



# CHILDHOOD STATELESSNESS

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Many of the world's stateless persons are children. In fact, in every region of the world, children continue to be born into statelessness and grow up never knowing the protection and recognition that comes with a nationality. Some children inherit their statelessness from stateless parents, creating an intergenerational problem. Others aren't able to acquire their parents' or any other nationality due to discriminatory laws and policies or the failure of governments to implement simple legal safeguards that prevent childhood statelessness. Without a nationality, children can have difficulty exercising their rights, become outcasts in their own country, struggle to feel like they belong and grow up to be disenfranchised and excluded adults.

**So, if children matter, statelessness matters.**

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Cover photo © Zahra Albarazi

These children are from Cambodia. However, their community are not recognised as citizens and parents are often unable to register the births of their children.

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## KEY MESSAGES

- Children represent the present and the future. The better we are able to nurture, provide security, inspiration and opportunity to children, the more likely they will reach their true potential both as children and as adults. The condition of statelessness undermines security and opportunity, and therefore, it has been said, can never be in the best interests of the child.
- Nationality is an enabling right. Stateless persons cannot make the most of a basket of rights – including education, healthcare and free movement – because they have been denied the right to nationality. Enabling rights are important throughout life, but perhaps most during childhood, the formative years when one's identity, personality and life trajectory are set in motion.
- Human rights treaties such as the ICCPR, ICESCR, CEDAW, CERD and CRPD, regional treaties and national bills of rights protect the right to nationality for all. The right to a nationality of every child and the protection of all children from statelessness (CRC Article 7) are universally accepted legal norms.
- The SDGs require that 'no one must be left behind'. As such, many SDG targets – including SDGs 1 (no poverty) 3 (good health) and 4 (quality education) – will not be met unless stateless children (who are likely to be left behind) are prioritised. The target of legal identity for all (SDG 16.9) must be pursued to ensure that no child is born stateless. The SDGs targeting equality require structural change to prevent childhood statelessness.
- Displacement can lead to statelessness, when children who are born in displacement are denied access to the nationality of their parents' country of origin, as well as the country in which they were born. Stateless children can also be displaced. Their statelessness can make them especially vulnerable, limiting pathways of safe migration – making them more likely to be smuggled or trafficked – but potentially also creating additional challenges in accessing protection in host countries.
- Childhood statelessness is often the result of a convergence of a number of factors and forces, including xenophobia, discrimination, forced migration, poor documentation and exclusion. It is important to recognise the complexity of the challenge and identify the various frameworks and forums through which statelessness and its negative impacts can be raised and addressed. These include human rights mechanisms, the SDGs and national policy and political discourses. Effective responses often require long-term, sustained engagement of many actors across many different fields and at all levels.

Key messages

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Photograph of a stateless Rohingya woman who is living as refugee in Bangladesh and her son, who is also growing up without a nationality. A few days after this picture was taken, she gave birth to another child, who also inherited her statelessness.

Photo © Saiful Huq Omi



# INTRODUCTION

“One cannot really label nationality as being a civil and political right, or as being a social, economic, and cultural right; it is an ‘enabling right’.”<sup>1</sup>

All rights are interconnected, but enabling rights even more so. They lay a foundation, without which many other rights can never be fully enjoyed. Just as an illiterate person cannot make the most of their free speech because they have been denied the right to education, a stateless person cannot make the most of a basket of rights – including education, healthcare, free movement and family life – because they have been denied the right to nationality. Enabling rights are important throughout life, but no period is more crucial than childhood, those formative years when one’s identity, personality and life trajectory are set in motion: where the cost of being denied education and opportunity is acutely felt in the moment, and for a lifetime after.

Despite the importance of nationality, it is estimated that every 10 minutes a child is born stateless somewhere in the world. Statelessness is spreading faster than it is being solved as children are denied a nationality in a multitude of contexts. The universally accepted legal norm of the right to a nationality of every child (CRC Article 7), and the development aspiration of legal identity for all (SDG 16.9) are overshadowed by the narrative of nationality regulation as an exclusive area of state sovereignty. Discrimination, patriarchy and stigma against particular communities, as well as structural barriers to universal birth registration and the failure to integrate refugees and migrants, block progress in realising the right to a nationality for millions of children around the world. With more than 15 million stateless people worldwide, most of whom inherited statelessness from their parents at birth, the cost of childhood statelessness on the individual, family, community and future generations is incalculable.

This booklet highlights the importance of nationality to the development of the child and examines the causes and consequences of childhood statelessness. It examines how childhood statelessness can be avoided through simple changes to law and practice. The booklet looks at how the human rights and development frameworks can help achieve progress and offers examples of different types of action towards the realisation of every child’s right to a nationality.

