

Universal Periodic Review

All country summary and recommendations

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

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This document highlights the statelessness related challenges in States that will be reviewed during the 46th Session of the Universal Periodic Review (UPR): **Afghanistan, Cambodia, Chile, Comoros, Cyprus, Dominican Republic, Eritrea, North Macedonia (Former Yugoslav Republic of), New Zealand, Slovakia, Uruguay, Vanuatu, Viet Nam, Yemen.** 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 [North Macedonia](#) and [the Dominican Republic](#) (also available in [Spanish](#)).

Afghanistan

Afghanistan 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 official data is available on stateless people in the country. Following the 2021 national political changes and the ongoing humanitarian crisis, women encounter significant hurdles accessing basic services and obtaining identity cards due to security concerns, restrictions imposed by male family members, limited mobility, and financial constraints. People of the Jat ethnicity, including the nomadic Magats, Chori Frosh and Gorbati communities, face discrimination and are denied issuance of *tazkira* – Afghan ID cards.¹ Poor birth registration management, particularly in rural health facilities, contributes to incomplete registration.²

Proposed recommendations:

1. Ensure that women are able to receive identity documents and access all human rights.
2. Ensure ethnic minorities obtain identity cards and have access to public services.
3. Provide free birth registration and issuance of birth certificates, especially in rural and remote areas, to reduce the risk of statelessness.
4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

Cambodia

Cambodia 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 UNHCR, there were 75,000 stateless people in the country at the end of 2022.³ Statelessness significantly affects two main groups in Cambodia: ethnic Vietnamese people and the Khmer Krom. A large number of ethnic Vietnamese living in Cambodia remain unregistered and reside within floating villages on the Tonle Sap Lake.⁴ They often lack access to birth registration, preventing children from attending schools or obtaining citizenship which results in intergenerational statelessness.⁵ As such, the true size of the population of ethnic Vietnamese in Cambodia without citizenship has been estimated by CSOs such as the Minority Rights Organization to be higher, ranging between 400–700,000 persons.⁶ Khmer Krom, although ethnically Khmer, also face discrimination in Cambodia due to their origin from southern Vietnam. Such population continue to face statelessness due to discriminatory application of Cambodian laws, barriers to gaining documentation and social exclusion.⁷

Proposed recommendations:

1. Address the discriminatory treatment of the ethnic Vietnamese and Khmer Krom communities in Cambodia, protecting everyone's right to nationality and the enjoyment of other human rights.
2. Provide free birth registration and issuance of birth certificates, especially in rural and remote areas, to reduce the risk of statelessness.
3. Conduct and make publicly available, mapping studies and data collection on statelessness in the country, especially with regards to ethnic communities.
4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

¹ Khadija Hossaini, 'Citizens, finally, but no place to settle: the Magats, one of Afghanistan's most marginalised communities', (July 2020), available at: <https://www.afghanistan-analysts.org/en/reports/context-culture/citizens-finally-but-no-place-to-settle-the-magats-one-of-afghanistans-most-marginalised-minorities/>.

² Institute on Statelessness and Inclusion (ISI), ISI database on Statelessness and Human Rights, available at: [https://database.institutesi.org/?field_country_target_id\[\]=357&field_un_body_target_id=All&field_reporting_cycle_target_id=1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id=1=All&field_reference_to_statelessness_value=All](https://database.institutesi.org/?field_country_target_id[]=357&field_un_body_target_id=All&field_reporting_cycle_target_id=1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id=1=All&field_reference_to_statelessness_value=All).

³ UNHCR, 'Global Trends 2022. Statelessness', available at: <https://www.unhcr.org/global-trends>.

⁴ Nationality for All (NFA), 'Statelessness Encyclopaedia Asia Pacific', (May 2023), available at: https://www.nationalityforall.org/wp-content/uploads/2023/09/SEAP-Report_15Sep23.-FINAL.pdf.pdf.

⁵ Cristoph Sperfeldt, 'Legal identity and minority statelessness in Cambodia: recent developments', available at: <https://statelessnessandcitizenshipreview.com/index.php/journal/article/download/267/195/#:~:text=Subsequently%2C%20and%20for%20the%20first,under%20the%20organisation's%20statelessness%20mandate>.

⁶ Nationality for All (NFA), 'Statelessness Encyclopaedia Asia Pacific', (May 2023), available at: https://www.nationalityforall.org/wp-content/uploads/2023/09/SEAP-Report_15Sep23.-FINAL.pdf.pdf.

⁷ Ibid.

