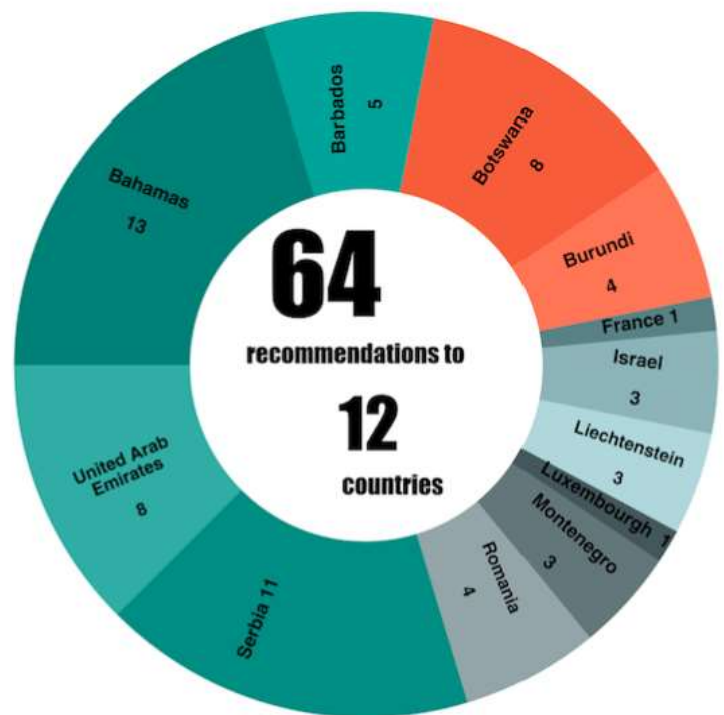


The 29th session of the Universal Periodic Review (UPR) took place from 15-26 January 2018. The following countries were under review by the Human Rights Council during this session: **Bahamas, Barbados, Botswana, Burundi, France, Israel, Liechtenstein, Luxembourg, Mali, Montenegro, Romania, Serbia, Tonga, United Arab Emirates.**

The Institute on Statelessness and Inclusion (ISI) and its partners made country submissions on the right to nationality and human rights of stateless persons in [The Bahamas \(additional summary\)](#) and [Barbados](#) (both with the Global Campaign for Equal Nationality Rights), [Botswana](#) (with SADC CRAI Network on Statelessness, DITSHWANELO and Lawyers for Human Rights), [Burundi](#) (with Association Des Femmes Juristes du Burundi and the Global Campaign for Equal Nationality Rights), [Serbia](#) (with Praxis, the European Network on Statelessness and the European Roma Rights Centre) and [the United Arab Emirates \(additional summary\)](#).

ISI also prepared a [summary document](#) which outlined key nationality and statelessness issues in all countries under review and an overview of [the role of gender discrimination in nationality and statelessness issues](#) (with the Global Campaign for Equal Nationality Rights) for the four countries under review at UPR29 that continue to have gender discriminatory nationality laws.

This document provides an overview and analysis of the recommendations that were made during this session to the countries under review on the basis of the draft reports adopted by the UPR Working Group, which can be accessed via [UPR-Info](#).