If you are a child rights actor, a statelessness actor or if you work more generally in the human rights and development fields, this booklet is meant for you. It is part of our **Statelessness essentials** booklet series, which includes introductory booklets on statelessness and how it relates to various human rights, development and other issues. To learn more about this series and other available or forthcoming titles, please visit our website:

[www.institutesi.org](http://www.institutesi.org)

# WHAT IS NATIONALITY AND WHY IS IT IMPORTANT FOR CHILDREN?

A nationality is the legal bond between a person and a country. It conveys the status of belonging and membership to that country, a place and a community. Modern bureaucracies take the possession of a nationality as the norm. As such, despite human rights being universal in theory, in practice, those without a nationality find it much more difficult to access their rights or to challenge any violation of their rights.

Basic human rights are often out of reach for stateless persons, due to their inability to demonstrate a legal bond with their own country. Nationality in that sense functions as a gateway right, enabling the enjoyment of other child rights.

a **STATELESS PERSON** is someone who is "not considered as a national by any state under the operation of its law"

Having a nationality allows children to go to school and learn new things, to get health care when they need it, to travel abroad and to feel like they belong to the place where they live and that they know. Without a nationality, stateless children have difficulty **exercising their rights, struggle to feel like they belong** and grow up to be **disenfranchised and excluded adults**.

"All my friends go to places and I could not go to them.  
I feel sad because I don't have ID and all my friends have ID...  
I don't like to be stateless because it's not fair"

A young stateless girl in Lebanon<sup>2</sup>



## Melancholy

Melancholy.  
May-lan-kho-lee

It's a big word isn't it? It means 'a feeling of sadness'. This is the word I thought of when I first met the boy. He was crumpled on the floor in the corridor near the library. Looking melancholic. Staring into nothing. Deep in distant thought. I had to stop and ask him why he was sad. He looked up. I noticed the stain of recently dried tears. I sat down next to him and instinctively took his hand. 'I missed it' he said.

“In a world where the principle of non-discrimination was fully realized, nationality would not matter. Nationality would not affect access to basic services such as health care and education, or to place related activities such as crossing an international border or moving freely within a state.

This is not the world we live in. Despite three quarters of a century of global human rights norms and two decades of near universal child rights principles, nationality matters.”

Professor Jacqueline Bhabha, Harvard University<sup>3</sup>



I looked quizzically at him and he knew I wanted to hear more.  
'I was too late. The library was closed. I was going to register so I could borrow books'.  
I told him to meet me there the next day, half an hour earlier.  
We filled out all of the forms. I learnt his name. he even got his library card at once.  
'There, that wasn't so difficult was it?' I asked. 'All that sadness yesterday, wasted... you could have saved it up for something really sad'.  
This brought a half smile to his face. 'I thought I missed my chance. I thought if I couldn't register, I would never be able to borrow a book. Ever!'  
What a strange little boy I thought.  
We laughed.

# HOW IS NATIONALITY ACQUIRED BY OR DENIED TO CHILDREN?

The vast majority of children acquire their nationality at birth; immediately, automatically and without any difficulty. They get their nationality either via their parents, or because they were born in the territory of their country (or both). This is however not the case for all children. When a child does not acquire any nationality at birth or loses their only nationality during childhood, this makes them stateless.

A child may not acquire a nationality at birth for multiple reasons, such as failure or inability to register the child's birth (correctly), which makes it difficult to prove where the child was born or who the parents are, or when the child's parents are stateless themselves and have no nationality to pass on. This situation in which statelessness is passed from parent to child is the single biggest cause of childhood statelessness in the world. It persists due to a failure of countries to respect and fulfil the basic human right of every child to a nationality.

Nationality can also be lost, as has happened to entire groups, often minorities in their country such as Dominicans of Haitian descent, leaving entire communities, including children, stateless. Nationalities may also be lost when a country ceases to exist and the new, successor state denies nationality to some citizens of the previous country, or taken away from people who are deemed to have committed acts against a country's interests. When this happens, the children of such persons sometimes also have their nationality taken away – despite this being prohibited by international law.

