorly and stateless people still face discrimination and barriers when accessing

<sup>18</sup> <https://www.unhcr.org/sites/default/files/legacy-pdf/4b0510ab9.pdf>

<sup>19</sup> [https://files.institutesi.org/UPR44\\_Germany.pdf](https://files.institutesi.org/UPR44_Germany.pdf)

<sup>20</sup> Please see: [https://rosstat.gov.ru/storage/mediabank/Tom4\\_tab3\\_VPN-2020.xlsx](https://rosstat.gov.ru/storage/mediabank/Tom4_tab3_VPN-2020.xlsx).

<sup>21</sup> Anti-Discrimination Centre Memorial, International Committee of Indigenous Peoples of Russia and others, 'Joint Submission to the Human Rights Council at the 44<sup>th</sup> Session of the Universal Periodic Review, Russia', (November 2023), available at: [https://files.institutesi.org/UPR44\\_Russia.pdf](https://files.institutesi.org/UPR44_Russia.pdf).

basic human rights such as healthcare.<sup>22</sup> Moreover, the courts continue to decide on the expulsion of stateless persons and their (indefinite) detention in deportation centers. Recently, there have been several remarkable cases of stripping Russian nationality; all related to former citizens of the USSR who acquired citizenship of the Russian Federation, which was their only one. Deprivation of citizenship is used inter alia as a punitive measure against oppositionists and activists. After the outbreak of the war against Ukraine, thousands of children were deported to Russia, many of whom were placed under guardianship or were adopted by Russian families and await to be assigned with Russian citizenship.<sup>23</sup> These actions regarding children are in violation of article 50 IV of the Geneva Convention on the Protection of Civilians in Time of War.

Proposed recommendations:

1. Improve the procedure to grant protection status and nationality to stateless persons, ensuring their protection from administrative persecution and expulsion measures.
2. Review the provisions for the deprivation of nationality of naturalized Russian citizens, taking into consideration that deprivation of nationality is not an appropriate punishment, and ensuring, that no person is made stateless as a result.
3. Stop violations of the IV Geneva Convention and return the deported Ukrainian children back to their parents or guardians in Ukraine.
4. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.

## **Turkmenistan**

Turkmenistan is party to both the 1954 and 1961 Statelessness Conventions. According to the UNHCR, there were 4,527 stateless people in the country, as of the end of 2022.<sup>24</sup> After the dissolution of the Soviet Union in 1991, large numbers of people were rendered stateless in successor states across Central Asia, including Turkmenistan. The majority of these people are ex-citizens of the USSR who have not yet acquired/confirmed citizenship of the newly independent states. Others, became stateless due to gaps in nationality laws, international migration, and mixed marriages.<sup>25</sup>

Proposed Recommendations:

1. Ensure the right to a nationality for former USSR citizens born or residing in the country.
2. Resolve all identified cases of statelessness through granting citizenship.

## **Tuvalu**

Tuvalu has not signed the 1954 and 1961 Statelessness Conventions. There is little information on statelessness in the country.

Proposed Recommendations:

1. Accede to and fully implement the 1954 and 1961 Statelessness Conventions.
2. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.

## **Uzbekistan**

Uzbekistan is not party to the 1954 or 1961 Statelessness Conventions. As of the end of 2022, there were 27,389 stateless people in the country.<sup>26</sup> There are significant concerns relating to the failure of the state to prevent statelessness in the aftermath of the dissolution of the Soviet Union. Many ex-citizens of the USSR have not yet acquired or confirmed their citizenship in Uzbekistan, rendering them stateless.<sup>27</sup>

Proposed Recommendations:

1. Accede and fully implement the 1954 and 1961 Statelessness Conventions.
2. Ensure the right to a nationality for former USSR citizens born or residing in the country.
3. Resolve all identified cases of statelessness through granting citizenship.

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> <https://www.unhcr.org/statistics/2022GTannextableSTA.xlsx>

<sup>25</sup> [https://www.unhcr.org/centralasia/wp-content/uploads/sites/75/2021/04/UNHCR-Statelessness\\_Infographic-ENG-2021-screen-1.pdf](https://www.unhcr.org/centralasia/wp-content/uploads/sites/75/2021/04/UNHCR-Statelessness_Infographic-ENG-2021-screen-1.pdf)

<sup>26</sup> <https://www.unhcr.org/statistics/2022GTannextableSTA.xlsx>

<sup>27</sup> [https://www.unhcr.org/centralasia/wp-content/uploads/sites/75/2021/04/UNHCR-Statelessness\\_Infographic-ENG-2021-screen-1.pdf](https://www.unhcr.org/centralasia/wp-content/uploads/sites/75/2021/04/UNHCR-Statelessness_Infographic-ENG-2021-screen-1.pdf)