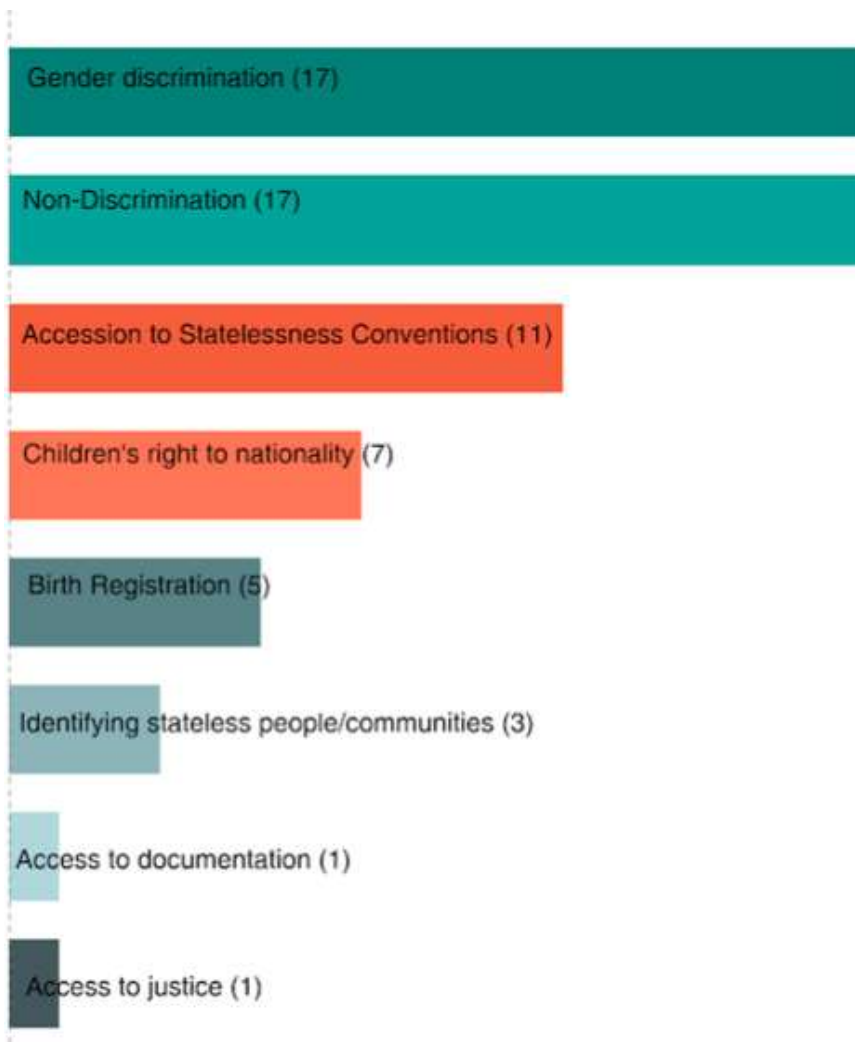
Overview

A total of **64 recommendations** related to the right to nationality, birth registration and statelessness were made, with 12 out of 14 countries under review at least receiving one relevant recommendation.

The Bahamas received the most recommendations (13), followed by Serbia (11), Botswana (8) and United Arab Emirates (8). Mali and Tonga did not receive any recommendations.

39 countries made recommendation to the countries under review. Sierra Leone was most active in making relevant recommendations to countries to states under review (11), followed by Namibia (3) and Slovakia (3).

Topics addressed



Summary of recommendations per country

Bahamas (13)

Recommendations made by Côte d'Ivoire, Haiti, Peru, Sierra Leone, Australia, Uruguay, Iceland, Namibia, Trinidad and Tobago, Argentina, Spain, Indonesia.

- 1 recommendation on withdrawing the reservations to the CEDAW art 2 (a) and art 9 (2). This recommendation also addressed the signing of Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- 3 recommendations on acceding to the 1954 Convention on the Status of Stateless Persons (1954 Convention) and the 1961 Convention on the Reduction of Statelessness (1961 Convention);
- 6 recommendations on eliminating gender discrimination related to the conferral of nationality;
- 1 recommendation on facilitated naturalisation for children born in the Bahamas to foreign nationals; and
- 2 recommendations on ensuring the realisation of the child's right to a nationality.

Barbados (5)

Recommendations made by Honduras, Sierra Leone, Germany, Trinidad and Tobago, Iceland

- 1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions;
- 3 recommendations on eliminating gender discrimination in the conferral of nationality; and
- 1 recommendation on protecting the right to nationality of children born abroad to Barbadian citizens.

Botswana (8)

Recommendations made by Sierra Leone, Kenya, Côte d'Ivoire, Russian Federation, Belgium, Mexico

- 4 recommendations on acceding to the 1961 Convention on the Reduction of Statelessness; and
- 4 recommendations on the right to nationality for otherwise stateless children.