## **“Jus sanguinis”: nationality from your parents**

*e.g. A child shall acquire German citizenship by birth if one parent possesses German citizenship.*

## **“Jus soli”: nationality of the country of your birth**

*e.g. Mexican nationals by birth are persons born in Mexican territory regardless of parents' nationality or immigration status in Mexico.*



We became good friends. Best friends even.  
One day, I remembered what he had said about the library and decided to tease him about it.  
‘You were very dramatic about your library card weren’t you?’  
He grunted embarrassed.  
‘I guess’.  
‘But that’s what happened to my great grandad’.  
‘He couldn’t join the library?’ (I asked)



## CASE STUDY: THE NETHERLANDS

Seven years and counting. That is how long Denny has been stuck in “legal limbo”. Denny was born in the Netherlands: a country which has made strong international legal commitments to deal with situations of statelessness. The Netherlands also has a Nationality Act that protects the right of every child

to a nationality through the promulgation of certain safeguards, including a pathway to Dutch nationality for stateless children who are born on the territory of the Netherlands. This means that while Denny was unlucky that he could not acquire a nationality from either his mother (a victim of human trafficking, brought from China to the Netherlands when still a minor) or his father (a man who has not recognised paternity, nor stayed in touch), he is surely fortunate to have been born in a place where children’s right to nationality is protected through dedicated safeguards. Yet ever since the day he was born, all of his mother’s efforts to secure a nationality for Denny have been futile.



Me



My Name



My family



My Nationality



My Personality

Activating the Netherlands’ safeguard against statelessness requires Denny to first be recognised as stateless. Denny’s mother has been unable to prove this on his behalf, as in the Netherlands the evidentiary burden imposed for establishing statelessness is very high. Her numerous documented attempts to have Denny recognised as a national of China all failed and even though this is the only other country with which he has any connection (through his mother), this was not considered enough to prove Denny’s statelessness. His registration in the Dutch population registry remains as a person of “unknown nationality”, but there is no provision in the Dutch nationality act for acquisition of nationality by a child of “unknown nationality”. As Denny approaches his eighth birthday, his situation remains precarious and the impact of his legal limbo on his wellbeing must be considered a growing cause for concern.



Where do you think I’m from?’ he asked me in return

‘Why here. Just two streets down’. (I didn’t say ‘in the dirty part of town’.)

‘Which country do you think is mine?’

‘Why this one! Same as me! What does this have to do with your great grandad’s library card?’

I was struggling to follow and increasingly perplexed (which is another big word for puzzled).

It was then that he told me his story.

# THE WORLDWIDE PROBLEM OF CHILDHOOD STATELESSNESS

Childhood statelessness is a significant worldwide problem. The UN estimates that approximately **one third of all people affected by statelessness globally are children**. It is a phenomenon found on every continent, and in most countries. In the 20 countries with the largest existing stateless populations, an estimated 70,000 children are born stateless each year. That their situation is often overlooked is testament to the fact that statelessness can have the effect of rendering a person invisible to people in power. But this does not make their predicament any less real.

**15** million stateless people  
every **10** minutes a child is born stateless

There are 23 countries known to have non-refugee stateless populations of over 10,000 persons, and in at least 15 additional countries, there are large but unquantified stateless populations.

In most of these countries, discrimination is a key factor as to why people are made stateless. In countries like the Dominican Republic and Myanmar, race and ethnic discrimination resulted in the statelessness of Dominicans of Haitian descent and the Rohingya respectively. In Malaysia and Sri Lanka, British colonial powers moved Indian Tamil labourers to each country, and these communities have had long struggles to secure Malaysian and Sri Lankan citizenship after independence. In Sweden and Germany, statelessness is a consequence of the failure to protect and grant nationality to refugees, migrants and their descendants born in the country.



Just like him, his great grandad too had missed a simple registration. Unlike him though, it wasn't because his great grandad was late. He simply didn't know. You see, he lived out in the countryside and he travelled a lot. They hadn't bothered to announce the registration there. Only the city folk knew.

It wasn't a registration for a library card though. It was a registration to say you belonged to this country. And everyone who missed it, all of a sudden didn't. Their children didn't either. Or their children's children. All for missing a registration they never knew about.



This girl is stateless, even though she was born in Lebanon, to a Lebanese mother. Lebanese law discriminates against women and does not permit a woman to pass on citizenship to their children - so the girl inherited her father's statelessness and not her mother's nationality.



Tens of thousands of Dominican children of Haitian descent in the Dominican Republic were left stateless when the Constitutional court retroactively stripped them and their parents of nationality in 2013.



In the western Balkans, statelessness is a challenge for many Roma. This Roma woman in Serbia was unable to register her four children and they have no documents to show their link to the country. She is now pregnant and it is unlikely she will be permitted to register her new born.

Photos © Greg Constantine, Nowhere People



And so my friend, who lived in and loved this country as I do, did not belong to it as I do. He never would. Perhaps this is why he lived in the dirty part of town. Maybe the nice part was only for the ones who had registered.

I now understood my friend's melancholy the day we first met.  
This made me very sad and angry.