Chile

Chile 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 official data is available on stateless people in the country. The Chilean Constitution guarantees the right to a nationality both through the *jus soli* and *jus sanguini* principles. However, children who are born on the territory and whose parents are in an irregular situation are at risk of statelessness.⁸ In 2022, the Committee on the Rights of the Child (CRC) also recommended the State to adopt legal safeguards to prevent childhood statelessness in the country.⁹ In late 2023, a national commission modified Chile's constitution but left the previous measures on how to acquire Chilean nationality. The proposed Constitution was rejected and further steps on the protection of the right to a nationality remain unclear.¹⁰

Proposed Recommendations:

1. Review and amend its legislation to ensure that all children born in Chile who would otherwise be stateless can acquire Chilean nationality at birth, irrespective of their parents' migrant status.
2. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.

Comoros

Comoros 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 official data is available on stateless people in the country. Since 2008, the United Arab Emirates made a deal with the Comoros Islands that Comoros would issue passports to stateless persons in the UAE. While these people have Comoros passports, they are not recognized as citizens of either the UAE or the Comoros, and therefore, this does not represent a solution to their statelessness. Further, they are not offered the right to residency in the Comoros.¹¹

Proposed Recommendations:

1. Review the policy of granting passports without citizenship rights to stateless persons in the UAE, and ensure instead, that a rights based approach which protects the right to a nationality is adopted in response to statelessness.
2. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.
3. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

Cyprus

Cyprus 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 76 stateless people in the country at the end of 2022.¹² Cyprus does not have a statelessness determination procedure (SDP) in place. A stateless person may be considered for a short-term residence permit on humanitarian grounds but this does not guarantee the enjoyment of all rights. Further, Cyprus does not have safeguards to prevent children being born stateless in Cyprus, nor to regulate the nationality of foundlings. Birth registrations remain an obstacle in the country due to high fees and complex requests for documentation. Children born to Cypriot parents abroad acquire nationality automatically, but where a child is born in Cyprus to one Cypriot parent and one non-Cypriot who entered or remained in Cyprus irregularly, the child cannot acquire Cypriot nationality.¹³

Proposed Recommendations:

1. Establish a clear and predictable statelessness determination procedure that guarantees basic procedural rights and safeguards.
2. Ensure that all stateless people in Cyprus are ensured access to rights and services, including a secure and indefinite residency status.
3. Ensure that all children who are born on the territory are granted with birth registration and the right to a Cypriot nationality.

⁸ Servicio Jesuita a Migrantes, 'Derecho a la nacionalidad para niños y niñas: cerca de 1800 menores no cuentan con reconocimiento chileno', (July 2023), available at: <https://simchile.org/uncategorized/derecho-a-la-nacionalidad-para-ninos-y-ninas-a-la-fecha-1800-menores-no-cuentan-con-reconocimiento-chileno/>.

⁹ Institute on Statelessness and Inclusion, 'ISI Database on Statelessness and Human Rights', available at: [https://database.institutesi.org/?field_country_target_id\[\]=226&field_un_body_target_id=All&field_reporting_cycle_target_id_1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id_1=All&field_reference_to_statelessness_value=All](https://database.institutesi.org/?field_country_target_id[]=226&field_un_body_target_id=All&field_reporting_cycle_target_id_1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id_1=All&field_reference_to_statelessness_value=All).

¹⁰ Rocío Montes, 'Chile rechaza la Constitución redactada por la derecha y la extrema derecha con un 55% del voto en contra', (December 2023), El País, available at: <https://elpais.com/chile/2023-12-18/chile-rechaza-la-propuesta-de-las-derechas-y-se-queda-con-la-constitucion-nacida-en-la-dictadura-de-pinochet.html>.

¹¹ SALAM for Democracy and Human Rights (SALAM DHR), 'Joint Submission to the Human Rights Council: United Arab Emirates', (October 2022), available at: https://files.institutesi.org/UPR43_UAE.pdf.

¹² UNHCR, 'Global Trends 2022. Statelessness', available at: <https://www.unhcr.org/global-trends>.

¹³ European Network on Statelessness, 'Statelessness Index. Cyprus', available at: <https://index.statelessness.eu/country/cyprus>.

4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

Dominican Republic

Please see this one-pager in [English](#) and [Spanish](#) with more details on statelessness and recommendations to promote everyone's right to a nationality in the Dominican Republic.