No recommendations on:

- Ensuring universal birth registration to avoid (risks) of statelessness;
- Ensuring that refugees who acquire Botswanan nationality are not required to renounce their previous nationality if they are unable to;
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Burundi (4)

Recommendations made by Sierra Leone, Namibia, Mexico

- 1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions;
- 2 recommendations on eliminating gender discrimination in respect to the conferral of nationality; and
- 1 recommendation on promoting birth registration.

No recommendations on:

- Taking steps to ensure that all those previously denied Burundian citizenship due to gender discriminatory nationality laws are granted nationality and, in the interim, that they fully enjoy their other human rights on a non-discriminatory and equal basis; and
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

France (1)

Recommendations made by Argentina

1 recommendation on birth registration.

No recommendations on:

- Acceding to and fully implementing the 1961 Statelessness Convention and the European Convention on Nationality;
- Ensuring the right to legal stay and work of applicants whose claim for statelessness status is being processed, and ensuring that no stateless persons are arbitrarily detained;
- Ensuring the facilitated naturalisation to recognised stateless persons; and
- Implementing a comprehensive safeguard against statelessness by ensuring that all children born on the territory who would otherwise be stateless, automatically acquire French nationality.

Israel (3)

Recommendations made by Slovenia, Sierra Leone, Togo

- 1 recommendation on recognising Bedouin villages; and
- 2 recommendations on birth registration.

No recommendations on:

- Desisting from revoking the nationality of citizens in contravention of the 1961 Convention on the Reduction of Statelessness and other international standards, and restoring the nationality of all persons arbitrarily deprived of their nationality;
- Ensuring that all children born in the country have the right to acquire a nationality, without discrimination; and
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Liechtenstein (3)

Recommendations made by Sierra Leone, Algeria, Syrian Arab Republic

- 1 recommendation on the right to nationality for otherwise stateless children born in the country; and
- 2 recommendations on non-discrimination on the basis of nationality.

No recommendation on:

- Acceding to and take all necessary steps to fully implement the European Convention on Nationality.

Luxembourg (1)

Recommendation made by Brazil

1 recommendation on the identification and reception of stateless persons.

No recommendations on:

- Ensuring that all children born in the country and children born abroad to nationals are protected from statelessness, and that their right to acquire a nationality without discrimination is protected; and
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Mali (0)

No recommendations made by any country

No recommendations on:

- Ensuring that all children born in the country and children born abroad to nationals have the right to acquire a nationality;
- Eradicating all forms of discrimination in relation to the conferral of nationality to children;
- Continuing efforts to realise birth registration of all children born in the territory; and
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Montenegro (3)

Recommendations made by Namibia, Philippines, Senegal

- 1 recommendation on establishing a stateless determination procedure;
- 1 recommendation on access to documentation for stateless persons; and
- 1 recommendation on eliminating discrimination against minorities who are (at risk) of statelessness.

No recommendations on:

- Pursuing universal birth registration, prioritising access to marginalised and vulnerable groups, simplifying the procedure and addressing discrimination in the system; and
- Granting legal status and protection to IDPs and refugees, and protecting all such persons and their descendants from statelessness;
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Romania (4)

Recommendations made by Philippines, Peru, Panama, State of Palestine

4 recommendations on combatting discrimination against Roma.

No recommendations on:

- Implementing a comprehensive safeguard against statelessness by ensuring that all children born on the territory who would otherwise be stateless automatically acquire Romanian nationality;

- Establishing a statelessness determination procedure, in line with international law and UNHCR Guidelines; and
- Strengthening statistical data on statelessness in the country, undertaking a mapping study on statelessness and making the outcomes publicly available.

Serbia (11)

Recommendations made by Brazil, Italy, Bolivarian Republic of Venezuela, Uruguay, Chile, Afghanistan, Mozambique, Germany, Honduras, Albania, Austria

- 1 recommendation on birth registration; and
- 10 recommendations on non-discrimination against Roma.