*Story by Amal de Chickera*

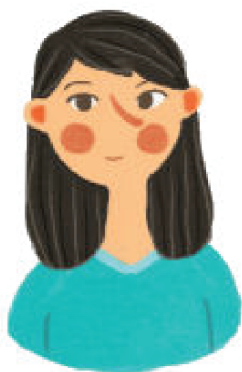
# QUESTIONS OF STATELESS CHILDREN

"I don't know, I can't explain the feeling because the feeling is like you are less than everyone. Less. I am still someone, but less."

A young woman from Ukraine who grew up without a nationality in the Netherlands.<sup>4</sup>

Statelessness generates a variety of feelings and questions in children and young people. These children's voices must be listened to by all actors working to address statelessness.

When asked about their past, present and future, stateless children expressed resilience and a sense of injustice and impatience that their nationality status was yet to be resolved.



What will happen if I never continue  
my education beyond this year?

– Sheellin, 15 years old, Malaysia

Does the world care about us?  
How much longer must I wait?

– Andrew, South Africa







Why is it that a person like me, who is the second generation born in Madagascar and who has no link with any other country, cannot have Malagasy nationality? – *Mohamed, 14 years old, Madagascar*

Do I look any different than anyone here? How do I ask a question, when everything I plan about my future ends with endless questions? – *Subhashini, 12 years old, Malaysia*



Statelessness and the disadvantage it creates have the worrying tendency of becoming entrenched. If a child's nationality cannot be established immediately after birth, when the evidence as to who their parents are and where they were born is strongest, it becomes increasingly difficult to do so as the child grows older. Without help early on, a stateless child may live their entire life without a nationality and one day have children who are also denied a nationality.

### Parents have questions too...

The parents of stateless children also face great struggles and have many questions and concerns about their children's statelessness status. They often fear for their children's future, to the barriers their children face to accessing and participating in school, their lack of access to health care in case of illness, and emotional wellbeing as part of a country that does not accept them.

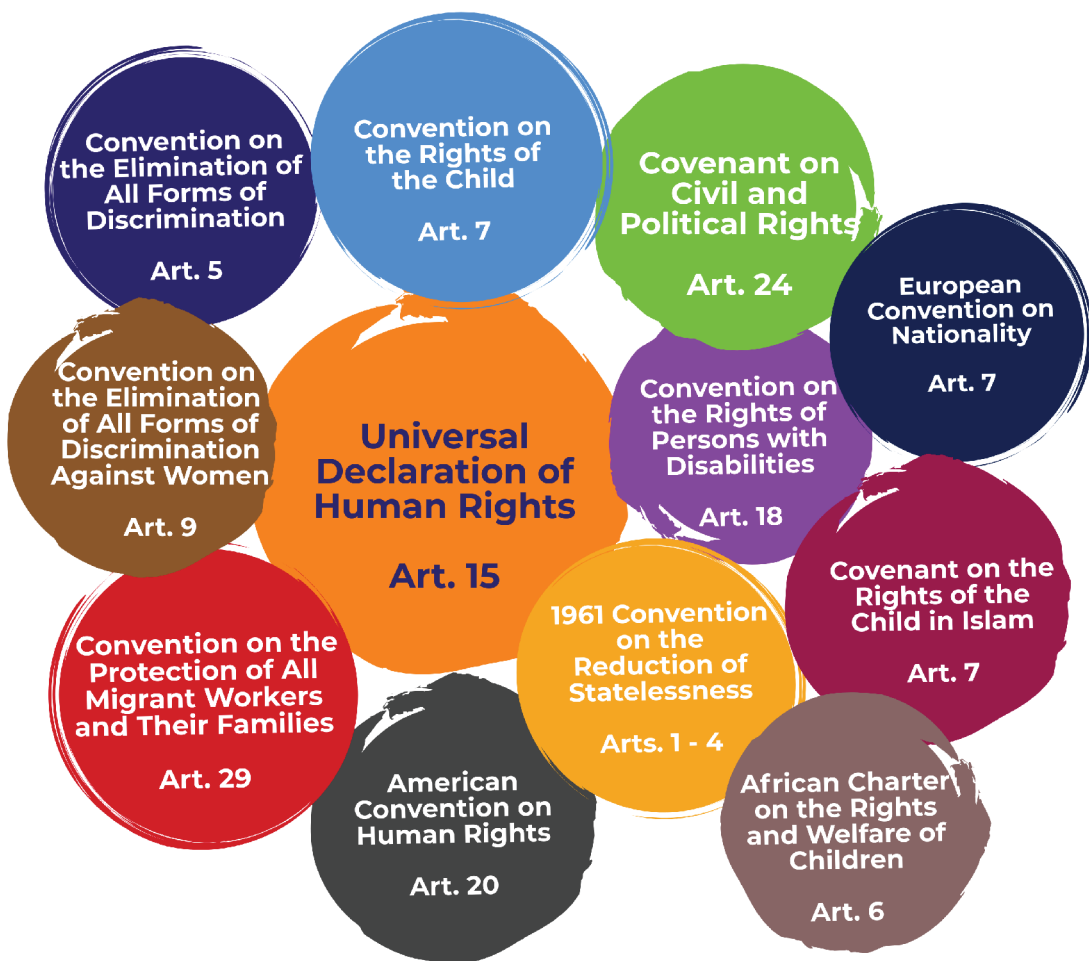
“Receiving citizenship, our government says, is a privilege, not a right and I must prove Zara is worthy. She's 8 years old.