Eritrea

Eritrea 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 official data is available on stateless people in the country. Challenges include inadequate implementation of nationality acquisition laws and difficulties in obtaining birth certificates in rural areas.¹⁴ Eritrea's Government denies citizenship to Jehovah's Witnesses since 1994, following their refusal to participate in the 1993 independence referendum.¹⁵

Proposed recommendations:

1. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.
2. Provide free birth registration and issuance of birth certificates, especially in rural and remote areas, to reduce the risk of statelessness.
3. Remove discrimination on religious grounds so that everyone can enjoy their right to a nationality in Eritrea.
4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

North Macedonia (Former Yugoslav Republic of)

North Macedonia 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 453 stateless people in the country at the end of 2022.¹⁶ North Macedonia does not have a statelessness determination procedure (SDP) in place. North Macedonia has taken significant steps recently towards reducing statelessness, but some gaps remain. It has recently amended the law to regularise the situation of 700 people without personal documentation identified through a Government-led public call. However, some people remain without regulated civil status as they were not identified. North Macedonian law contains only partial safeguards against childhood statelessness, as it states that a child who is found or who was born on the territory automatically acquires nationality if the parents are unknown, of unknown nationality, or stateless. This does not cover children born to parents who may have a nationality but cannot confer it to their child.¹⁷

Proposed Recommendations:

1. Establish a clear and predictable statelessness determination procedure that guarantees basic procedural rights and safeguards.
2. Continue the effective implementation of the amended Law on Civil Registry and continue to strengthen measures to register persons with unregulated civil status, and provide them with civil documentation and a facilitated route to confirmation or acquisition of nationality.
3. Amend the Law on Citizenship to implement a full safeguard to ensure that all children born in North Macedonia who would otherwise be stateless acquire nationality automatically or as soon as possible after birth, regardless of the status or identity of their parents.

New Zealand

New Zealand is not a party to the 1954 Convention on the Status of Stateless Persons but has ratified the 1961 Convention on the Reduction of Statelessness. No official data is available on stateless people in the country. Some stateless individuals have reported they face obstacles in accessing work and social benefits, and rejected asylum seekers may be detained indefinitely.¹⁸

¹⁴ Institute on Statelessness and Inclusion, 'ISI Database on Statelessness and Human Rights', available at: [https://database.institutesi.org/?field_country_target_id\[\]=160&field_un_body_target_id=All&field_reporting_cycle_target_id_1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id_1=All&field_reference_to_statelessness_value=All](https://database.institutesi.org/?field_country_target_id[]=160&field_un_body_target_id=All&field_reporting_cycle_target_id_1=All&field_recommendation_accepted_no_value=All&field_specific_special_procedure_target_id_1=All&field_reference_to_statelessness_value=All).

¹⁵ US Department of State, '2022 report on international religious freedom: Eritrea', available at: <https://www.state.gov/reports/2022-report-on-international-religious-freedom/eritrea/>.

¹⁶ UNHCR, 'Global Trends 2022. Statelessness', available at: <https://www.unhcr.org/global-trends>.

¹⁷ The Macedonian Young Lawyers Association (MYLA) and partners, 'Joint submission to the Human Rights Council: North Macedonia', (October 2023), available at: https://files.institutesi.org/UPR46_NorthMacedonia.pdf.

¹⁸ Oliver Lewis, 'Legally they don't exist: New Zealand's stateless population of two', (2018), available at: <https://www.stuff.co.nz/national/102973303/legally-they-dont-exist-new-zealands-stateless-population-of-two>.

Proposed recommendations:

1. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.
2. Ensure stateless people do not face discrimination in accessing human rights in the country.
3. Ensure that stateless people and those at risk of statelessness are not subject to arbitrary detention because of their status.
4. Accede to and implement the 1954 Convention relating to the Status of Stateless Persons.

Slovakia

Slovakia 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 2,935 stateless people in the country in 2021.¹⁹ However, Slovakia does not have a statelessness determination procedure (SDP) in place. As such, it remains challenging to determine official data in the country. The main cause of statelessness in Slovakia relates to the dissolution of the Soviet Union. Many of the people affected belong to the Roma population who have been unable to establish their ties to any of the successor states, often due to lack of documentation or civil registration.²⁰

Proposed Recommendations:

1. Establish a clear and predictable statelessness determination procedure that guarantees basic procedural rights and safeguards.
2. Guarantee birth registration and the right to a nationality for all stateless people in Slovakia, particularly those from the Roma community.
3. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.

Uruguay

Uruguay 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 five stateless people in the country at the end of 2022.²¹ Despite Law N°19.682 granting “legal citizenship” to stateless individuals, this status falls short of conferring full national identity, preventing them from obtaining Uruguayan nationality. With no naturalisation process available in national laws, those not born in Uruguay or lacking Uruguayan lineage can never acquire Uruguayan nationality and can only access “legal citizenship.” This causes confusion at international borders and often with entry denials as legal citizens with travel documents have their country of origin in the nationality field.²²

Proposed recommendations:

1. Ensure that a naturalization procedure is added to Uruguayan nationality laws.
2. Amend nationality laws to ensure that there are no ambiguities between those with “legal citizenship and Uruguayan nationality.”