No recommendations on:

- Ensuring the correct interpretation and implementation of Article 13 of the Law on Citizenship (regulating the right to Serbian citizenship on the basis of the jus soli principle) in line with the 1961 Convention on the Reduction of Statelessness and the Convention on the Rights of the Child. Specifically, ensuring that young adults over 18 years who would otherwise be stateless, can access their right to acquire Serbian citizenship;
- Reconstructing destroyed, missing or unavailable registries and alleviating unreasonably strict standards regarding the evidence required for re-registration in citizenship registries;
- Collecting reliable, disaggregated data on stateless persons and persons at risk of statelessness in Serbia and making this data publicly available;
- Introducing a fair and effective statelessness determination procedure in line with international standards, and ensuring that it is accessible to all persons in Serbia regardless of their legal status; and
- Ensuring that stateless persons are protected from arbitrary detention in Serbia, including by improving the identification of statelessness during decisions to detain, ongoing reviews of detention, and vulnerability assessments.

Tonga (0)

No recommendations made by any country

United Arab Emirates (8)

Recommendations made by Kenya, Slovakia, Sierra Leone, Sweden, Portugal

- 2 recommendations on acceding to the 1961 Convention and the 1954 Convention;
- 1 recommendation on access to justice for stateless persons; and
- 5 recommendations on the elimination gender discrimination in respect to conferral of nationality.

ANNEX: Full text of recommendations relevant to nationality and statelessness

The Bahamas (from the [draft report](#) of the working group on the UPR)

3 recommendations on acceding to the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness

- 6.25. Accede to the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Côte d'Ivoire) (Haiti);
- 6.26. Consider accession to the Convention on the Status of Stateless Persons and the Convention to reduce cases of Statelessness (Peru); and
- 6.27. Ratify the 1961 Convention on the Reduction of Statelessness (Sierra Leone).

6 recommendations on eliminating gender discrimination related to the conferral of nationality

- 6.94. Continue the process of Constitutional Reform to remove gender discrimination in nationality provisions and introduce safeguards to prevent statelessness (Australia);
- 6.97. Increase efforts to promote the rights and equality of women, specifically addressing the Nationality Law that discriminates on the grounds of gender (Uruguay);
- 6.136. Ensure that women are able to pass their nationality to their children on equal footing with men, including by withdrawing the reservation on Article 9(2) of CEDAW (Iceland);
- 6.138. Intensify efforts aimed at addressing the discriminatory provisions in nationality laws (Namibia);
- 6.140. Continue efforts to ensure that national legislation adequately guarantees gender equality as it pertains to the conferring of nationality (Trinidad and Tobago); and
- 6.141. Take the necessary measures to modify all legislation that denies or restricts the right of national women to transmit their nationality (Argentina).

1 recommendation on withdrawing the reservations to the CEDAW art 2 (a) and art 9 (2)

- 6.10. Sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, withdraw the reservations to the CEDAW art 2 (a) and art 9 (2) on nationality and move forward in the adoption of a comprehensive strategy to eliminate gender stereotypes (Spain)

1 recommendation on facilitated naturalisation for children born in the Bahamas to foreign nationals

- 6.135. Put in place, in cooperation with UNHCR, simplified naturalisation procedures to ensure Bahamian born children of foreign nationality application for Bahamian citizenship within a reasonable period of time (Haiti)

2 recommendations on ensuring the realisation of child's right to nationality

- 6.137. Continue enhancing protection of the rights of the child, in particular to ensure every child's right to nationality and citizenship (Indonesia); and
- 6.139. Modify national laws to ensure equal nationality rights and that nationality can be passed on to Bahamian children regardless of whether or not their parent was born in the Bahamas post 1973 (Sierra Leone).

Barbados (from the [draft report](#) of the working group on the UPR)

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions

- 6.29. Ratify the 1951 Convention relating to the Status of Refugees and its Protocol, and also consider the possibility of withdrawing its reservation to the Convention on the Status of Stateless Persons of 1954 and ratify the 1961 Convention on the Reduction of Statelessness (Honduras).

3 recommendations on eliminating gender discrimination in the conferral of nationality

- 6.83. Amend national legislation to ensure equality in nationality law and ensure that it facilitates the acquisition, changing and retention of nationality, and ensure that mothers can transfer their nationality to their offspring regardless of whether or not they are adopted (Sierra Leone);
- 6.84. Amend its laws to ensure gender equality between Barbadian mothers and fathers with respect to their ability to confer their nationality to their children in all circumstances (Germany); and
- 6.104. Continue efforts at addressing gender inequality as it relates to the conference on nationality (Trinidad and Tobago).