How do I prove she's worthy? She's sassy and smart, colours within the lines and spouts beautiful poetry. She sings our national anthem with pride and loves this country very much. But this country has little regard for her at this point in time”

Mother of a stateless child in Malaysia<sup>5</sup>

# CHILDHOOD STATELESSNESS: A HUMAN RIGHTS ISSUE

The right of every child to a nationality is widely recognised and upheld in international and regional human rights frameworks alike. Human rights treaties such as the CRC, ICCPR, ICESCR, CEDAW, CERD and CRPD, regional treaties and national bills of rights protect the right to nationality.



## The Convention on the Rights of the Child

The CRC is the most widely ratified human rights treaty in the world – almost all countries have committed to uphold it. The CRC guarantees that:

- Every child has a right to acquire a nationality from birth and all states must ensure that no child will be born stateless (Art 7).
- Every child has the right to preserve their nationality and if a child is illegally deprived of their nationality, states must provide appropriate assistance and speedily re-establish it (Art 8).
- These rights must be protected “without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin property, disability, birth or other status.” (Art 2).

### Hot Resource!

The CRC Toolkit has been designed by ISI to encourage and inform civil society engagement with the CRC Committee as it dialogues with states to monitor the implementation of state obligations under the Convention. The Toolkit builds on and makes available, ISI’s analysis of the Committee’s Concluding Observations and Recommendations to states on the interpretation and implementation of the child’s right to a nationality. It also shares ready-to-use tools for engagement such as a country checklist for identifying relevant issues and template for reporting to the Committee. Scan the QR code or go to [crc.statelessnessandhumanrights.org](http://crc.statelessnessandhumanrights.org).



## CASE STUDY: KENYA

In 2011 the situation of stateless Nubian children and youngsters was considered by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). Where other Kenyan children can apply for an identity card which serves as evidence of their nationality upon reaching the age of 18, children from the Nubian community had to undergo a vetting process in order to apply for an identity card. The outcome of this process was often uncertain. The Committee found Kenya’s actions to be in contravention of several provisions of the African child rights charter, as they violated Nubian children’s right to acquire a nationality at birth, resulted in unlawful discrimination against Nubian children on ethnic and religious grounds, and consequentially violated other child rights, including education and health care.

**“I was emotionally stressed because all my peers were at school while I stayed at home because I didn’t have a birth certificate to join school.”**

**A Nubian child, fighting for a birth certificate in Kenya<sup>6</sup>**

# CHILDHOOD STATELESSNESS: A DEVELOPMENT ISSUE

"I am afraid that my kids cannot be treated if they fall ill."

- A father in Serbia, whose children have not been recognised as citizens

Development work aims to improve people's well-being, addressing poverty and improving opportunity. The stateless often find themselves living on the margins of society. Having been denied nationality, their access to other rights and services is significantly curtailed: they are more likely to be poor, to lack education and healthcare. Statelessness is detrimental to human development and can impact on a person's life chances, right from the start.

In 2015, the UN General Assembly adopted the Sustainable Development Goals (SDGs) that together form "a plan of action for people, planet and prosperity". The SDGs are not just about economic growth, social development and environmental protection, but about achieving this for all. **No one must be left behind.** This requires paying special attention to those groups most in need (including the stateless); and addressing systems and structures that engender exclusion, disadvantage and impoverishment (including those that generate childhood statelessness).

The SDGs are therefore an important instrument for action on statelessness. Indeed:

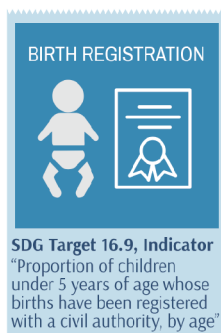
- **SDG targets will not be met unless stateless children are prioritised**  
Development actors must apply specific strategies to lift stateless children out of poverty, and guarantee them equal access to education, healthcare etc., in order to meet SDGs 1 (no poverty) 3 (good health) and 4 (quality education).
- **SDG targets require structural change to prevent childhood statelessness**  
Law and policy reform may be essential for the realisation of some SDGs. SDGs 5 (gender equality) and 10 (reduced inequalities) will not be met as long as children are made stateless due to discriminatory laws, policies and practices.