Vanuatu

Vanuatu 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 official data is available on stateless people in the country. Despite substantial progress in birth registration over the last decade, indigenous communities still struggle to register children at birth. Further, the Prime Minister has the authority to revoke citizenship from an individual sentenced to imprisonment for ten years or longer.²³

Proposed recommendations:

1. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.
2. Provide free birth registration and ensure issuance of birth certificates, especially in rural and remote areas, to reduce the risk of statelessness.
3. Amend nationality laws to ensure that nobody can be deprived of their nationality in Vanuatu.
4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

¹⁹ UNHCR, ‘Global Trends 2022. Statelessness’, Annex, Table 5, available at: <https://www.unhcr.org/global-trends>.

²⁰ UNHCR, ‘Mapping statelessness in Slovakia’, (2022), available at: <https://www.refworld.org/reference/countryrep/unhcr/2022/en/124166>.

²¹ UNHCR, ‘Global Trends 2022. Statelessness’, Annex, Table 5, available at: <https://www.unhcr.org/global-trends>.

²² Somos Todos Uruguayos, (December 2023), available at:

https://www.nacionalidad.uy/downloads/20231203_Thematic_Request_Nationality_and_Statelessness_Uruguay.pdf.

²³ GLOBALCIT, ‘Comparative regional report on citizenship law: Oceania’, (2020), available at:

https://cadmus.eui.eu/bitstream/handle/1814/66229/RSCAS_GLOBALCIT_Comp_2020_1.pdf?sequence=1&isAllowed=y.

Viet Nam

Viet Nam 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 UNHCR, there were 26,811 stateless people in the country at the end of 2022.²⁴ Ethnic minority groups in Viet Nam such as members of the Hmong community and people of Cambodian heritage keep facing barriers to gaining civil registration and citizenship, with such barriers leading to protracted and intergenerational statelessness.²⁵ Further, children belonging to ethnic and religious minorities struggle to be registered at birth and receive identity documents in Viet Nam. In 2023, Viet Nam pledged at the Southeast Asian Senior Officials' Roundtable on Civil Registration, Legal Identity Documentation and the Prevention of Statelessness to ensure everyone's right to have Vietnamese nationality.²⁶

Proposed Recommendations:

1. Guarantee access to the right to a nationality and other human rights without discrimination, particularly with respect to ethnic and religious minorities living in Viet Nam.
2. Provide free birth registration and ensure issuance of birth certificates, especially in rural and remote areas, to reduce the risk of statelessness.
3. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

Yemen

Yemen 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 official data is available on stateless people in the country. Women in Yemen continue to face unequal rights compared to men, encountering restrictions in conferring nationality to their foreign spouses, and in retaining their nationality during marriage or divorce.²⁷ The Yemeni Nationality Act includes a discriminatory provision against children with disabilities where a child of foreign parents habitually residing in Yemen must be free of disabilities.²⁸

Proposed recommendations:

1. Remove gender discrimination in Jordan's Nationality Law so that Yemeni women can enjoy equal rights with Yemeni men to pass on their nationality.
2. Remove all discriminatory sections of the Nationality Act against children with disabilities in obtaining their right to a nationality.
3. Conduct and make publicly available, mapping studies and data collection on statelessness in the country.
4. Accede to both the 1954 and 1961 Conventions and take all steps necessary to implement them.

²⁴ UNHCR, 'Global Trends 2022. Statelessness', Annex, Table 5, available at: <https://www.unhcr.org/global-trends>.

²⁵ Nationality for All (NFA), 'Statelessness Encyclopaedia Asia Pacific', (May 2023), available at: https://www.nationalityforall.org/wp-content/uploads/2023/09/SEAP-Report_15Sep23.-FINALpdf.pdf.

²⁶ <https://vietnamnews.vn/politics-laws/1605684/viet-nam-pledges-to-ensure-every-individual-s-right-to-have-vietnamese-nationality.html>

²⁷ Global Campaign for Equal Nationality Rights (GCENR), 'Middle East and North Africa', available at: https://www.equalnationalityrights.org/?page_id=255397.

²⁸ Viet Nam news, 'Viet Nam pledges to ensure every individual's right to have Vietnamese nationality', (October 2023), available at: https://www.ohchr.org/sites/default/files/2023-03/OHCHR_PWD_Yemen_EN_4Dec2022.pdf.