1 recommendation on the right to nationality for children born abroad to Barbadian citizens

- 6.85. Amend national legislation to reflect that any child born outside of Barbados to a Barbadian citizen was entitled to citizenship by descent (Iceland).

Botswana (from the [draft report](#) of the working group on the UPR)

4 recommendations on acceding to the 1961 Convention on the Reduction of Statelessness

- 7.19. Ratify the 1961 Convention on the Reduction of Statelessness (Sierra Leone);
- 7.20. Accede and domesticate the 1961 Convention on Reduction of Statelessness to address child statelessness and lack of nationality (Kenya);
- 7.21. Accede to the 1961 Convention on the Reduction of Statelessness (Slovakia); and
- 7.22. Accede to the 1961 Convention on the Reduction of Statelessness (Côte d'Ivoire).

4 recommendations on the right to nationality for otherwise stateless children

- 7.73. Adopt legislative and normative acts to ensure the rights of all children to acquire citizenship and ensure that no child is born stateless (Russian Federation);
- 7.74. Amend its legislation in order to grant nationality to any child born in Botswana who would otherwise be stateless as well as to foundlings (Sierra Leone);
- 7.75. Amend the Citizenship Act and the Citizenship regulations in accordance with the Convention on the Rights of the Child, so as to ensure every child's right to a nationality (Belgium); and
- 7.76. Adopt legislative measures, administrative measures and programmes which ensure the registration of all children born within its borders regardless of their parents' migratory status or nationality including refugees, foundling children and those born outside of hospitals (Mexico).

Burundi (from the [draft report](#) of the working group on the UPR)

1 recommendation on acceding to the 1954 and 1961 Statelessness Conventions

- 6.20. Expedite the ratification of the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Sierra Leone);

2 recommendations on eliminating gender discrimination in respect of conferral of nationality

- 6.213. Amend the Code on Persons and Family and the Nationality Code, in order to remove the gender discriminatory provisions therein contained (Namibia);
- 6.214. Remove all discriminatory provisions between men and women relating to their ability to pass their nationality to their children (Sierra Leone).

1 recommendation on promoting birth registration

- 6.236. Conduct campaigns for the registration of boys and girls not registered at birth, and ensure their free inscription in the civil registry at any time (Mexico).

France (from the [draft report](#) of the working group on the UPR)

1 recommendation on birth registration

6.176. Take the necessary measures to further the efforts by the authorities for the birth registration of children in the overseas departments and territories (Argentina).

Israel (from the [draft report](#) of the working group on the UPR)

1 recommendation on recognizing Bedouin villages

6.132. Legally recognize unrecognized Bedouin villages in the Negev and improve access of all Bedouin citizens to basic services, including adequate housing, water and sanitation, health care and education (Slovenia);

2 recommendations relating to birth registration

6.120. Ensure that all children, whether born to migrant, asylum seekers or refugees living within its territory have access to birth registration (Sierra Leone);

6.121. Take the necessary measures to ensure that all children in its territory, including migrant, asylum-seekers and refugee children, are issued a birth certificate (Togo);

Liechtenstein (from the [draft report](#) of the Working Group on the UPR)

1 recommendation on the right to nationality for otherwise stateless children born in the country

6.126. Grant nationality to children born in Liechtenstein who would otherwise be stateless (Sierra Leone).

2 recommendations on non-discrimination on the basis of nationality

6.33. Put in place the necessary means to enable the effective implementation of the provisions related to the fight against discrimination based on colour, ethnic origin, citizenship, religion or language (Algeria); and

6.44. Repeal the law on foreigners, in particular Article 49 and amend the legislative framework so as to provide comprehensive protection from all forms of discrimination and hatred based on colour, origin, nationality, religion, language, and in particular in the area of education (Syrian Arab Republic).

Luxembourg (from the [draft report](#) of the working group on the UPR)

1 recommendation on the identification and reception of stateless persons.