## SDG 16.9: “Provide legal identity for all including birth registration”

SDG Target 16.9 is highly relevant to statelessness: birth registration and the provision of other forms of legal identity documentation, on the basis of non-discriminatory laws, are essential to reduce statelessness. When a child has their birth registered, they are more easily “seen” and reached by development efforts, but birth registration also proves where a child was born and who their parents are – information which is often needed to establish a child’s nationality. However, universal birth registration is not a complete solution to childhood statelessness. Proof of birth does not always lead to a child receiving a nationality (which is an integral component of the child’s identity). As long as discriminatory and arbitrary nationality laws exist, children will be made stateless. So, it is essential that development actors move beyond the symptom of ‘lack of documentation’ to also address the root cause of ‘discriminatory law and policy’, in their attempts to ensure ‘legal identity for all’.



## CASE STUDY: THAILAND

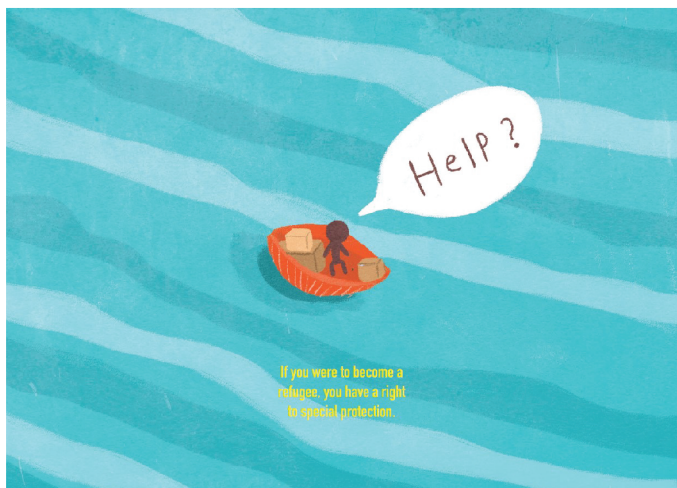
Worldwide, an estimated 230 million children under the age of five have not had their birth registered.<sup>8</sup> Development NGO Plan International created the initiative ‘Count Every Child’ to promote birth registration by raising awareness of its importance, integrating birth registration into related social systems (e.g. healthcare), strengthening legislation on birth registration and bringing the issue to the attention of the United Nations. In 2010, Plan Thailand started a programme of legal clinics, to teach children about their rights (including the right to identity), and support families to access birth registration. A young girl from the Salang ethnic group living in Chiang Mai who benefited from Plan Thailand’s work had this to say:

“There were so many times I missed the chance to apply for an education scholarship because I couldn’t prove that I was a Thai citizen. I was born in Thailand. I speak Thai. I am a student in a Thai school. It was difficult to be seen as an alien in my own country. With my official identity card, I can continue studying and apply for a scholarship.”

# CHILDHOOD STATELESSNESS: A (FORCED) MIGRATION ISSUE

There are 258 million migrants in the world today, some 14% of them children.<sup>9</sup> More people have been forcibly displaced now than at any other time since the Second World War. According to UNHCR, the rate at which people are fleeing war and persecution increased from 6 per minute in 2005 to 31 per minute in 2017.<sup>10</sup> This creates a challenging and complex environment in which to protect stateless children from displacement and displaced children from statelessness.

The acquisition and retention of nationality by migrant and refugee children can pose a real challenge. Children who are born after their parents have migrated or been displaced start their lives in what is commonly portrayed as their “host” rather than “home” country. However, these children know no other home. This mischaracterisation, and the thinking behind it, can have significant



implications for their access to a nationality at birth. Such children are more prone to falling victim to conflicts of nationality laws, are at greater risk of not having their births registered and are often pushed beyond the reach of the very safeguards that should protect them from statelessness. For example, many countries that provide special measures to grant nationality to a child born stateless on their territory, impose an added requirement that the child and/or parents must be lawful residents or have domicile in order to be eligible to do so. Legal residence status is often proxy to the very characteristics that perpetuate statelessness. Therefore, such requirements exclude the very people who are supposed to be included and go against guidance issued by the Committee on the Rights of the Child and the Committee on the Rights of Migrant Workers in their Joint General Comment (No. 4, 2017):

**“All nationality laws should be implemented in a non-discriminatory manner, including with regard to residence status [...] to ensure that every child’s right to a nationality is respected, protected and fulfilled”.**



An 8-year old girl from the stateless Rohingya community of Myanmar flees the violence in her village with eleven members of her family, crossing the border fence into Bangladesh where they live as refugees.