6.144. Consider alternatives to the detention of migrants, including individuals whose asylum claims have been rejected, and redouble efforts in the identification and reception of vulnerable persons among migrants, refugees and asylum seekers, in particular those who are stateless or have experienced torture, sexual abuse or human trafficking (Brazil)

Montenegro (from the [draft report](#) of the working group on the UPR)

1 recommendation on establishing a stateless determination procedure

7.144. Introduce into law a mechanism to expedite the determination of statelessness (Namibia).

1 recommendation on access to documentation for stateless persons

8.15. Facilitate the processing and obtaining of necessary documentation, such as civil registration papers, for thousands of stateless persons in the country (Philippines).

1 recommendation on eliminating discrimination against minorities that are (at risk) of statelessness

7.12. Continue to fight against all discriminations especially those targeting people of Roma, Ashkali and Gypsy origin as well as foreigners (Senegal).

Romania (from the [draft report](#) of the working group on the UPR)

4 recommendations on combatting discrimination against Roma

6.54. Continue to combat discrimination and uphold the rights of those marginalized in its society, especially the Roma population (Philippines);

6.56. Continue efforts in fighting prejudices and negative stereotypes that discriminate and exclude Roma, and in that framework, end illegal forced evictions of the Roma (Peru);

6.57. Address the root causes of discrimination and social exclusion faced by Roma, especially prejudices and negative stereotypes (Panama); and

6.59. Continue to address negative prejudices and stereotypes, which are among the main causes of systemic discrimination and social exclusion experienced by Roma (State of Palestine).

Serbia (from the [draft report](#) of the working group on the UPR)

1 recommendation on birth registration

7.28. Ensure that all children born in Serbia have access to timely birth registration immediately after birth without discrimination and regardless of the legal or documentation status of their parents (Brazil).

10 recommendations on non-discrimination against Roma

6.14. Strengthen efforts to prevent and combat all forms of discrimination, including against women, children, Roma and LGBTI persons (Italy);

6.65. Continue to intensify efforts to promote tolerance towards persons belonging to ethnic, national, racial, religious and other minorities, including Roma (Bolivarian Republic of Venezuela);

6.66. Intensify the work for the promotion of tolerance towards persons belonging to ethnic, National, racial, religious, any other type, including Roma (Uruguay);

6.67. Take necessary steps to ensure the rights of minorities particularly the Roma (Afghanistan);

6.68. Increase efforts to promote tolerance towards people belonging to ethnic and national minorities, including the Roma and to do so through awareness-raising campaigns (Chile);

6.72. Improve the situation of human rights of Roma minority (Mozambique);

6.73. Ensure the effective integration of Roma people into the Serbian society (Germany);

7.102. Redouble its efforts in the promotion of tolerance towards persons belonging to ethnic, national, racial, religious and other minorities, including Roma (Honduras);

7.103. Take further measures to overcome the prevailing discrimination against Roma in the enjoyment of economic, social and cultural rights (Albania); and

7.104. Ensure the full implementation of the new strategy for Roma inclusion and adopt promptly the action plan (Austria).

United Arab Emirates (from the [draft report](#) of the working group on the UPR)

2 recommendations on ratifying the 1961 Convention and the 1954 Convention

6.39. Accede to and implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Kenya); and

6.40. Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia).

1 recommendation on access to justice for stateless persons

6.216. Establish measures to facilitate access to justice, interpretation services and quality legal aid for migrant workers, stateless persons and domestic workers (Sierra Leone).

5 recommendations on elimination gender discrimination in respect of conferral of nationality

6.47. Adopt and implement equal nationality rights to guarantee, in particular women's rights and gender equality, including removing reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Kenya);

6.170. Modify the laws to enable Emirati women to pass nationality to their children (Sierra Leone);

6.171. Take legislative measures to enable Emirati women to transfer nationality to their children without restrictions (Slovakia);

6.172. Enact legislative reforms to ensure non-discrimination of women, including in relation to marriage, divorce and inheritance (Sweden); and

6.192. Continue applying efforts towards the trend of tackling gender discrimination and inequality for all women and children independently of their status and nationality (Portugal).