Photo © Saiful Huq Omi

While displacement can lead to statelessness, the opposite is also true. Stateless children are among those who cross international borders fleeing persecution. Their statelessness can make them especially vulnerable, limiting the pathways of migration available – making them more likely to be smuggled or trafficked – but potentially also creating additional challenges in accessing protection in host countries.

## CASE STUDY: SYRIA

Civil war broke out in Syria in 2011, resulting in mass displacement both within and outside the country. By 2016, over 300,000 children had been born in exile to refugee parents who were displaced by the conflict. Many of these children are at risk of statelessness:

- Syrian nationality law is gender discriminatory: a Syrian woman who gives birth outside of Syria cannot confer her nationality to her child. If the father is stateless himself, deceased or unknown, the child will be left stateless.
- An estimated 1 in 4 refugee households are female headed, aggravating the risk that some children will not be able to prove their legal link to a Syrian father required for enjoying Syrian nationality.
- Birth registration procedures in the countries neighbouring Syria, which host the most refugees, are complex, leaving many children without documentary evidence of their birth, including of facts crucial to establishing nationality.



**“We have found ourselves lost, and don’t want our children to be lost too.”**

Parents of two young stateless children from Syria, living as refugees in Iraq

# WHAT CAN BE DONE? REALISING EVERY CHILD'S RIGHT TO A NATIONALITY

Childhood statelessness is often the result of a convergence of a number of factors and forces, including racism, xenophobia, discrimination, forced migration, poor documentation, the denial of socio-economic rights and exclusion. It is important to recognise the complexity of the challenge and identify the various frameworks and forums through which statelessness and its negative impacts can be raised and addressed. These include international, regional and national legal and human rights mechanisms, the sustainable development goals and national policy and political discourses. Effective responses often require long-term, sustained engagement of many actors across many different fields and at all levels.

“Statelessness is a man-made challenge, therefore the solutions are also man-made; they can actually be achieved. However, unless the political discourse changes, unless political commitment is there, we are definitely not going to make much progress in terms of eradicating childhood statelessness.”

Benyam Dawit Mezmur, Member of the UN Committee on the Rights of the Child<sup>11</sup>



“The Girl who Lost her Country” is a children’s publication developed by ISI to mobilise action and raise awareness on childhood statelessness. The story revolves around a young girl, Neha from Nepal, who travels the world learning about nationality and statelessness all the while putting together the pieces of the puzzle of her own nationality. Not only does the book create a space for (stateless) children to talk about nationality, it also explains the phenomenon and its impact to children and adults alike. Neha’s story is available at [www.kids.worldsstateless.org](http://www.kids.worldsstateless.org), together with additional materials that allow for further learning, teaching and action around the topic.

"I wish my country would accept me the way I am.  
I wish to do so much good for my country when I grow up but  
the bitterness that is filled, I spend my time trying to replace it  
with positive energy for tomorrow's possibility."

A child growing up stateless in Nepal due to gender discrimination in the nationality law

Examples of how to campaign, act and raise awareness are plenty. Protests for nationality, can send a powerful message to the government, the public and sometimes even the world. Campaigning and writing to politicians can also convince people in power to make certain decisions. The Global Campaign for Equal Nationality Rights creates booklets and brochures to inform the public and governments about the impact of gender discriminatory laws on the nationality of women, children and men. The arts - theatre, poetry, photography, art etc. - can be powerful tools of mobilisation. Street theatre in the Dominican Republic for example raised awareness about statelessness and accessing basic rights to over 5,000 visitors over a three year period.

## CASE STUDY: #STATELESSKIDS CAMPAIGN IN EUROPE

The European Network on Statelessness' #StatelessKids Campaign focused on creating a network of collaborating NGOs, academics and experts on childhood statelessness within the European community. They later forged partnerships with European Institutions (European parliament and the Council of Europe) and strengthened ties with international organisations, such as UNICEF. They also involved youth organisations (European Youth Forum) and university law clinics.



Through this intense collaboration between diverse groups, and energised by the its Youth Ambassadors, the Campaign was able to not only research and raise awareness but also to present the situation of childhood statelessness to the general public in a unified and effective way.

## FURTHER READING

Below are some key resources on childhood statelessness:

- Institute on Statelessness and Inclusion, *The World's Stateless Report 2017*, Wolf Legal Publishers, January 2017.
- Institute on Statelessness and Inclusion, *Addressing the Right to a Nationality through the Convention on the Rights of the Child: A Toolkit for Civil Society*, June 2016.
- Lawyers for Human Rights & Institute on Statelessness and Inclusion, *Childhood Statelessness in South Africa*, 2016.
- Amnesty International UK, *We are All Born Free*, 2013.
- UNICEF, *Child-friendly Resources*, web resource: [https://www.unicef.org/rightsite/484\\_540.htm](https://www.unicef.org/rightsite/484_540.htm).
- Institute on Statelessness and Inclusion, *The Girl Who Lost Her Country*, children's publication 2018 and additional web resource: [www.kids.worldsstateless.org](http://www.kids.worldsstateless.org).
- UNHCR and UNICEF, *Minority Children and Statelessness*, 2018.

## ENDNOTES

- 1 Benyam Dawit Mezmur, Member of the UN Committee on the Rights of the Child. Full interview published in *The World's Stateless: Children*, 2017.
- 2 UNHCR, *#ibelong – 9 year old Rama thinks being stateless is unfair*, 2015, : <https://www.youtube.com/watch?v=qAGTBY42s5Q>
- 3 J. Bhabha, "The Importance of nationality for children" in Institute on Statelessness and Inclusion, *The World's Stateless: Children*, 2017.
- 4 Photo by Greg Constantine and testimony from related multimedia piece *Nationality Unknown*, 2014, <https://staatloosinnederland.wordpress.com/videos-2/nationality-unknown/>.
- 5 T. Zainudin, "Stateless and invisible", *The World's Stateless: Children*, 2017.
- 6 M. Mahmoud Yousif, "Sultan – An interview", *The World's Stateless: Children*, 2017
- 7 UNGA, '70/1. Transforming our world: the 2030 Agenda for Sustainable Development', Resolution adopted by the General Assembly on 25 September 2015, A/RES/70/1, 21 October 2015.
- 8 UNICEF, *A Passport to Protection*, 2013.
- 9 UN Department of Economic and Social Affairs, Statistics Division, *International Migration Report 2017*, December 2017.
- 10 UNHCR, *Global Trends 2017*, June 2018.
- 11 Full interview published in *The World's Stateless: Children*, 2017.



# GLOSSARY OF ABBREVIATIONS

<b>1954 Convention</b>	1954 Convention relating to the Status of Stateless Persons
<b>1961 Convention</b>	1961 Convention on the Reduction of Statelessness
<b>ACERWC</b>	African Committee of Experts on the Rights and Welfare of the Child
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CERD</b>	Convention on the Elimination of All Forms of Racial Discrimination
<b>CESCR</b>	UN Committee on Economic, Social and Cultural Rights
<b>CRC</b>	Convention on the Rights of the Child
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>OHCHR</b>	Office of the UN High Commissioner for Human Rights
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UPR</b>	Universal Periodic Review
<b>SDGs</b>	Sustainable Development Goals



## STATELESSNESS & HUMAN RIGHTS

The Convention on the Rights of the Child



Institute on  
Statelessness and  
Inclusion

statelessness  
*essentials*

This booklet is number 2 of the Institute's **statelessness essentials** series. Other booklets in the series are:

1. An introduction to statelessness
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3. All about statelessness: What development actors need to know
4. All about the SDGs: What statelessness actors need to know
5. Statelessness & Human Rights: The Universal Periodic Review
6. Statelessness & Human Rights: The Convention on the Rights of the Child
7. Statelessness & Human Rights: The Convention on the Elimination of All Forms of Discrimination Against Women
8. Citizenship and Statelessness: (in)equality and (non)discrimination

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Despite the importance of nationality, it is estimated that every 10 minutes a child is born stateless somewhere in the world. Statelessness is spreading faster than it is being solved as children are denied a nationality in a multitude of contexts. The universally accepted legal norm of the right to a nationality of every child (CRC Article 7), and the development aspiration of legal identity for all (SDG 16.9) are overshadowed by the narrative of nationality regulation as an exclusive area of state sovereignty. Discrimination, patriarchy and stigma against particular communities, as well as structural barriers to universal birth registration and the failure to integrate refugees and migrants, block progress in realising the right to a nationality for millions of children around the world. With more than 15 million stateless people worldwide, most of whom inherited statelessness from their parents at birth, the cost of childhood statelessness on the individual, family, community and future generations is incalculable.

This booklet highlights the importance of nationality to the development of the child and examines the causes and consequences of childhood statelessness. It examines how childhood statelessness can be avoided through simple changes to law and practice. The booklet looks at how the human rights and development frameworks can help achieve progress and offers examples of different types of action towards the realisation of every child's right to a nationality.

If you are a child rights actor, a statelessness actor or if you work more generally in the human rights and development fields, this booklet is meant for you.

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The Institute on Statelessness and Inclusion is an independent non-profit organisation committed to realising the right to a nationality for all, through our role as expert, knowledge partner, catalyst for action and advocate for change.